

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**O.A. No. 45/2024**

**CENTRAL ZONE BENCH, BHOPAL**

**IN THE MATTER OF:**

SHIVAM SAXENA

.....APPLICANT

VERSUS

MAAZ KHAN & ORS.

.....RESPONDENT

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Date: 04.07.2024

Place: Bhopal

Submitted by MPPCB:-



through Counsel

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## REPORT

**Ref: Joint inspection report in compliance to the Hon'ble NGT order dated 05/03/2024 in the matter of OA 45/2024 (CZ) Shivam Saxena V/s Maaz Khan & Ors.: -**

Hon'ble NGT issued following instructions on dated 05/03/2024 in the matter of OA 45/2024 (CZ) Shivam Saxena V/s Maaz Khan & Ors.:-

*“1. The Issue raised in this application is encroachment, cutting trees & construction of illegal multi storey building over the part of International Ramsar convention site Bhoj Wetland situated upon part of Khasra No. 74 &75 village Kohefiza Tehsil -Huzur District Bhopal. This wetland has been accepted and designated as a Ramsar Site of International Importance on 19.08.2002 by the Government of India. This Ramsar site is an unique man made wetland & its supports a wide variety of flora & fauna Bhoj Wetland hosts a large number of birds in its waters as well as around it & there are about 43 fish species depend on the wetland for food, spawning and nursery. This Ramsar Site of international importance, comprising the Upper and Lower Lakes in Bhopal, holds significant ecological value and is governed by Wetland Rules, 2017, which were enacted to protect and preserve such vital ecosystem. However, the Government of Madhya Pradesh through its Environment Department has issued an order No. 302/233/2022/32-3 dated 16.03.2022 with regard to Bhoj Wetland for implementation of Wetland Rules, 2017. Under this order Particularly Section 4(2(VI)) any type of permanent construction, encroachment and alternation for non-wetland use is prohibited within a distance of 50 meters from Upper Lake Full Tank Level (FTL) and in compliance with the Wetland Rules, 2017. To implement these rules for the Bhoj Wetland. That in the year 2019, Lake Conservation Cell (Municipal Corporation Department Bhopal) conducted a survey of Bhoj Wetland Bhopal. According to the said survey report, Khasra No. 74 & 75 village Kohefiza comes under the Bhoj Wetland.*

2. *It is further contended that Respondent No. 1 & 2 are encroaching, cutting trees and construction of illegally multi story building over the Bhoj Wetland area in contravention of Wetland (Conservation & Management) Rules 2017, [Rule 4(2) (vi)] which threatens the ecological balance around the area.*
3. *A substantial issue of environmental has been raised. Issue notice to the respondents. Returnable within four weeks.*
4. *Applicant is 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/counter affidavit through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, before the next date of listing.*
6. *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) *One Representative from the Collector, Bhopal (M.P.)*
  - (ii) *One Representative from the MP State Wetland Authority, Bhopal (M.P.)*
  - (iii) *One Representative from the Member Secretary State Pollution Control Board, (M.P.)*
7. *The Committee is directed to submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.*

In compliance to the order of Hon`ble NGT dated 05/03/2024, a joint committee consisting of the following officials of the concerned department has been constituted: -

<b>S. No</b>	<b>Name of Department</b>	<b>Name of Committee Member</b>
1.	One Representative from the Collector, Bhopal (M.P.)	Shri Vinod Sonakiya, SDM (Bairagarh), Bhopal.
2.	One Representative from the MP State Wetland Authority, Bhopal (M.P.)	Dr. Manoj Vishwakarma, Assistant Scientific Officer, MP State Wetland Authority, Bhopal.
3.	One Representative from the Member Secretary State Pollution Control Board, (M.P.)	Shri Brajesh Sharma, Regional Officer, RO, MPPCB, Bhopal

1. The committee reviewed the petition and the points related to the mentioned site in the petition are discussed to proceed for the inspection. The points raised by the applicant in his application are as under:-

1.1. According to the petition, respondent no. 1 & 2 constructed a (Lake View Courtyard) multi storey building apartment on the part of the International Ramsar Site, Bhoj Wetland situated upon part of khasra no. 74 Village-Kohefiza, Tehsil-Huzur, District-Bhopal. During the alleged construction several trees in the aforesaid areas are being cut and a part of the Ramsar Convention Site, Bhoj Wetland is being cleared up for construction activities and such an act of cutting down (number of trees approx. 100) was done without the prior permission of the concerned authorities.

