

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL,
ORIGINAL APPLICATION NO. 108/2025

IN THE MATTER OF:

GUDDU PATHEKAR

.....APPLICANT

VERSUS

STATE OF MP & ORS.

.....RESPONDENTS

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Date: 11.02.2026

Place: Bhopal

Submitted by MPPCB: -

through Counsel



Adv. Parul Bhadoria

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Email: parul.bhadoria04@gmail.com

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COMPLIANCE REPORT OF MADHYA PRADESH POLLUTION
CONTROL BOARD IN COMPLIANCE OF ORDER DATED 09.12.2025

That the answering respondent most humbly submits that as follows:

1. That in the present original application pertains to indiscriminate dumping of municipal waste and flow of sewage which includes both municipal and biomedical waste in Rajiv Gandhi Ward, Masod Road, Multai, Betul by the Municipal authorities situated in the city of Multai which is leading to adverse incidents such as incessant fire incidents due to the heaping waste, discharge of contaminated water from the trenching ground into the nearby water bodies and its mixing with the drinking water, etc. It is further alleged that, land having Khasra No. 957 with total area of 2.225 hectare in the Rajiv Gandhi Ward at Multai, district Betul (M.P.) is under possession of the Nagar Palika Parishad Multai since 1972-73 and is being used by the Nagar Palika Parishad Multai as trenching ground for the Municipal Solid Waste (MSW) of Multai city since 2005-2006.

2. That the Hon'ble Tribunal had passed order dated 18.08.2025 for the submission of joint committee and the joint committee report has been duly filed in the present case before the Hon'ble Tribunal on 01.12.2025. The observations in the joint committee report are as follows:
- i. The amount of MSW being collected are stored at the dumping ground currently by Nagar Palika Parishad, Multai without any valid EC/ CTE/ CTO/ Authorization.
 - ii. For waste processing, Nagar Palika Parishad, Multai has installed a 10 TPD capacity MRF Plant (fatka machine, balling machine & Shredder machine), and a Composting Plant with 10 TPD capacity on site.
 - iii. A FSTP plant of 10 KLD capacity has been constructed by Municipal Council Multai.
 - iv. At the site municipal solid waste was found to be dumped in an unscientific manner without any storm water drain, proper leachate collection system, approach road to reach the end point, fire safety system and security arrangement.
 - v. A huge gap was observed between the collection and processing of waste. Unmethodical dumping creates huge heap of approximately 1400 MT of untreated waste at the site.
 - vi. At the time of inspection burning of solid waste was not observed at the site by the committee members.
 - vii. The deposited waste also was not found covered or compacted and most cases in these open dump sites waste remains susceptible to open burning.
 - viii. Unplanned waste management practices are resulting in significant sanitation challenges such as bad odour, flies, bird etc.

- ix. Mined out pits and dug well within the trenching ground was also observed.
- x. Nagar Palika Parishad officials present at site informed that earlier in the year 2024-25, a total 17052 MT legacy waste was processed by third party M/s Hydroindia Engineering Consultants.
- xi. Sample from the mined-out pit (little pond), and nearby ground water source (school campus borewell 200 m. from dumping ground) has been collected for detailed investigation.

That the based on the above violations the Hon'ble Tribunal had directed the answering respondent to file counter affidavit and action taken report in the present case.

- 3.** That the answering respondent Board had taken the following actions against the Nagar Palika Parishad, Multai:
 - I. Levy of Environmental Compensation for discharging untreated polluted water from the households of the city directly into the rivers/drains and not doing proper disposal of solid waste management.
 - II. Court case filed against against the Chief Municipal Office, Multai under the provisions of Water (Prevention and Control of Pollution) Act, 1974.

That the answering respondent submits that the above action has been taken and the details of the same are being submitted through the present compliance report.

