

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL,
ORIGINAL APPLICATION NO. 166/2025

IN THE MATTER OF:

GAURAV PRAKASH

APPLICANT(S)

VERSUS

STATE OF MP & ORS

RESPONDENT(S)

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Date: 05.02.2026

Place: Bhopal

Submitted by MPPCB: -

through Counsel



Adv. Parul Bhadoria

Ph. No.: (+91)-8085977111;

Email: parul.bhadoria04@gmail.com

JOINT COMMITTEE REPORT IN ORIGINAL APPLICATION NO. 166/2025 OF GAURAV PRAKASH V/S STATE OF MADHYA PRADESH & ORS.

1. That, the Hon'ble NGT (CZ) vide order dated 06.01.2026 passed in OA 166/2025 Gaurav Prakash V/s State of MP issued following directions: -

“7. 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 District Collector, Bhopal (M.P.)

(ii) One Representative from the Central Pollution Control Board (M.P.)

(iii) One Representative from the Member Secretary, State Pollution Control Board, (M.P.)

8. The Committee is directed to visit the site and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.”

2. That, in compliance to the order of Hon'ble NGT dated 06.01.2026, a joint committee consisting of the following officials of the concerned department was constituted: -

S. No	Name of Department	Name of Committee Member
1.	One Representative from the District Collector, Bhopal (M.P.)	Dr. Archana Rawat Sharma, SDM(TT Nagar), Bhopal.
2.	One Representative from the Central Pollution Control Board (M.P.)	Mr. Milind Kumar Nimje, Scientist C, RD, CPCB, Bhopal.
3.	One Representative from the Member Secretary, State Pollution Control Board, (M.P.)	1. Dr. Praveen Kothari, Scientist, RO, MPPCB, Bhopal. 2. Mr. Jainendra Chandel, Chemist, RO, MPPCB, Bhopal.

3. That, the Committee examined the petition and the order of Hon`ble NGT, and discussed the issues raised therein for the purpose of proceeding with the inspection. The points raised by the applicant in the application are as follows:

3.1.It is alleged that a service lane runs parallel to Link Road No.3 and is used daily by residents of Patrakar Colony for transit. The dust-generating roadside terrain between the service lane and the main road is approximately 12 feet in width and 500 meters in length which remains unpaved and has long been a major source of dust pollution.

3.2.It has been submitted by applicant that between 15/10/2025 and 25/10/2025, PWD paved only a portion of the area, leaving approximately ten feet unpaved along the width, with excavated dirt left in heaps and spread across the site, worsening dust pollution.

3.3.It is alleged that Link Road No.1 and Link Road No.2 are regularly maintained by the concerned authorities whereas the stretch of Link Road No. 3 adjacent to Patrakar Colony, which is primarily inhabited by private citizens, has been persistently neglected.

3.4.It is also stated that directions should be issued to the respondents to immediately take necessary action for taking mitigating measures to control the air pollution in the mid of Bhopal city.

4. FIELD OBSERVATIONS:

That, the Joint committee conducted a site visit of Link Road No.3 in front of applicants' house in Patrakar Colony Bhopal on dated 03.02.2026. During site visit, apart from the Joint Committee, Dr. Pawan Guru, President, Shramjeevi Patrakar Sangh Maryadit, Mr. Tushar Mourya, Revenue Inspector, TT Nagar, Bhopal and Ms. Prakamya Tiwari, AE, RO, MPPCB, Bhopal, were also present during inspection. On behalf of the applicant Mr. Gaurav Prakash,

Mrs. S Prakash was present during the inspection. The Photographs taken during inspection are enclosed as **Annexure 1**. Also, the geographical locations are measured using mobile based application and duly marked on Google Earth Map. The marked google earth imagery is enclosed as **Annexure-2**. The Geographical locations, photographs and visual observations were recorded during inspection and the observations are as under: -

- 4.1.The site is on Link Road No. 3, right in front of Patrakar Colony, District-Bhopal, Madhya Pradesh. The geographical location of the site is latitude $23^{\circ}13'11.18''N$ and longitude $77^{\circ}24'45.26''E$.
- 4.2.There is an office building of National Health Mission on the South West side of the mentioned above location and applicants' house in Patrakar colony on the North side of the mentioned location.
- 4.3.The site is next to Link Road No. 3. There is a small service lane between the road and the applicant's house. In front of the applicant's house, the road is made of cement concrete. The relevant photograph is as follows:



4.4.A part of this roadside/service lane near the road is covered with interlocking blocks. This paved part is about 3.5 feet wide and was reportedly done in the last three months.

4.5.Next to this paved part, there is a stretch of the lane that is found unpaved. After that, there is another paved portion which connects to the cement concrete service road.

4.6.Trees approximately 10-15 years old are present along the road side all along the lane.

5. ACTION TAKEN:

5.1.The information is sought from the Bhopal Municipal Corporation and Public Works Department, Bhopal vide Regional Office, MPPCB letter no. 1063 dated 02.02.2026 regarding the issues raised in the application. The information is yet to received. The copy of the letter is enclosed as **Annexure – 3**.

6. PENDING NGT CASES ON SIMILAR ISSUES:

6.1.It is humbly submitted before the Hon'ble Tribunal that matters relating to the increasing air pollution and the air quality of Bhopal, which is classified as a non-attainment city under the National Clean Air Programme (NCAP), are already pending before the Hon'ble National Green Tribunal.