1.2. It is alleged that respondent no. 1 & respondent no. 2 constructed illegal multi-storey building against the Rule 4 of Wetlands (Conservation and Management) Rules, 2017 on the said part of Bhoj Wetland, which is prohibited and the permissions are being obtained by fraudulent means by the respondents nos. 1, 2 & 3 in collusion with the Government officials on the basis of fake documents of the said land.

## **2. FIELD OBSERVATION:**

Joint committee conducted a site visit of khasra no. 74 and 75 situated in Village-Kohefiza, Tehsil-Huzur, District-Bhopal on dated 14/05/2024. During site visit, apart from the Joint Committee members following officials, Shri Jainendra Chandel, Chemist, RO, MPPCB, Bhopal, Ms. Meenu Goswami, Patwari, Shri Firoz Ali, Inspector and Shri Narendra Parmar, Tehsildar Tehsil – Huzur, District Bhopal were present. The Advocate of petitioner Shri Shariq Choudhary was present during the visit. The Photographs are enclosed as **Annexure- I**. The Geographical locations, photographs and visual observations were recorded during inspection and the observations are as under:

- 2.1. The Advocate of petitioner shown the site and the site is located at Village-Kohefiza, Tehsil-Huzur, District-Bhopal, Madhya Pradesh. The geographical location of the site is latitude 23° 15' 39.8556" N and longitude 77° 22' 50.7684" E.
- 2.2. A multistoried building is found constructed at the above mentioned location.

- 2.3. While visiting the site, the committee identified that the same building was visited earlier for another Hon'ble NGT case regarding the similar issue.
- 2.4. The similar case of the said site is identified as OA No. 32/2023 (CZ) Faraz Azam V/s State of M.P. & Ors.
- 2.5. In the OA No. 32/2023 (CZ) Faraz Azam V/s State of M.P. & Ors a joint committee was constituted by Hon'ble NGT and accordingly as per instruction of Hon'ble NGT the committee visited the site and submitted its report before the Hon'ble NGT along with the observation. The Joint Committee report in OA 32/2023 (CZ) Faraz Azam V/s State of M.P. is enclosed as **Annexure – II**.
- 2.6. In OA No. 32/2023 (CZ) Faraz Azam V/s State of M.P. & Ors Hon'ble NGT issued following instructions on dated 03/08/2023 :-

*“7. In these facts and circumstances, we dispose of this Original Application with following directions:*

- i. District Collector, Bhopal shall get distance measurement between nearest Upper Lake (FTL) to the lake Courtyard Height building structure by field survey and demarcation of area using latest devices for verification of the distances.*
- ii. In the above exercise, he may obtain assistance of any other Expert body or agency as he finds appropriate.*
- iii. In the process of measurement of distance, Collector or the Committee appointed by it shall associate itself with the applicant and Project Proponent i.e., representative of respondent 5. 4*

iv. *Collector, if finds any construction within prohibited distance, shall not take any adverse action against respondent 5 unless a notice/show cause notice is given to respondent 5 and respondent 5 is given an opportunity of hearing and thereafter, a reasoned order is passed.”*

2.7. In compliance to the above instructions of Hon`ble NGT, Collector Office, Bhopal vide letter dated 31/05/2024 constituted a team of officials of Revenue department and Bhopal Nagar Nigam for the measurement of distance between nearest Upper Lake (FTL) to the M/s Lake Courtyard Height building structure located at Khasra No. 74/2/2 & 75/2, Village – Kohefiza, Tehsil – Huzur, District- Bhopal by field survey and demarcation of area using latest devices for verification of the distances. The copy of the letter is enclosed as **Annexure- III.**

2.8. Accordingly the team has measured the distance as per the Hon`ble NGT order and submitted the report to the Collector Office, Bhopal mentioning that an area of 0.0512 hectares of M/s Lake Courtyard Height building structure located at Khasra No. 74/2/2 & 75/2, Village – Kohefiza, Tehsil – Huzur, District Bhopal is falling within 50 meters of FTL of Upper Lake.