I. **Levy of Environmental Compensation for discharging untreated polluted water from the households of the city directly into the rivers/drains and not doing proper disposal of solid waste management.**

4. That it is necessary to submit that the Hon'ble Supreme Court of India in the case of Paryavaran Suraksha vs. Union of India order dated 22.02.2017 in W.P. No. 375/2012, reported in (2017) 5 SCC 326 the Hon'ble Supreme Court had fixed deadline for setting up of treatment plants within three years which was to be monitored by the National Green Tribunal established under the National Green Tribunal, 2010. The relevant portion of the order is as follows:

"11. Just in the manner suggested hereinabove, for the purpose of setting up of "common effluent treatment plants", the concerned State Governments (including, the concerned Union Territories) will prioritize such cities, towns and villages, which discharge industrial pollutants and sewer, directly into rivers and water bodies.

12. We are of the view that in the manner suggested above the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct, that 'sewage treatment plants' shall also be set up and made functional, within the time lines and the format, expressed hereinabove."

5. That subsequently that the Hon'ble NGT (PB) New Delhi above case was registered as Original Application No. 593-2017 vide order 28.08.2019 had issued certain directions which are as follows:

"Directions

21. We may now sum up our directions:

(i) The Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water in the report dated

30.05.2019 is accepted and the same may be acted upon as an interim measure.

(ii) SPCBs/PCCs may ensure remedial action against non compliant CETPs or individual industries in terms of not having ETPs/fully compliant ETPs or operating without consent or in violation of consent conditions. This may be overseen by the CPCB. CPCB may continue to compile information on this subject and furnish quarterly reports to this Tribunal which may also be uploaded on its website.

(iii) All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such compensation. The CPCB is to collect the same and utilize for restoration of the environment.

(iv) The CPCB needs to collate the available data base with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites and prepare a river basinwise macro picture in terms of gaps and needed interventions.

(v) The Chief Secretaries of all the States/UTs may furnish their respective compliance reports on this subject also in O.A. No. 606/2018."

6. That in compliance of the above orders the proceedings of solid waste management and liquid waste management in the respective states/union territory were monitored by the Hon'ble National Green Tribunal at Principal Bench in New Delhi and are being monitored till date in Original Application No. 606/2018 (Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues) which have arisen out of directions of the Hon'ble Supreme Court in W.P. No. 888/1996 and W.P. No. 375/2012).

7. That the Nagar Palika Parishad Multai has been dumping the daliy generated waste on the land having survey no. 957 with total area of 2.225 hectare in the Rajiv Gandhi Ward at Multai, district Betul (M.P.) is under possession of the Nagar Palika Parishad Multai since 1972-73 and is being used by the Nagar Palika Parishad Multai as trenching ground for the Municipal Solid Waste (MSW) of Multai city since 2005-2006.
8. That the above act of the Nagar Palika Parishad Multai have been carrying out unmindful dumping of waste at this trenching site and are not following their basic duty of segregation of waste which has resulted in heaping of the garbage at site.
9. That in the present case it is most significant to mention that till present date the Nagar Palika Parishad Multai has not even applied for consent under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. Further there is also failure to apply for authorization under the Municipal Solid Waste Management Rules, 2016. Thus the same amounts to violation of Municipal Solid Waste Management Rules, 2016.
10. The answering respondent submits that the Hon'ble National Green Tribunal, Principal Bench, New Delhi has issued many orders and directions in OA No. 606/2018 to connect the domestic waste water coming out of the city through sewer networking. The untreated or sewage water should go to the STPs (Sewage Treatment Plants) where the water should be treated as per the prescribed standards in the sewage treatment plants. However in the

city of Multai till present date the Nagar Pallika Parishad, Multai has failed to establish the sewage treatment plant.

11.It is submitted that as per the 2011 Census, Multai is having population of 29,815 however as per District Environment Plan of Betul of the year 2025 the estimated population of Multai is 35,396. Further as per the records available in the office of the Pollution Control Board and the data made available from the Nagar Pallika Parishad, Multai, approximately 2.4 MLD (million litres per day) of sewage water is generated in Multai city every day. Currently, this untreated sewage is being not treated by any Sewage Treatment Plant.