6.2.These matters are being heard in the following cases:

- **OA No. 181/2025 (CZ)** titled "*Bhopal Citizens Forum through its Convenor Mr. Surendra Tiwari vs. State of Madhya Pradesh & Others*", and
- **OA No. 192/2025 (CZ)** titled "*Rashid Noor Khan vs. State of Madhya Pradesh & Others*".

6.3.The Hon'ble Tribunal took up both matters on 07.01.2026 and constituted a joint committee, along with another committee, for the effective execution

and implementation of the Action Plan in the airshed areas of non-attainment cities in Madhya Pradesh, including Bhopal. The committees are directed to submit factual and action-taken reports. Copies of the orders dated 07.01.2026 in both cases are enclosed as **Annexure-4**.

6.4. The next date of hearing for OA No. 181/2025 (CZ) is 18.02.2026, and for OA No. 192/2025 (CZ) is 18.03.2026.

7. OPINION OF THE JOINT COMMITTEE:

- 7.1. The unpaved part, if completely covered, the water cannot go into the ground. The water will stay on the surface and flow quickly, which can cause waterlogging and create drainage problems, especially when it rains heavily.
- 7.2. The open soil around roadside trees is important. It lets water reach the tree roots. This keeps the trees healthy. If this area is fully covered with concrete or blocks, water cannot reach the roots of the trees. This can weaken the trees and slow their growth which will affect the green cover along the road.
- 7.3. From an environmental perspective, maintaining some permeable surfaces in urban areas helps sustain the natural water cycle, reduce urban flooding risk, moderate ground temperature, and support green belts along the roads.
- 7.4. As Link Road No. 1 and 2 runs along office located and commercial areas where higher vehicular movement, parking needs, and maintenance requires full paving and the limited residential presence reduces the risk of direct impact on households. Although having high vehicular movement, Link Road No. 3 passes through residential areas. If this road is fully paved, rainwater will not soak into the ground and will flow on the surface. This can cause waterlogging in front of houses during heavy rain, trouble residents, and reduce groundwater recharge.

8. RECOMMENDATIONS OF THE JOINT COMMITTEE:

8.1.Regular Sweeping and water sprinkling on the roadside and unpaved portion should be carried out to control dust pollution and maintain ambient air quality by Bhopal Municipal Corporation. Also, BMC may develop proper soil basin around roadside trees to ensure adequate water infiltration to the root zone and to support tree health.

8.2.The unpaved portion may be levelled, compacted and mixed with jiraa gitti (Gravel Mix) by Public Works Department (PWD) to stabilize the surface and reduce suspension of road dust while still allowing some permeability and the unpaved portion may be developed into a green belt with suitable plantation. as suggested by the applicant,

9. That, the Hon'ble Tribunal may kindly be pleased to take the present joint committee report on record.



Dr. Archana Rawat Sharma
अनुविज्ञान SDM अधिकारी
टी.टी. नगर, भोपाल



Shrinivas Dwivedi
Regional Officer,
RO, MPPCB, Bhopal



Milind Kumar Nimje
Scientist C
RD, CPCB, Bhopal



Dr. Praveen Kothari
Scientist,
RO, MPPCB, Bhopal



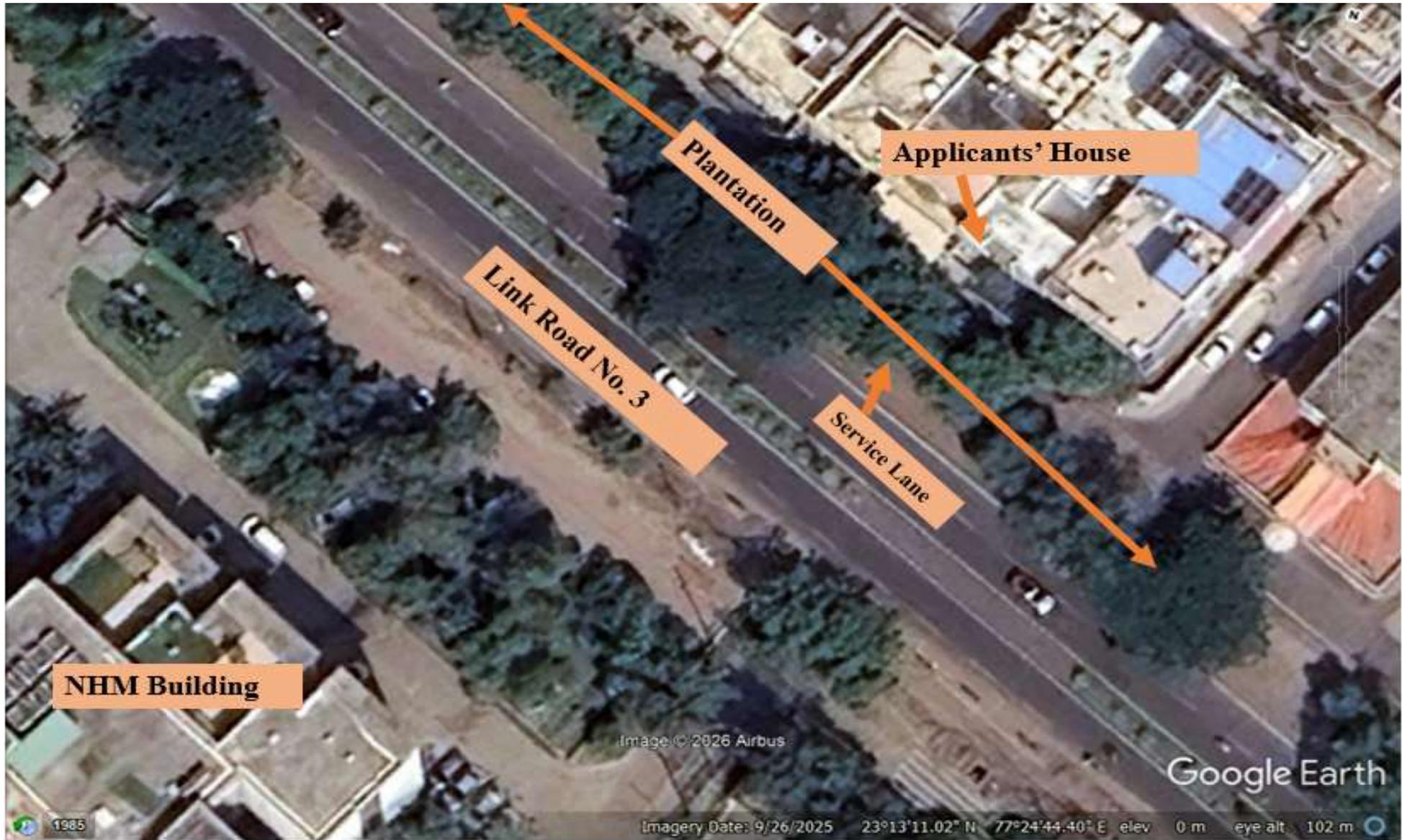
Jainendra Chandel
Chemist,
RO, MPPCB, Bhopal