2.9. A notice has been issued to the authorized representative of M/s Lake Courtyard Height building to submit their reply. The copy of the letter is enclosed as **Annexure IV.**

### **3. OPINION OF THE JOINT COMMITTEE:**

3.1. Committee observed that the OA 45/2024 (CZ) Shivam Saxena V/s Maaz Khan & Ors is filed for the same building structure which is mentioned in OA No. 32/2023 (CZ) Faraz Azam V/s State of M.P. &

Ors i.e M/s Lake Courtyard Height building structure located at Khasra No. 74/2/2 & 75/2, Village – Kohefiza, Tehsil – Huzur, District- Bhopal.

- 3.2. The matter is same and related to the encroachment due to construction of the M/s Lake Courtyard Height building structure within the 50 meters distance from the full tank level (FTL) of upper lake.
- 3.3. It is humbly submitted that, an action already being taken by the Collector Office, Bhopal in compliance of the order of Hon`ble NGT dated 03/08/2023 issued in OA No. 32/2023 (CZ) Faraz Azam V/s State of M.P. & Ors, therefore the same action may be considered in reference to the order dated 05/03/2024 of Hon`ble NGT in OA 45/2024 (CZ) Shivam Saxena V/s Maaz Khan & Ors.

**Dr. Manoj Vishwakarma**  
**Assistant Scientific Officer,**  
**MP State Wetland**  
**Authority, Bhopal**

**Brajesh Sharma**  
**Regional Officer,**  
**RO, MPPCB, Bhopal**

**Vinod Sonakiya**

**SDM (Bairagarh), Bhopal**

# Inspection Photographs in OA 45/2024

Dated 14.05.2024





**JOINT COMMITTEE INSPECTION REPORT**

In the Matter of

Original Application No. OA 32/2023

Faraz Azam

Vs.

State of M.P. & Others.

w.r.to

Hon'ble National Green Tribunal Central Bench  
Bhopal order dated 02 May, 2023

## **ACTION TAKEN REPORT**

**Ref: Action taken report in compliance to the order of Hon'ble NGT order dated 02/05/2023 in the matter of OA 32/2023 (CZ) Faraz Azam Vs. State of M.P. & Others.**

Hon'ble NGT issued following instructions on dated 02/05/2023 in the matter of OA 32/2023 (CZ) Faraz Azam Vs. State of M.P. & Others. :-

*“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 of Bhopal Municipal Corporation*
- (ii) One representative of the State Wetland Authority (MPSWA) Environmental Planning and Coordination Organization (EPCO)*
- (iii) One representative from Madhya Pradesh Pollution Control Board*

As per the petitioner, a residential building called Lake Courtyard Height is constructing within the 50 meter distance from the FTL of upper lake, which is a violation of Wetlands rules 2017.

In compliance to the order, Joint Committee consisting of the following officials of the concerned department is constituted:-

- (i) Shri Brajesh Sharma, Regional Officer, Regional Office, MPPCB Bhopal.
- (ii) Shri Santosh Gupta, Superintendent Engineer, Nagar Nigam Bhopal
- (iii) Dr. Dinesh Damde, Assistant Scientific Officer, MP State Wetland Authority, EPCO, Bhopal.

Shri Akhilesh Sharma, Assistant Engineer (C), Regional Office, MPPCB, Bhopal was present during the inspection. The petitioners' representative Shri Abdul Raziq was present at the time of inspection.

Joint committee on dated 08/07/2023 conducted a site visit of the Lake Courtyard Height project (as per petition), opposite Upper Lake, Village- Kohefiza, Tehsil Huzur, District Bhopal. The Geographical location, photographs and visual observations were recorded. The observations are as follows:-

1. GPS locations of the Lake Courtyard Height, , opposite Upper Lake, Village- Kohefiza, Tehsil Huzur, District Bhopal are recorded using a mobile- based

GPS application. The photographs taken during the inspection are enclosed as **Annexure- 1**.