12.That, it is respectfully submitted that as per the directions of the Hon'ble NGT, the Madhya Pradesh Pollution Control Board has calculated the environmental compensation of Rupees Seven Crores Twelve Lacs only is proposed to be imposed on the office of Chief Municipal Officer, the Nagar Pallika Parishad, Multai for the period from 01.07.2020 to 31.10.2025 (date of inspection) for discharging untreated polluted water from the households of the city directly into the rivers/drains and not doing proper disposal of solid waste management which has resulted in violation of the Municipal Solid Waste Management Rules, 2016. The calculation of the environmental compensation as assessed as per the formula laid Guidelines issued by the Central Pollution Control Board in its "*Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund*".

The calculation of the environmental compensation on the office of Chief Municipal Officer, Multai is filed herewith and marked as **Annexure R-1**.

13. That the answering respondent submits that at present in the light of the judgment dated passed by the Hon'ble Supreme Court of India in Civil Appeal Number 757 of 2013 titled as **Delhi Pollution Control Committee vs Lodhi Properties and Ors.** wherein it was held that to ensure that the Boards impose restitutionary and the compensatory environmental damages in a fair transparent, non-arbitrary manner, with procedural certainty, necessary subordinate legislation in the form of rules and regulations must be notified. The relevant portion of the judgment is as follows:

" 39. *For the reasons stated above:*

a.

b. *we direct that the Pollution Control Boards can impose and collect as restitutionary and compensatory damages fixed sums of monies or require furnishing bank guarantees as an ex-ante measure towards potential environmental damage in exercise of powers under Sections 33A and 31A of the Water and Air Acts.*

c. *it is further directed that the power to impose or collect restitutionary or compensatory damages or the requirement to furnish bank guarantees as an ex-ante measure under Sections 33A and 31A of the Water and Air Acts shall be enforced only after detailing the principle and procedure incorporating basic principles of natural justice in the subordinate legislation.*"

14. That it is further submitted the above judgement has been interpreted by the Hon'ble High Court of Rajasthan, Bench at Jodhpur in its judgment dated 30.10.2025 in **Civil Writ Petition No. 645/2025 M/s. Tata Bricks Company v Rajasthan State Pollution Control Board & Ors.** wherein it has been observed as follows:

*"10.2 A perusal of the above judgment, more particularly, the paragraphs as reproduced above, reflects that the Hon'ble Apex Court, in para No.39 of the judgment, has specifically concluded and directed that power to impose or collect restitutionary or compensatory damages or requirement of furnishing a bank guarantee as an ex-ante measure under Sections 33A and 31A of the Water and Air Act respectively shall be imposed only after detailing the principle and procedure incorporating basic principles of natural justice in the subordinate legislation. Meaning thereby, the Hon'ble Apex Court, while considering the issue of imposition of the Environmental Compensation by the State Pollution Control Boards, observed that the State Pollution Control Boards can impose restitutionary or compensatory environmental damages **but only after having competence of subordinate legislation in the form of Rules & Regulations.**"*

The respondent Board submits that at present the above subordinate legislation is yet to be notified in the form of rules and regulations by the Ministry of Environment, Forest and Climate Change, Government of India. Therefore in these facts and circumstances, the respondent Board most humbly prays before the Hon'ble Tribunal to impose the environmental compensation as proposed above in exercise of its power under Section 15 of the National Green Tribunal Act, 2010.

15. The respondent Board submits that the proposal of levy of the environmental compensation against the Nagar Pallika Parishad, Multai may be finalized on account of consistent non-compliance and failure to comply with the provisions of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, Environment (Protection)

Act, 1986 and the Solid Waste Management Rules, 2016. Thus the same amounts to violation of Municipal Solid Waste Management Rules, 2016 in the interest of environment protection and justice.

II. **Court case filed against against the Chief Municipal Office, Multai under the provisions of Water (Prevention and Control of Pollution) Act, 1974.**

16. That in addition to the above proposal of levy of the environmental compensation it is further submitted that the respondent Board has filed a court case against the Chief Municipal Officer, Nagar Pallika Parishad, Multai since they have failed to obtain consent under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

17. That in the earlier case of the OA 18/2022 Vineetha Nair v State of MP & Ors., in the final order dated 11.04.2022 the Hon'ble Tribunal had specifically directed the Nagar Palika Parishad, Multai to ensure the timely disposal of legacy waste and there shall not be any leachate forming. However as observed by the Joint Committee in the present case there is absolutely no compliance by the Nagar Pallika Parishad.