INSPECTION PHOTOGRAPHS
IN OA 166/2025 DT 03.02.2026





GOOGLE EARTH IMAGERY IN OA 166/2025 (CZ)





क्षेत्रीय कार्यालय

मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड



पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल

Telephone:- 0755-2466392 Email:-romppcb_bpl@rediffmail.com

क्रमांक 1063 /क्षेका/प्रनिबो/2026

भोपाल, दिनांक 02 /02 /2026

प्रति,

- | | |
|---|--|
| <p>1. आयुक्त,
नगर निगम,
कुशाभाऊ ठाकरे,
आई.एस.बी.टी. केम्पस,
भोपाल, (म.प्र.)</p> | <p>2. कार्यपालन यंत्री,
लोक निर्माण विभाग,
प्लांट नं. 27-28, प्रथम तल,
निर्माण भवन, अरेरा हिल्स,
भोपाल (म.प्र.)-462011</p> |
|---|--|

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल में प्रकरण क्र. 166/2025 (सीजेड) गौरव प्रकाश विरुद्ध म.प्र. शासन व अन्य के संबंध में।

—00—

कृपया उपरोक्त विषयान्तर्गत लेख है कि माननीय राष्ट्रीय हरित अधिकरण में दायर प्रकरण क्र. 166/2025 (सीजेड) गौरव प्रकाश विरुद्ध म.प्र. शासन व अन्य पत्रकार कॉलोनी के समीप लिंक रोड क्रमांक 03 पर स्थित अनपेब्ड सर्विस लेन से हो रहे वायु प्रदूषण से संबंधित है। प्रकरण में पारित आदेश दिनांक 06.01.2026 तथा पिटिशन की प्रति इस पत्र के साथ संलग्न है। पिटिशन में उल्लेखित स्थल से संबंधित बिन्दुओं पर की गई कार्यवाही से इस कार्यालय को 05 दिवस के भीतर अवगत कराने का अनुरोध है। प्रकरण की आगामी सुनवाई दिनांक 10.02.2026 को नियत है।

संलग्न:- उपरोक्तानुसार


 (एस.एन.दिवेदी)
 क्षेत्रीय अधिकारी

Item No.09

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

Original Application No.181/2025(CZ)

Bhopal Citizen's Form
Through its Convenor Mr. Surendra Tiwari Applicant(s)

Vs.

State of Madhya Pradesh & Ors. Respondent(s)

Date of Hearing: 07.01.2026

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER**

For Applicant (s): Mr. Harpreet Singh Gupta, Adv. with
Mr. Pratipal Singh Gupta, Mr. Srajan Jain
Mr. Chimnay Singh Kulhara, Ms. Nancy Chaturvedi
Mr. Manan Agarwal, Ms. Prachi Meghnani, Advs.

For Respondent(s): Mr. Prashant M. Harne, Adv. for State of M.P.
Mr. Yadvendra Yadav, Adv. for CPCB
Ms. Parul Bhadoria, Adv. for MPPCB
Mr. J.P. Sharma, Adv. for R-2

ORDER

1. By means of filing this petition/application under Section 14, 15 and 18(1) of the National Green Tribunal Act, 2010, the Applicant has highlighted the alarming deterioration of air quality in the city of Bhopal. Over the past few months, the city has witnessed an unprecedented rise in its Air Quality Index (AQI), repeatedly reaching the 'Very Poor' category, with readings as high as 336, thereby posing an immediate and serious threat to the health and lives of residents. This is evident from a bare perusal of the news report dated 25.11.2025 of Dainik Bhaskar which indicates that the AQI has dipped across the State of Madhya Pradesh and Bhopal is the second worst city after Singrauli, within the state of Madhya Pradesh.