2. The area of Lake Courtyard Height is located on the North East side of the Upper Lake. The Shirin sewage treatment plant is on north side of Lake Courtyard Height plot.
3. VIP road is passing in between the upper lake and Lake Courtyard Height plot.
4. During inspection it is observed that construction of superstructure of the first floor was in progress. The RCC construction work was found in progress.
5. The front portion of the Lake Courtyard Height is facing towards Upper Lake. The project area is surrounded by residential buildings.
6. The slope of the land is towards upper lake from Lake Courtyard Height plot area.
7. A road coming from VIP road of approx 10 feet width is passing adjacent from north side to the Lake Courtyard Height plot.
8. Project proponent or management person of Lake Courtyard Height project was not present at the time of inspection. Only contractor labor were present at the site
9. As per the Town and Country department permission enclosed with the petition the land area of the plot of Lake Courtyard Height is approx 0.431 Hectare.
10. As per the plot size measurement using google map is approx 66 m X 66 m. and approx 30 % area is open area and approx 70 % area is covered under construction of building.
11. Approx 15 meter open space is available on the front side of the Lake Courtyard Height building within the plot area.

#### **Measurement of Distance:**

12. The geo-referencing data of FTL of upper lake are received from Nagar Nigam Office, Bhopal, vide letter dated 10/07/2023, accordingly the data are plotted on the Google earth application to locate the FTL line near the Lake Courtyard Height building structure.
13. Using the Google earth application, the distances are measured from plotted nearest FTL line of upper lake to the front face of the Lake Courtyard Height building structure with inbuilt online measuring tool of Google earth

application. The copy of google imagery is enclosed as **Annexure-2**.The distances measured are shown as under:

No	FTL no as marked on google earth	Approx. Distance between front face of the Lake Courtyard Height building and nearest FTL in meters
1	1850	46.80
2	1856	56.80
3	1857	54.60
4	1859	60.00

14. It is to be noted that the distance measurement using Google Earth application are not accurate as the google earth application is showing some shadow of Lake Courtyard Height building structure on the ground in the google imagery dated 05/09/2023, so actual front face line of building is not properly visible.
15. The measured distance using google earth application needs to be verified for accurate measurement of the distance from upper lake nearest FTL to the Lake Courtyard Height building structure by the field survey and demarcation of area by state govt. agency (Revenue Department) using latest devices (ETS etc).

#### **Action Taken by MPPCB:-**

1. MPPCB issued a notice on dated 10/07/2023 to owner of Lake Courtyard Height project under water (Prevention and Control of Pollution) Act 1974 & Air (Prevention and Control of Pollution) Act 1981. Copy is enclosed as **Annexure- 3**.

#### **Recommendations:-**

1. The distance measurement between the nearest upper Lake FTL to the Lake Courtyard Height building structure, the field survey and demarcation of the area is suggested through state govt. agency (Revenue Department) using latest devices (ETS etc) for verification of above measured distances using google earth application and also for accurate distance measurement.

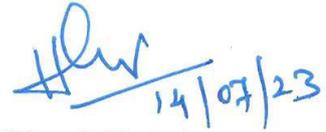
2. Any part of the Lake Courtyard Height building structure falling under the buffer zone of 50 meters of Upper Lake FTL shall be removed in compliance of Wetland Rule 2017, so that no construction should be allowed within the buffer zone.
3. The project proponent of Lake Courtyard Height shall obtain consent under water (Prevention and Control of Pollution) Act 1974 & Air (Prevention and Control of Pollution) Act 1981.
4. Appropriate sewage treatment and disposal arrangement should be made in the project.
5. Proper Solid Waste Management shall be adopted.
6. No loose material shall be kept in the area, to avoid silt flow towards upper lake.