18. It is necessary to mention that the respondent Board had issued a letter to the office of the Nagar Pallika Parishad, Multai asking the details of the officers who had served as the Chief Municipal Officer from the year 2022 to October 2025, however no reply has been provided by the Nagar Pallika Parishad till the date of filing the present reply. That the responsible officers who had failed to comply with the order of the Hon'ble Tribunal shall also

be prosecuted for violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

19. That at present the respondent Board has filed the court case under Section against the Chief Municipal Officer. This case has been registered as **UNCR 18/2026** and is now listed for further hearing. The copy of the complaint filed before the court of Ld. Chief Judicial Magistrate, Betul is filed herewith and marked as **Annexure R-2.**

20. That present action taken report may be taken on record. An affidavit in support of the action taken report is filed herewith.

Date: 11.02.2026

Place: Bhopal

Submitted by MPPCB: -

through Counsel



Adv. Parul Bhadoria

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Email: parul.bhadoria04@gmail.com

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

OA No. 108/2025(CZ)

**IN THE MATTER OF:
GUDDU PATHEKAR**

.....APPLICANT

VERSUS

STATE OF MP & ORS.

.....RESPONDENTS

AFFIDAVIT IN SUPPORT OF REPLY

I, Mata Prasad Tiwari S/o Shri K.P. Tiwari Aged 59 years, Regional Officer, Madhya Pradesh Pollution Control Board, Head Office, Chhindwara and Officer-in-Charge, office at address Regional Office M.P. Pollution control Board behind S.P. Office , Dharam Tekdi Chhindwara (M.P.) do hereby solemnly affirm on oath as under:

1. That I am Officer in Charge for Madhya Pradesh Pollution Control Board (Respondent No. 2) in the present matter, and am fully conversant with the facts of the case and therefore competent to swear on this affidavit.
2. That I am filing the present reply in the aforementioned matter to the OA filed before the Hon'ble Tribunal and I have understood the same.
3. That the contents of the Reply are true and correct to the best of my knowledge and the available office records and no material fact is concealed or suppressed.

This document produced by the executant before me sworn & signed at Chhindwara on this 11th FEB 2026

[Signature]
Adv. ANIL KUMAR PATEL
ADVOCATE & NOTARY
DIST. CHHINDWARA (M.P.)

[Signature]
DEPONENT
Regional Officer
M.P. Pollution Control Board
Chhindwara (M.P.)

VERIFICATION

I Mata Prasad Tiwari the above-named deponent do hereby verify that the contents of the par 1 to 3 of the affidavit above are true and correct.

Signed and verified on this 11th Day of February, 2026 at Chhindwara (M.P.).

[Signature]
DEPONENT
Regional Officer
M.P. Pollution Control Board
Chhindwara (M.P.)

[Signature]
Witness Sign.





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क्षेत्रीय कार्यालय

ANNEXURE R-1



म.प्र. प्रदूषण नियंत्रण बोर्ड

मुल्लाजी पेट्रोल पम्प के सामने, परासिया रोड, छिंदवाड़ा

☎: 07162-220311/12 (0), ई-मेल: : E-mail-romppcbwh@gmail.com, ropcb-chhindwara@mp.gov.in, वेब: www.mppcb.mp.gov.in

क...../प्रनिबो/क्षेका/2026

छिंदवाड़ा दिनांक :

प्रति,

सदस्य सचिव
म.प्र. प्रदूषण नियंत्रण बोर्ड
भोपाल (म.प्र.)