2. It is stated that the Nav Duniya Newspaper in one of its articles earlier to this news posted by the Dainik Bhaskar report, reported on 20.10.2025 with the headline that “Bhopal Tak Mandideep ki zehrili hawa ka Asar, Vayu gunvatta khatarnak star par” which highlighting that the air quality of the city has deteriorated to extremely poor state where the AQI has ranked as high as 616. The people out for their morning walk had difficulty in breathing. The only remedy taken up by the concerned authorities was to sprinkle water around the service road, to bring down the AQI level.
3. It is also stated that multiple newspaper reports from Dainik Bhaskar, Nav Duniya, Times of India and others have consistently highlighted the grave rise in particulate matter levels and the consequent surge in cerebrovascular incidents, heart attacks, respiratory disorders, and other pollution-induced ailments. In this regard, reliance may be placed on report dated 23.11.2025 in Dainik Bhaskar which indicates that the risk of heart attack increases by 12% on account of the poor air quality. The right to clean air, an integral facet of Article 21 of the Constitution of India, stands violated. Despite the deteriorating AQI, the Respondent authorities have failed to undertake effective or legally mandated preventive or remedial action which has further worsened the prevailing situation.
4. It is, however, stated that worsening air quality is attributable to several identifiable sources; unregulated use of banned firecrackers during the ongoing wedding season in contravention of directions issued by the Hon’ble Supreme Court in *Arjun Gopal v. Union of India* (WP (Civil) No. 728 of 2015); rampant construction activities being carried out throughout the city of Bhopal, without dust-control measures, forcing hundreds of families to vacate their homes due to

hazardous dust emissions. The persistent stubble burning across Madhya Pradesh despite detailed directions issued by this Hon'ble Tribunal in Suo Moto Action on The Newspaper Article dated 16th November 2024 Published In Times of India Titled as *MP Faces Burning Questions on Sharp Rise In Stubble Fires Vs State Of Madhya Pradesh* in OA 249/2024, which mandated structured action plans, technological monitoring, incentives, and strict enforcement; poor road conditions causing continuous resuspension of fine dust; high vehicular emissions with nearly 40% of vehicles operating without valid PUC certification; and widespread, unregulated coal use by restaurants and eateries, adding significantly to particulate pollution in violation of the Air (Prevention and Control of Pollution) Act, 1981. Compounding this crisis is the recent revelation that the pollution-control authorities have been manipulating AQI readings by spraying water 10-15 times a day around live monitoring stations at locations such as the Collectorate, TT Nagar and Paryavaran Parisar, Shahpura. Media reports dated 30.11.2025 demonstrate that instead of implementing scientific mitigation measures, the authorities have resorted to improper and deceptive practices solely to display artificially improve AQI values. In this regard, reliance may be placed on report dated 30.11.2025 of Dainik Bhaskar, Bhopal where it has been observed that AQI monitor is being intentionally sprayed upon with water sprinklers, more than fifteen times daily, to artificially manipulate the AQI readings.

5. The learned Counsel for the Applicant has submitted that it is a direct violation of the Right to Life guaranteed under Article 21 of the Constitution of India. Reliance has been placed on the decision of the Hon'ble Supreme Court in *MK Ranjit Singh Vs. Union of India*, 2024 INSC 282 where right against adverse effects of climate change has

been made actionable on the strength of Article 21 of the Indian Constitution. In addition, there has been a violation of statutory obligations including under Air (Prevention and Control of Pollution Act), 1981, and regulations issued by the Madhya Pradesh Pollution Control Board. Additionally, there is violation of the precautionary and public trust doctrines, and the public has been misled while the actual ambient air remains hazardous. The cumulative effect of administrative inaction, regulatory failure, and deliberate manipulation has resulted in grave environmental harm and escalating public-health risks. The situation necessitates immediate, stringent and enforceable directions to curb pollution from all contributing sources, ensure compliance with judicial and statutory mandates, prevent further deterioration of air quality, and safeguard the fundamental right to life of the citizens of Bhopal.

6. The research paper reveals that both the air pollutant PM_{2.5} and the SARS-CoV-2 virus enter the lungs via the bronchial system (portal organ), with potential systemic health impacts through the blood circulation. Both PM_{2.5} and SARS-CoV-2 cause vascular endothelial dysfunction, oxidative stress, inflammatory responses, thrombosis, and an increase in immune cells. The SARSCoV-2 infection facilitates the induction of endothelial inflammation in several organs as a direct consequence of viral cytotoxic effects and the host inflammatory response, which can aggravate pre-existing chronic respiratory and vascular (coronary) dysfunction, and cause lung injury by alveolar damage, as well as stroke and myocardial infarction by inducing plaque rupture. Potential common pathophysiological mechanisms of increased risk thus relate to endothelial injury and pathways that regulate immune function. Further, there are strong indications of

increased susceptibility to viral infections from exposure to air pollution. It is also stated that lung injuries, including the life-threatening acute respiratory distress syndrome and respiratory failure, as well as acute coronary syndrome, arrhythmia, myocarditis, and heart failure, were shown to be clinically dominant, leading to critical complications. Recent studies in China, the USA, as well as Europe indicate that patients with cardiovascular risk factors or established cardiovascular disease and other comorbid conditions are predisposed to myocardial injury. From the available information, it thus follows that air pollution induced inflammation leads to greater vulnerability and less resiliency, and the pre-conditions increase the host vulnerability. Air pollution causes adverse events through myocardial infarction and stroke, and it is an additional factor capable of increasing blood pressure, while there is emerging evidence for a link with type 2 diabetes and a possible contribution to obesity and enhanced insulin resistance. Bronchopulmonary and cardiovascular pre-conditions, including hypertension, diabetes, coronary artery disease, cardiomyopathy, asthma, COPD, and acute lower respiratory illness, all negatively influenced by air pollution, lead to a substantially higher mortality risk.