Santosh Gupta  
Superintendent Engineer  
Nagar Nigam, Bhopal



Brajesh Sharma  
Regional Officer  
RO, MPPCB, Bhopal



Dr. Dinesh Damde  
Assistant Scientific Officer  
MP State Wetland  
Authority, EPCO, Bhopal

## Annexure- 1

### Photographs during joint inspection of Lake Courtyard Height



**Joint committee members in the premises of Lake Courtyard Height**



**Joint committee members in the premises of Lake Courtyard Height  
Upper lake is visible on back side**



**View of Building from Shirin River side and 10 feet side road side**



**Front view within premises of Lake Courtyard Height building**



**Discussion with Applicant's Representative Mr. Abdul Raziq in front of Lake Courtyard Height premises**



**Discussion with Applicant's Representative Mr. Abdul Raziq in front of Lake Courtyard Height premises**



Google Earth Application Map Showing FTL Points of Upper lake & Distance from Lake Courtyard Height Building

क्षेत्रीय कार्यालय  
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड  
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल  
Telephone:- 0755-2466392 Email:-romppcb\_bpl@rediffmail.com

क्रमांक 1353/क्षेका/प्रनिबो/2023  
प्रति,

भोपाल, दिनांक 10/07/2023

श्री मो0 आफाक पुत्र मो0 इस्लाम,  
मोहम्मद शिराज पुत्र श्री मोहम्मद जावेद,  
निवासी 02, नजाराविला, व्ही.आई.पी. रोड,  
जिला-भोपाल, (म0प्र0)

विषय:- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 के अन्तर्गत कारण बताओं नोटिस ।  
संदर्भ:- कार्यालय संयुक्त संचालक, नगर तथा ग्राम निवेश, जिला भोपाल-सीहोर-रायसेन, म0प्र0 का पत्र  
क्रमांक /बीपीएलएलपी-6499/एल.पी.106/29(3)/नग्रानि/जिका/2020 भोपाल, दिनांक

1. यह कि, म.प्र. प्रदूषण नियंत्रण बोर्ड का गठन जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 4 के तहत हुआ है ।
  2. यह कि, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 के प्रावधानों के अनुसार प्रत्येक बिल्डिंग निर्माण जो 2000 वर्गफिट से अधिक बिल्टअप एरिया की है, को सम्मति प्राप्त करना अनिवार्य है तथा 20,000 वर्गफिट से अधिक बिल्टअप एरिया की होने पर वन एवं जल, वायु परिवर्तन मंत्रालय से पर्यावरणीय स्वीकृति प्राप्त करना अनिवार्य होता है ।
  3. यह कि, आपके द्वारा ग्राम कोह ए फिजा खसरा क्रमांक 74/2/2, 75/2 रकबा 0.431 हेक्टर पर बहुइकाई आवासीय परियोजना, जिला-भोपाल में लेक कोर्ट यार्ड हाईट के नाम से विकसित की जा रही है ।
  4. यह कि, दिनांक 08.07.2023 को ग्राम कोह ए फिजा खसरा क्रमांक 74/2/2, 75/2 रकबा 0.431 हेक्टर पर बहुइकाई आवासीय परियोजना, लेक कोर्ट यार्ड हाईट जिला-भोपाल का स्थल निरीक्षण करने पर पाया गया कि आपके द्वारा बिना बोर्ड की सम्मति प्राप्त किए बिना निर्माण कार्य किया गया है । जो जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के प्रावधानों का उल्लंघन है ।
- उपरोक्त बिन्दुओं से स्पष्ट है कि, आपके द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के प्रावधानों का उल्लंघन किया जा रहा है । अतः कारण स्पष्ट करें कि क्यों न आपके विरुद्ध वैधानिक कार्यवाही की जावे । आप इस संबंध में अपना उत्तर 15 दिवस के भीतर इस कार्यालय में प्रस्तुत करें, अन्यथा बोर्ड जल एवं वायु अधिनियमों के तहत वैधानिक कार्यवाही हेतु बाध्य होगा ।

(बुजेश शर्मा)

क्षेत्रीय अधिकारी

पू0 क्रमांक 1354 /क्षेका/प्रनिबो/2023

भोपाल, दिनांक 10/07/2023

सदस्य सचिव, म0प्र0 प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ प्रेषित ।

(बुजेश शर्मा)

क्षेत्रीय अधिकारी

म.प्र. प्रदूषण नियंत्रण बोर्ड,  
भोपाल

## कार्यालय, कलेक्टर जिला भोपाल

कमांक / ८५६ / एन०जी०टी० / २०२४

भोपाल, दिनांक ३१ / ०५ / २०२४

// आदेश //

माननीय राष्ट्रीय हरित अधिकरण, भोपाल सेन्ट्रल जोन बेंच द्वारा याचिका क्र ३२ / २०२३ फराज आजम विरुद्ध म०प्र०शासन व अन्य में पारित आदेश दिनांक ०३/०८/२०२३ की कण्डिका ७ में आदेशित किया है कि-

"In the fact and circumstances we dispose of this Original Application with following Directions - District Collector, Bhopal to get the measured from upper lake nearest FTL to Lake Courtyard Height building structure by field survey and demarcation of area using latest devices for verification of the distances".