विषय:- माननीय राष्ट्रीय हरित अधिकरण, सेन्ट्रल जोन भोपाल में प्रचलित प्रकरण 108/2025 (गुड्डू पाठेकर विरुद्ध म.प्र. शासन व अन्य) के अंतर्गत पारित आदेश दिनांक 09.12.2025 के अनुपालन बावत्।

संदर्भ:- 1. बोर्ड मुख्यालय का पत्र क्रमांक 3585 दिनांक 15.12.2025
2. बोर्ड मुख्यालय का पत्र क्रमांक OD-5 दिनांक 06.01.2026

उपरोक्त विषयांतर्गत लेख है कि माननीय राष्ट्रीय हरित अधिकरण, सेन्ट्रल जोन भोपाल में प्रचलित प्रकरण 108/2025 (गुड्डू पाठेकर विरुद्ध म.प्र. शासन व अन्य) के अंतर्गत पारित आदेश दिनांक 09.12.2025 के मुख्य अंश निम्नानुसार हैं:-

- 4 The learned Counsel for the Respondent No.2 – State PCB, Mr. Pranjal Pandey states that the State Board has not filed any separate affidavit in reply because they were members of the Joint Committee, but we direct that separate affidavit be filed within two weeks indicating therein the period of violation for which there was no consent and the amount of EDC shall also be calculated by them. A copy of the affidavit to be filed by them shall be served in advance upon the Counsel for the Applicant as well as other parties.

माननीय अधिकरण के आदेश के परिपालन में नगर पालिका परिषद मुलताई, जिला बैतूल के विरुद्ध पर्यावरणीय क्षतिपूर्ति गणना कर प्रस्ताव संलग्न हैं। अतः प्रस्ताव संलग्न कर आपकी ओर अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित हैं।

संलग्नक - उपरोक्तानुसार

(अरविंद कुमार तिवारी)

क्षेत्रीय अधिकारी

छिंदवाड़ा दिनांक 13.01.2026

क. 40 /प्रनिबो/क्षेका/2026

प्रतिलिपि:-

1. अधीक्षण यंत्री (विधि.), म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित।
2. अधीक्षण यंत्री (तक.), म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित।
3. श्रीमति पारूल भदौरिया, अधिवक्ता, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ प्रेषित।

(अरविंद कुमार तिवारी)

क्षेत्रीय अधिकारी

**Inspection Report By Regional Office Chhindwara
(July 2020 to Oct 2025)**

Name of ULB / Cantonment Board	NAGAR PALIKA PARISHAD MULTAI
Population	29815
Name, Designation & Address of Incharge of ULB / Cantt. Board	Mr. Hitesh Shakya (CMO)
Name, Designation & Address of Incharge of Facility / Cantt. Board	Mr. Mahesh Trivedi (Sub Engg.)
Name & Designation of ULB / Cantt. Board officer present during inspection	Mr. Rajeev kahar (SDM Multai)

Part A - Compliance status of MSW Rules 2016 - Rule (22) from Serial No. 1 – 10

S.No.	Description	Compliance Status	
		Yes	No
1	Identification of suitable sites for setting up solid waste processing facilities	Yes	--
2	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million more.	--	--
3	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities.	Yes	--
4	Enforcing waste generations to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source,	--	No
5	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	Yes	--
6	Ensure separate storage, collection and transportation of construction and demolition wastes	Yes	--
7	Setting up solid waste processing facilities by all local bodies having 100000 or more population	--	--
8	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	Yes	--
9	Setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	--	--
10.	Setting up common of regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	--	No

Part B - Remediation of legacy waste	
(i) Number of Dump sites containing legacy waste existing in ULB as on 31-10-2025	01
(ii) Location of each Dumpsite	Masod Road, Gandhi Ward, Multai
(iii) Quantity of legacy waste deposited in each dump site (MT)	1400 TPD
(iv) Status of remediation completed in each dump sites between 01-07-2020 and 31-10-2025 (Provide completion Date for each site)	17052 MT legacy waste has been processed in 2024-25 & 1400 MT waste dumped in site.