7. On the mechanism of how PM_{2.5} can aggravate the respiratory disease, Prof. Thomas Munzel of Gutenberg University, Germany, said "When people inhale polluted air, the very small polluting particles, the PM_{2.5}, migrate from the lungs to the blood and blood vessels, causing inflammation and severe oxidative stress, which is an imbalance between free radicals and oxidants in the body that normally repair damage to cells. This causes damage to the inner lining of arteries, the endothelium, and leads to the narrowing and stiffening of the arteries.

Extending this analogy to Indian conditions, it is possible to infer that deaths attributable to pollution in India may not be less than 15%.

(Extracted from O.A. No.240/2020, order dated 09.11.2020)

8. After the hearing of the petition/application, we opened the Bhopal Air Quality Index on website and found Bhopal Air Quality Index Air Pollution as 'unhealthy'. The data at the places – Amarnath Colony and Bagli Village is 'poor' and AQI of B Sector, Baghsewania, Chunabhatti, Ekant Park and K-Sector, Kasera Bazar, Rusali Sector-D, Sector D Industrial Area and Tatya Tope Nagar is reported and found to be 'unhealthy'. This is at 12:52 PM on 07.01.2025, just after the advancement of the arguments of the case.
9. We have also taken cognizance on the matter of air quality in Original Application No.192/2025(CZ), where the facts narrated are extracted below:-
 1. *In the present application highlights the fundamental rights of clean air and clean water a guaranteed under the Article 21 of Constitution of India within the State. Learned counsel for the applicant has highlighted the severe and escalating air pollution crises in Bhopal and other major cities of Madhya Pradesh, officially declared by the Central Pollution Control Board as non attainment cities under National Clean Air Programme (NCAP). These non-attainment cities — namely Bhopal, Indore, Gwalior, Jabalpur, Sagar, Ujjain, Dewas and Singrauli — have repeatedly failed to meet the National Ambient Air Quality Standards (NAAQS) for PM₁₀ and PM_{2.5} for more than five consecutive years. The average annual PM₁₀ concentration in Bhopal ranges from 130 to 190 µg/m³ (against 60 µg/m³ permitted) and PM_{2.5} from 80 to 100 µg/m³ (against 40 µg/m³), proving persistent statutory non-compliance.*
 2. *That Bhopal, once regarded as India's "City of Lakes," now experiences continuous haze and diminished visibility. Real-time air-quality data from the CPCB portal and Google Air Quality Index reveal AQI readings of around 287 during daytime and exceeding 300 at night, placing the city within the "Very Poor–Severe" category on most winter days. The deterioration is chronic rather than*

episodic, reflecting cumulative emissions from multiple unregulated sources — vehicular traffic, stubble-burning, construction and demolition dust, fire-cracker burning, open-waste combustion, and industrial discharges — all aggravated by Bhopal’s low-lying topography and stagnant winter wind conditions.

3. *That the Hon’ble Supreme Court, in Aditya Dubey (minor) v. Union of India & Ors., W.P. (C) No. 1135 of 2020 (Order dated 16 December 2021), took cognizance of the recurring smog episodes in Delhi-NCR and directed the Commission for Air Quality Management (CAQM) to invite expert and public suggestions and to evolve a permanent, regional solution to the air-pollution menace. Pursuant thereto, the CAQM constituted an Expert Group (Order dated 07 January 2022), which, after wide consultation, framed a comprehensive sector-wise policy “for prevention, control and abatement of air pollution in NCR.” As reflected in the CAQM press release dated 13 July 2022, this policy follows an air-shed approach and prescribes short-term (1 year), medium-term (2–3 years), and long-term (3–5 years) measures covering all key sectors — industry, vehicles and transport, construction & demolition dust, road and open area dust, municipal solid-waste burning, crop-residue burning, DG sets, thermal power plants, clean-fuel transition, electric-mobility, public-transport expansion, greening, and fire-cracker regulation.*
4. *Supreme Court-endorsed CAQM framework thus provides a model of differentiated but coordinated regional management, emphasising strict, time-bound implementation and improved monitoring and compliance. However, the State of Madhya Pradesh has not adopted any comparable mechanism for its non-attainment cities, nor has it prepared an effective Graded Response Action Plan (GRAP) tailored to its air-shed. This omission violates the spirit of the Aditya Dubey directions and defeats the national objective of achieving NAAQS compliance under the NCAP.*
5. *Meanwhile, Bhopal’s pollution load continues to rise. Crop-residue (stubble) burning remains rampant across adjoining districts — Raisen, Sehore, Vidisha and Hoshangabad — with over 31,000 incidents reported in early 2025, the highest in India. Despite penalties and awareness drives, smoke plumes drift towards urban agglomerations, elevating PM_{2.5} levels and producing visible haze. The Hon’ble National Green Tribunal, Central Zonal Bench, New Delhi, in the matter of original application no. 681/2018 directed all States to provide action plan for residue management and also air pollution; yet Madhya Pradesh’s compliance remains negligible as*

the plan was prepared but it was not effectively implemented. Even if assumed that action plan was effectively implemented still failed to reduce the air pollution, moreover air pollution has increased, requiring more effective plan.