माननीय राष्ट्रीय हरित अधिकरण, भोपाल सेन्ट्रल जोन बेंच द्वारा पारित उपरोक्त आदेश के पालन में याचिका में उल्लेखित विवादित स्थल के सर्वेक्षण एवं सीमांकन हेतु निम्नानुसार समिति का गठन किया जाता है:-

०१. श्री एस०एन०परमार तहसीलदार नजूल बैरागढ़ वृत्त जिला भोपाल
०२. श्रीमती दुर्गा पाटले (एस०एल०आर) भू-अभिलेख जिला कार्यालय भोपाल
०३. श्री सतोष गुप्ता सुपरिटेण्डेंट इंजीनियर झील संरक्षण प्रकोष्ठ जिला भोपाल

उपरोक्त संयुक्त समिति सर्वेक्षण एवं सीमांकन हेतु नवीनतम उपकरणों का उपयोग कर कर ०७ दिवस में विस्तृत रिपोर्ट अद्योहस्ताक्षरकर्ता के समक्ष प्रस्तुत करें एवं उक्त सर्वेक्षण एवं सीमांकन करते समय याचिकाकर्ता पक्षों भी पूर्व से सूचित करें।

सलग्न:-एन०जी०टी० आदेश

  
कलेक्टर

जिला भोपाल

भोपाल, दिनांक ३१ / ०५ / २०२४

पु०पत्रकमांक / ८५७ / एन०जी०टी० / २०२४

प्रतिलिपि:-

०१. आयुक्त नगर निगम जिला भोपाल की ओर सादर सूचनार्थ।
०२. अनुविभागीय अधिकारी नजूल बैरागढ़ वृत्त जिला भोपाल की ओर सूचनार्थ।
०३. श्री वृजेश शर्मा, क्षेत्रीय अधिकारी क्षेत्रीय कार्यालय मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड पर्यावरण परिसर ई-५ अरेरा कॉलोनी भोपाल की ओर निर्देशित किया जाता है कि गठित समिति के सदस्यों से समन्वय कर निर्धारित समयावधि में रिपोर्ट तैयार कर माननीय एन०जी०टी० के समक्ष प्रस्तुत किया जाना सुनिश्चित करें।
०४. श्री एस०एन०परमार तहसीलदार नजूल बैरागढ़ वृत्त जिला भोपाल की ओर सूचनार्थ एवं उचित कार्यवाही हेतु प्रेषित।
०५. श्रीमती दुर्गा पाटले (एस०एल०आर) भू-अभिलेख जिला कार्यालय भोपाल की ओर सूचनार्थ एवं उचित कार्यवाही हेतु प्रेषित।
०६. श्री सतोष गुप्ता सुपरिटेण्डेंट इंजीनियर झील संरक्षण प्रकोष्ठ जिला भोपाल की ओर सूचनार्थ एवं उचित कार्यवाही हेतु प्रेषित।
०७. स्टैनो टू कलेक्टर भोपाल की ओर सूचनार्थ।

  
कलेक्टर

जिला भोपाल

## कार्यालय कलेक्टर, जिला भोपाल

कमांक/ 463 /लिटिगेशन/एनजीटी/2024

भोपाल दिनांक 28.06.2024

-- सूचना पत्र --

प्रति,

श्री मोहम्मद अफाक पुत्र श्री मोहम्मद इस्लाम  
अधिकृत प्रतिनिधि  
लेक कोर्टयार्ड हाईटस्  
पता - 2, नज़ला विला, वीआईपी रोड  
जिला भोपाल