Part C- In-situ-phytoremediation / bio-remediation of drains

S. No.	Description	Information to be provided by Regional Officer
(i)	Number of Drains meeting water bodies (Name of drains/Nallah if any)	01 (Railway Station drain meet in Tapti River)
(ii)	In-situ-bio-remediation system required on drains (Please provide Nos.)	01
(iii)	Drains where in-situ-bioremediation have been started till 30.6.20 (Please provide Nos.)	00
(iv)	Remaining Drains where in-situ-bioremediation had not been started till 30.6.20 (Please provide Nos.) (ii minus iii)	01
(v)	Drains on which in-situ-bioremediation started between 1-7-20 and 31-10-25 (Provide commencement Date for each drain)	00
(vi)	Drains where in-situ-bioremediation have not been started by 31.10.25 (Please provide Nos.)	01

Part D-Status of STPs

S. No.	Description	Information to be provided by Regional Officer (Provide numbers and capacities in MLD of each one)
(i)	Number of STPs required in the ULB / Cantt. Board	01
(ii)	Number of STPs operationalised till 30.06.25	00
(iii)	Remaining STPs for construction/operationalization as on 30-6-25 (i minus ii)	01
(iv)	No of STPs which are operationalised between 01.07.20 to 31.10.25 (Provide commencement Date for each STP & its capacity)	00
(v)	Number of STPs remaining which are yet to be constructed/operationalised in ULB after 31.10.25 (iii minus iv)	01

Urban Local Body MULTAI

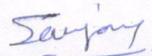
Total Environmental Compensation on ULB (To be calculated from July 2020 to October 2025)

S. No.	Description	Amount in Lac
A	Non Compliance of MSW Rules 2016 - Rule (22) from serial No. 1-10 (Compensation as per part A of Annex. I as per ULB population)	64.00
B	(i) Remediation of entire Legacy Waste dump site(s) from ULB not been completed till 31-12-25 (Compensation as per part B of Annex. I as per ULB population for 6 months)	0.00
	OR (ii) Remediation of entire Legacy Waste dump site(s) from ULB completed between 01.07.20- 31-10-25 (Compensation as per part B of Annex. I as per ULB population <u>to be calculated for the period of non compliance in months</u>)	08 lakh
C	(i) In-situ-bio-remediation – of the drains where in situ-bio-remediation have not been started by 31.10.25 (Compensation as per part C of Annex. I @ Rs. 5 Lac/drain/month for 6 months)	320.00
	AND (ii) In-situ-bio-remediation – of the drains where in situ-bio-remediation have been started between 01.07.20 to 31.10.25 (Compensation as per part C of Annex. I @ Rs. 5 Lac/drain/month <u>to be calculated for the period of non compliance in months for each drain</u>)	--
	TOTAL: 320.00	
D	(i) Non constructed/non operationalised STPs by 31.10.25 (Compensation as per part D of Annex. I @ Rs. 10 Lacs/STP/Month for 6 months)	320.00
	AND (ii) Operationalisation of STPs between 1.7.20 to 31.10.25 (Compensation as per part D of Annex. I @ Rs. 10 Lacs/STP/Month <u>to be calculated for the period of non compliance in months for each STP</u>)	--
	TOTAL: 320.00	
GRAND TOTAL COMPENSATION:		712.00
(Rupees Seven Hundred Twelve Lac Only)		