6. *Construction and demolition activities across Bhopal's Smart-City corridors and road-expansion works release continuous dust. Most sites lack dust barriers, sprinklers or wheel-washing pits; soil and sand are transported uncovered. The Hon'ble Supreme Court in M.C. Mehta v. Union of India (2018 SCC Online SC 2401) ordered immediate suspension of construction when AQI reaches "Severe" levels — a principle entirely ignored by local authorities. Likewise, vehicular emissions remain unchecked: over 13 lakh vehicles operate in Bhopal, many without valid PUC certificates, and old diesel autos and heavy trucks continue to ply unrestricted, contrary to the Court's rulings in M.C. Mehta (1998) 6 SCC 63 and Vardhaman Kaushik v. Union of India (O.A. No. 21/2014), which mandated phase-out of polluting vehicles and stringent traffic management.*
 7. *Festive fire-cracker burning compounds the crisis. Despite binding prohibitions in Arjun Gopal v. Union of India (2019) 13 SCC 523, conventional fireworks are freely used in Bhopal, driving AQI from "Poor" to "Severe" within hours. Open-waste burning and recurrent landfill fires at Bhanpur emit toxic smoke containing dioxins and furans, contrary to the directives in Almitra H. Patel v. Union of India (2000) 2 SCC 679 and the Solid Waste Management Rules 2016.*
 8. *Bhopal's basin-like geography and winter inversion exacerbate accumulation of pollutants, leading to nighttime AQI exceeding 300–330, visibility below 500 m, and widespread respiratory distress. Similar trends are recorded in other Madhya Pradesh non-attainment cities such as Indore, Gwalior and Jabalpur, confirming a statewide air-shed crisis."*
10. A serious substantial issue of environment has been raised.
 11. Issue notice to the Respondents, returnable within four weeks.
 12. The Applicant is directed to take necessary steps for service to the Respondent by both ways and also on available email.
 13. The Respondents are directed to submit the reply within four weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

14. The Committee already constituted in Original Application No.192/2025(CZ) in para 13, shall also look into the matter of the present Original Application and submit a comprehensive report within six months. The State PCB will be the Nodal Agency for coordination and logistic support.
15. The Committee shall take steps for identification of airshed areas around the non-attainment cities including the semi-urban and rural areas which affects the air quality of that region. The Committee shall also prepare a well-structured Action Plan for these airshed areas adjoining the non-attainment cities for effect implementation of air quality improvement measures during the months when the air quality worsens and causes serious health issues to take precautionary/remedial measures adopting the Graded Response Action Plan (GRAP) formula. The Action Plan should indicate the responsibilities and the actions to be taken by the various stakeholder departments of the Government for effective implementation.
16. The Committee shall formulate and implement an Air Pollution Response Mechanism akin to the Graded Response Action Plan (GRAP) customized for the State of Madhya Pradesh, more specifically Bhopal, and other cities having a large population where the air quality is deteriorating to ensure mandatory enforcement of stage-wise restrictions whenever AQI reaches prescribed limit.
17. We further direct to constitute the committees for each city for effective execution and implementation of the Action Plan in the airshed areas associated with non-attainment cities of Madhya Pradesh consisting of members as below for Bhopal:-
- (i) The Municipal Commissioner, Bhopal Municipal Corporation,
Bhopal,

- (ii) The Collector, Bhopal,
 - (iii) Commissioner of Police/Superintendent of Police, Bhopal,
 - (iv) Regional Transport Officer, Bhopal,
 - (v) District Health Officer, Bhopal,
 - (vi) District Agriculture Officer, Bhopal,
 - (vii) Executive Engineer, PWD, Bhopal,
 - (viii) Regional Officer, State PCB, Bhopal,
18. Similarly, the Committees to be constituted for other cities on same pattern for implementation of Action Plan. The State Government will be at liberty to include any other member deemed fit in the Committee for effective implementation of air pollution control measures.
19. We further direct the Municipal Commissioner, BMC and the Collector, Bhopal, to immediately implement urgent air pollution mitigation measures in consultation with the Department of Environment and expert bodies to control the AQI in the area adversely affecting the human health at present. The Municipal Commissioner, BMC, is directed to immediately stop the artificial manipulation of AQI monitoring by practice of excessive water spraying around monitoring stations and to ensure that AQI data recorded strictly in accordance with statutory norms and CPCB protocols.
20. Applicant is further directed to supply the required documents and copy of the application to the Committee and the Respondents within a week and after compliance of service. The Applicant has to submit an affidavit that notices and copy of the application have been served upon the Committee and Respondents.
21. The report in the matter be filed by the Committee by 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 **18th February, 2026.**

Sheo Kumar Singh, JM

Sudhir Kumar Chaturvedi, EM

07th January, 2026,
Original Application No.181/2025(CZ)
AK

Item No.04

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

**Original Application No.192/2025(CZ)
(I.A. No.01/2026)**

Rashid Noor Khan

Applicant(s)

Vs.

State of Madhya Pradesh & Ors.

Respondent(s)

Date of Hearing: 07.01.2026

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER**

For Applicant (s): Mr. Harshwardhan Tiwari, Adv.