द्वारा : तहसीलदार, नज़ूल बैरागढ़, भोपाल

विषय: माननीय राष्ट्रीय हरित अधिकरण का प्रकरण कमांक 32/2024 (फराज आजम विरुद्ध म.प्र. शासन व अन्य) में पारित आदेश दिनांक 03.08.2023 के संबंध में।

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विषयांतर्गत के संबंध में लेख है कि माननीय राष्ट्रीय हरित अधिकरण का प्रकरण कमांक 32/2024 (फराज आजम विरुद्ध म.प्र. शासन व अन्य) में पारित आदेश दिनांक 03.08.2023 के पालन में गठित दल द्वारा प्रतिवेदन मय नक्शा प्रस्तुत किया गया है कि जिसके अनुसार आपके द्वारा बड़ा तालाब हेतु निर्धारित फुल टैंक लेवल (एफ.टी.एल.) लाईन के अंदर 0.0512 हेक्ट. भूमि पर मेसर्स लेक कोर्टयार्ड हाईट नामक बिल्डिंग का निर्माण कार्य खसरा कमांक 74/2/2 एवं 75/2 ग्राम कोहेफिजा नज़ूल बैरागढ़ भोपाल में किया जा रहा है। उल्लेखनिय है कि बड़ा तालाब वेटलैंड नियम 2017 की धारा 3(क) अनुसार भोज वेटलैंड है जो कि एक रामसार साईट है एवं इस पर वेटलैंड नियम 2017 प्रभावशील है। इसी परिप्रेक्ष्य में पर्यावरण विभाग, मध्यप्रदेश शासन के आदेश कमांक 302/2033/2022/32-3 दिनांक 16.03.2022 के नियम क. 4(ए) अनुसार वेटलैंड के अंदर एफटीएल से 50 मीटर की दूरी में किसी भी स्थाई प्रकृति का निर्माण प्रतिबंधित है।

अतः उपरोक्त के संबंध में सूचित किया जाता है कि आप स्वयं अथवा अपने अधिवक्ता के माध्यम से दिनांक 02/07/2024 को समय 4.00 बजे उपस्थित होकर उक्त संबंध में अपना जवाब प्रस्तुत करें। नियत तिथि को उपस्थित न होने की दशा में यह मानकर की आपको उक्त संबंध में कोई जवाब प्रस्तुत नहीं करना है, प्रकरण में नियमानुसार कार्यवाही की जावेगी।

  
कलेक्टर  
जिला भोपाल

**VAKALATNAMA**  
[Rule 4(1) of the Rules framed under Advocates Act, 1961]  
**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**ORIGINAL APPLICATION 45/2024**  
**CENTRA ZONAL BENCH**

**IN THE MATTER OF:**

**SHIVAM SAXENA**

**.....APPLICANT**

**Versus**

**MAAZ KHAN & ORS**

**..... RESPONDENT**

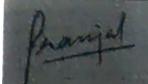
I **Brijesh Sharma , Regional Officer Bhopal , MPPCB** named below do hereby appoint, engage, and authorize advocate(s) named below to appear, act and plead as aforesaid case proceedings which shall include application for restoration, setting aside of ex- party orders, corrections, modifications, review and recall of orders passed in these proceedings, in this court or any other court in which the same may be tried/ heard/proceeded and also in appellate. Revisional and executing court in respect of proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/them to sign and file pleadings, appeals, cross objections, applications, affidavit or other documents as may be deemed necessary for the proper prosecution/defence of the case in all its stages and also agree to ratify and confirm act done by him/them as if done by me.

In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this **04 July 2024 at Bhopal.**

**PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA**

Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature
<b>Brajesh Sharma , Regional Officer Bhopal , MPPCB</b>	E5, Arera Colony Paryawaran Parisar Regional Office MPPCB Bhopal - 462016	9893002888 romppcb_bpl@rediff.com	Officer-in-Charge	 <b>Regional Officer</b> <b>M.P. Pollution Control Board</b> <b>BHOPAL</b>

Accepted

Name & Enrollment. No.	Address (If any) E-Mail Add.	Telephone (If any)	Full Signature
PARUL BHADORIA 1587-2012	parul.bhadoria04@gmail.com	8085977111	
PRANJAL PANDEY MP 2881-2021	advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023	advshivamdwwivedi20@gmail.com	8878471359	