Date of Inspection

: - 16.10.2025

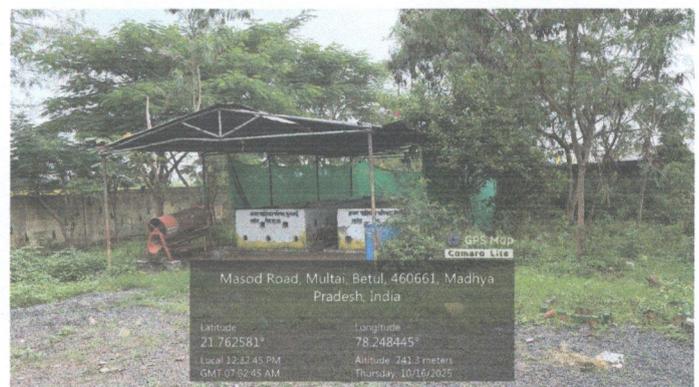
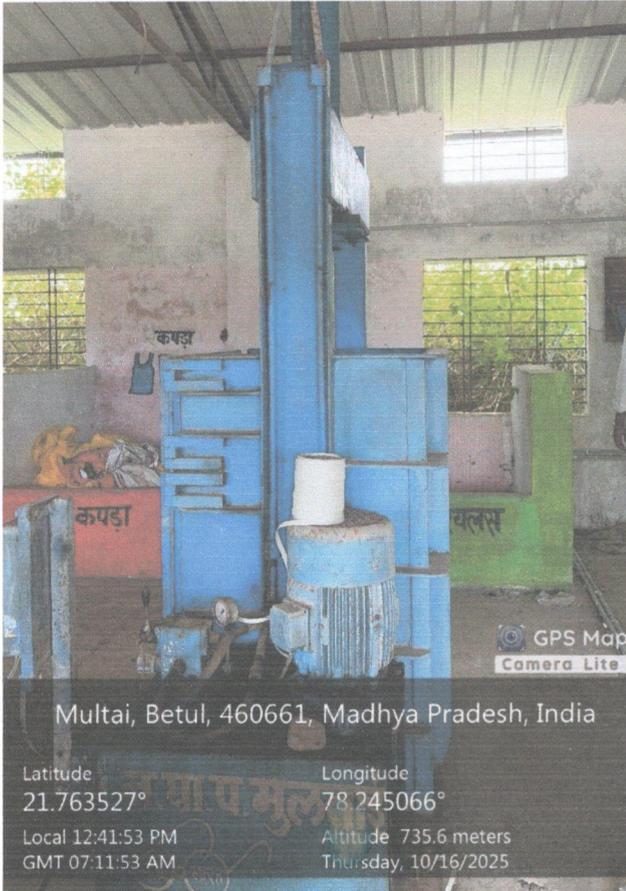
Name & Signature of Inspecting Officer :-

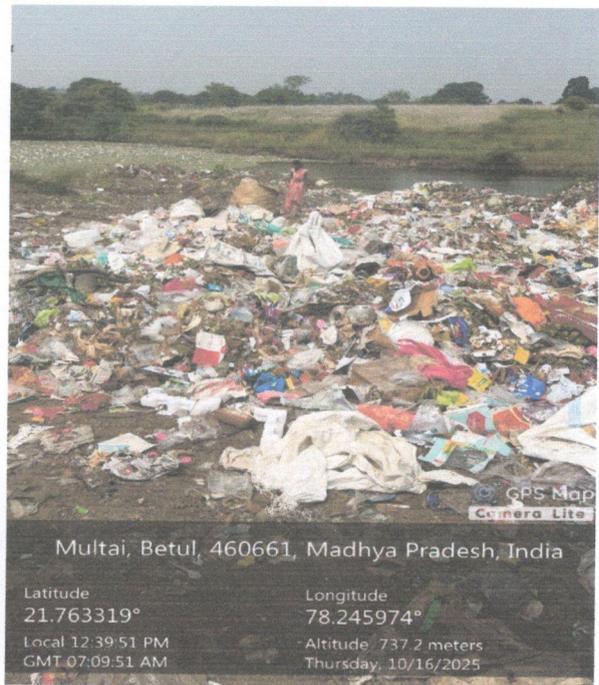
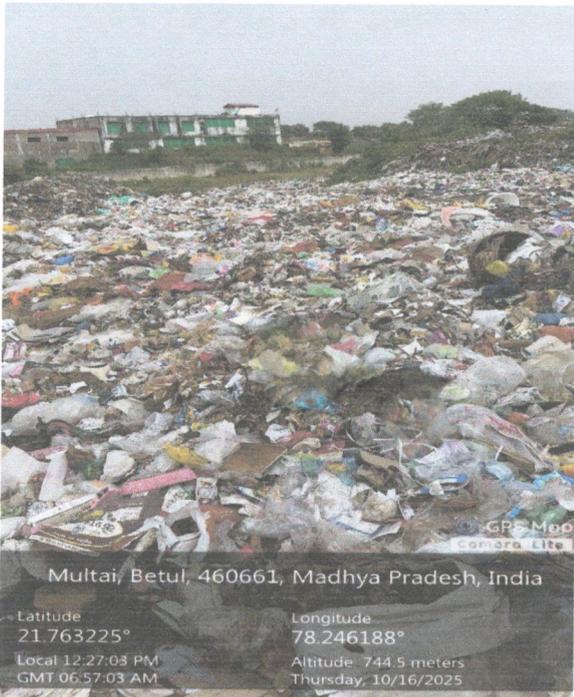

 Mr. Sanjay Rajpoot
 (Chemist)

I hereby approve the above said facts of the inspection report.