For Respondent(s):

ORDER

1. In the present application highlights the fundamental rights of clean air and clean water a guaranteed under the Article 21 of Constitution of India within the State. Learned counsel for the applicant has highlighted the severe and escalating air pollution crises in Bhopal and other major cities of Madhya Pradesh, officially declared by the Central Pollution Control Board as non attainment cities under National Clean Air Programme (NCAP). These non-attainment cities — namely Bhopal, Indore, Gwalior, Jabalpur, Sagar, Ujjain, Dewas and Singrauli — have repeatedly failed to meet the National Ambient Air Quality Standards (NAAQS) for PM₁₀ and PM_{2.5} for more than five consecutive years. The average annual PM₁₀ concentration in Bhopal ranges from 130 to 190 µg/m³ (against 60 µg/m³ permitted) and PM_{2.5} from 80 to 100 µg/m³ (against 40 µg/m³), proving persistent statutory non-compliance.

2. That Bhopal, once regarded as India's "City of Lakes," now experiences continuous haze and diminished visibility. Real-time air-quality data from the CPCB portal and Google Air Quality Index reveal AQI readings of around 287 during daytime and exceeding 300 at night, placing the city within the "Very Poor–Severe" category on most winter days. The deterioration is chronic rather than episodic, reflecting cumulative emissions from multiple unregulated sources — vehicular traffic, stubble-burning, construction and demolition dust, fire-cracker burning, open-waste combustion, and industrial discharges — all aggravated by Bhopal's low-lying topography and stagnant winter wind conditions.
3. That the Hon'ble Supreme Court, in *Aditya Dubey (minor) v. Union of India & Ors.*, W.P. (C) No. 1135 of 2020 (Order dated 16 December 2021), took cognizance of the recurring smog episodes in Delhi-NCR and directed the Commission for Air Quality Management (CAQM) to invite expert and public suggestions and to evolve a permanent, regional solution to the air-pollution menace. Pursuant thereto, the CAQM constituted an Expert Group (Order dated 07 January 2022), which, after wide consultation, framed a comprehensive sector-wise policy "for prevention, control and abatement of air pollution in NCR." As reflected in the CAQM press release dated 13 July 2022, this policy follows an air-shed approach and prescribes short-term (1 year), medium-term (2–3 years), and long-term (3–5 years) measures covering all key sectors — industry, vehicles and transport, construction & demolition dust, road and open area dust, municipal solid-waste burning, crop-residue burning, DG sets, thermal power plants, clean-fuel transition, electric-mobility, public-transport expansion, greening, and fire-cracker regulation.

4. Supreme Court-endorsed CAQM framework thus provides a model of differentiated but coordinated regional management, emphasising strict, time-bound implementation and improved monitoring and compliance. However, the State of Madhya Pradesh has not adopted any comparable mechanism for its non-attainment cities, nor has it prepared an effective Graded Response Action Plan (GRAP) tailored to its air-shed. This omission violates the spirit of the Aditya Dubey directions and defeats the national objective of achieving NAAQS compliance under the NCAP.
5. Meanwhile, Bhopal's pollution load continues to rise. Crop-residue (stubble) burning remains rampant across adjoining districts — Raisen, Sehore, Vidisha and Hoshangabad — with over 31,000 incidents reported in early 2025, the highest in India. Despite penalties and awareness drives, smoke plumes drift towards urban agglomerations, elevating PM_{2.5} levels and producing visible haze. The Hon'ble National Green Tribunal, Central Zonal Bench, New Delhi, in the matter of original application no. 681/2018 directed all States to provide action plan for residue management and also air pollution; yet Madhya Pradesh's compliance remains negligible as the plan was prepared but it was not effectively implemented. Even if assumed that action plan was effectively implemented still failed to reduce the air pollution, moreover air pollution has increased, requiring more effective plan.
6. Construction and demolition activities across Bhopal's Smart-City corridors and road-expansion works release continuous dust. Most sites lack dust barriers, sprinklers or wheel-washing pits; soil and sand are transported uncovered. The Hon'ble Supreme Court in *M.C. Mehta v. Union of India* (2018 SCC Online SC 2401) ordered immediate suspension of construction when AQI reaches "Severe" levels — a

principle entirely ignored by local authorities. Likewise, vehicular emissions remain unchecked: over 13 lakh vehicles operate in Bhopal, many without valid PUC certificates, and old diesel autos and heavy trucks continue to ply unrestricted, contrary to the Court's rulings in *M.C. Mehta (1998) 6 SCC 63* and *Vardhaman Kaushik v. Union of India (O.A. No. 21/2014)*, which mandated phase-out of polluting vehicles and stringent traffic management.

7. Festive fire-cracker burning compounds the crisis. Despite binding prohibitions in *Arjun Gopal v. Union of India (2019) 13 SCC 523*, conventional fireworks are freely used in Bhopal, driving AQI from "Poor" to "Severe" within hours. Open-waste burning and recurrent landfill fires at Bhanpur emit toxic smoke containing dioxins and furans, contrary to the directives in *Almitra H. Patel v. Union of India (2000) 2 SCC 679* and the Solid Waste Management Rules 2016.
8. Bhopal's basin-like geography and winter inversion exacerbate accumulation of pollutants, leading to nighttime AQI exceeding 300–330, visibility below 500 m, and widespread respiratory distress. Similar trends are recorded in other Madhya Pradesh non-attainment cities such as Indore, Gwalior and Jabalpur, confirming a statewide airshed crisis.
9. In the prayer clause applicant has prayed to direct the Respondents to formulate and notify a comprehensive State-level Graded Response Action Plan (GRAP), on the lines of the model implemented in *Delhi-Mehta v. Union of India (W.P. No. 13029/1985)*, and the policy prepared by the Commission for Air Quality Management (CAQM) in *Aditya Dubey v. Union of India (W.P. (C) No. 1135/2020)*, to regulate and mitigate air pollution in all eight non-attainment cities of Madhya Pradesh — namely Bhopal, Indore, Gwalior, Jabalpur, Ujjain, Dewas,

Sagar, and Singrauli. all eight non-attainment cities of Madhya Pradesh — namely Bhopal, Indore, GwaliorNCR pursuant to the orders of the Hon'ble Supreme Court in *M.C.*, Jabalpur, Ujjain, Dewas, Sagar, and Singrauli. And further to direct the Respondents to prepare and implement a districtwise "Action Matrix" identifying all major pollution sources — including stubble burning, vehicular emissions, construction and demolition activities, road dust, open waste burning, and industrial emissions — and to assign specific responsibilities, timelines, and accountability mechanisms to each concerned department and strictly enforcing prohibitions under Section 19(5) of the Air (Prevention and Control of Pollution) Act, 1981 and Rule 25 of the Environment (Protection) Rules, 1986;

10. A serious environmental issues has been raised. Issue notice to the respondents. Returnable within four weeks.
11. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
12. 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.
13. 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 Principal Secretary (Environment, State of Madhya Pradesh (M.P.))
 - (ii) One representative from the MoEF&CC, Regional Office at Bhopal (M.P.)
 - (iii) One representative from the EPCO nominated by the ED or head of the department, Bhopal (M.P.)
 - (iv) One representative from , Principal Secretary, Department of Urban Development & Housing, Bhopal (M.P.)
 - (v) One representative from the Principal Secretary, Department of Transport, State of MP, Bhopal, (M.P.)
 - (vi) One representative from the Member Secretary, State Pollution Control Board, (M.P.)

(vii) Dr. Ravi Prakash Mishra, Former Addl. Director, CPCB, Bhopal

14. 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.
15. Applicant is directed to supply the required documents and copy of the application to the committee and the respondents within a week and after compliance of service, the Applicant has to submit an affidavit that notices and copy of the application have been served upon the committee and respondents.
16. The report in the matter be filed by the Committee by 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 **18th March, 2026.**

Sheo Kumar Singh, JM

Sudhir Kumar Chaturvedi, EM

07th January, 2026,
Original Application No.192/2025(CZ)
(I.A. No.01/2026)
K

VAKALATNAMA
[Rule 4(1) of the Rules framed under Advocates Act, 1961]
BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONEL BENCH, BHOPAL
ORIGINAL APPLICATION 166/2025

IN THE MATTER OF:**Gaurav Prakash****....Applicant****Versus****State of Madhya Pradesh &Ors..****.....Respondent**

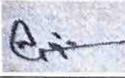
I **Shriniwas Dwivedi**, Regional Officer Bhopal, MPPCB named below do hereby appoint, engage, and authorize advocate(s) named below to appear, act and plead as aforesaid case proceedings which shall include application for restoration, setting aside of ex- party orders, corrections, modifications, review 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, affidavits 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 **03.02.2026** at **Bhopal**.

PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA

Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature
Shriniwas Dwivedi, Regional Officer Bhopal, MPPCB	E5, Arera Colony Paryawaran Parisar Regional Office MPPCB Bhopal - 462016	9827210458 romppcb_bpl@rediff.com	Officer-in-Charge	 क्षेत्रीय अधिकारी म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल

Accepted

Name & Enrollment No.	Office Address	E-Mail Add.	Telephone	Full Signature
PARUL BHADORIA 1587-2012	Paryawaran Parisar, E-5 Arera Colony, Bhopal, 462016	parul.bhadoria04@gmail.com legalcell.pcb@mp.gov.in	8085977111	
MOHIT BUCH 1305/2017		legalcell.pcb@mp.gov.in	9685034578	
PRANJAL PANDEY MP 2881-2021		advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023		advshivamdwwivedi20@gmail.com	8878471359	

Email

Legal Cell

Joint Committee Report in OA 166-2025 GAURAV PRAKASH V/S STATE OF MADHYA PRADESH & ORS.

From : Legal Cell <legalcell.pcb@mp.gov.in> Sat, Feb 07, 2026 07:52 PM
Subject : Joint Committee Report in OA 166-2025 GAURAV PRAKASH V/S STATE OF MADHYA PRADESH & ORS. 1 attachment
To : gauravsatyaparakash@gmail.com
Cc : harnengt <harnengt@gmail.com>, parul bhadoria04 <parul.bhadoria04@gmail.com>, romppcb bpl <romppcb_bpl@rediffmail.com>, commoffice <commoffice@bmconline.gov.in>, Collector Bhopal <dmbhopal@nic.in>, KPS RANA <pwdbhob@mp.nic.in>, cpcb bhopal <cpcb.bhopal@gmail.com>

Madam/Sir

Please find enclosed the Joint Committee Report on behalf of respondent no. 3 Madhya Pradesh Pollution Control Board (MPPCB) in compliance to order dated 16.01.2026 passed by Hon'ble NGT (CZ) in OA 166-2025 GAURAV PRAKASH V/S STATE OF MADHYA PRADESH & ORS. . [This mail be considered as proof of service.](#)

Regards
Legal Section
MP PCB

 **JCR in OA 166-2025.pdf**
2 MB