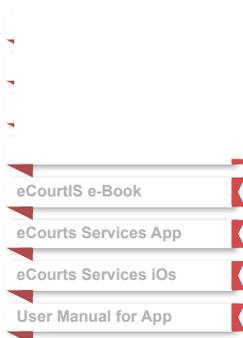

 Regional Officer
 (Name & Signature with seal)

Photographs of dumping site





Case Details	Objection	Listing Dates	Act/Section	FIR Details	Lower Court
CNR Number	MP48010009352026				
Case Type/Number/Year	UN CR/18/2026				
Filing Registration Date	09-02-2026 09-02-2026				
Status	Pending				
First Date List	09-02-2026				
Next Listed Date	28-02-2026				
Stage of Case	Miscellaneous matters not defined otherwise -				
Court No. & Judge	5 - I Civil Judge, Senior Division and Chief Judicial Magistrate - Smt Sangeeta Bharti Rathore				
Petitioner	1.)Madhya Pradesh Pollution Control Board by Sanjay Rajput				
Respondent	1.)Nagarpalika Multai 1.) Hitesh Shakya Mukhay Nagar Palika Adhikari				



Contact Us
Registrar General
 High Court of Madhya Pradesh
 Jabalpur, India - 482001
 0761-2620380, 2622674, 2626734
 IVRS Number - 0761-2637400
 email - :mphc@nic.in

District And Session Court Betul
 Near Bus Stand Kothi Bazar Betul
 Pincode- 460001
Phone- 07141-231248
Fax- 07141-230465
Email: dcourtbet-mp@nic.in

[History](#)

[Advocates](#)

[Replication Status](#)

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[Sitemap](#)

Site Counter: 41,450,836

Unique Visitor: 278,341

Your IP: 182.79.116.90

Visitors: 13,785

Today: 13,785

Server : B

समक्ष: न्यायालय श्रीमान मुख्य न्यायिक दण्डाधिकारी महोदय जी, बैतूल
प्र.क्र.

म.प्र. प्रदूषण नियंत्रण बोर्ड
द्वारा संजय राजपूत, रसायनज्ञ
क्षेत्रीय कार्यालय पर्यावरण परिसर
मुल्लाजी पेट्रोल पम्प के पास, परासिया रोड,
छिन्दवाड़ा म.प्र.परिवादी

विरुद्ध

1. नगरपालिका, मुलताई तह. मुलताई जि. बैतूल
2. हितेश शाक्य, मुख्य नगरपालिका अधिकारी,
तह. मुलताई जिला बैतूल म.प्र.....अभियुक्तगण

परिवाद पत्र अंतर्गत धारा 223 अपराध अंतर्गत

जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 24, 25, 43, 44 एवं 47

परिवादी निम्नलिखित परिवाद प्रस्तुत करता है :-

1. यह कि परिवादी बोर्ड का गठन जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 4 के अंतर्गत हुआ है, जिसका मुख्यालय भोपाल होकर क्षेत्रीय कार्यालय मुल्लाजी पेट्रोल पम्प परासिया रोड छिन्दवाड़ा में स्थित है। बैतूल जिला क्षेत्रीय कार्यालय छिन्दवाड़ा के अंतर्गत आता है।
2. यह कि जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 के अंतर्गत परिवादी बोर्ड को उक्त अधिनियम के अंतर्गत कार्य करने एवं उत्तरदायित्वों का निर्वहन करने हेतु अधिकृत किया गया है, ये अधिनियम सम्पूर्ण मध्यप्रदेश में प्रभावशील है।
3. यह कि जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 49 के तहत परिवाद श्रवण करने का अधिकार होने से परिवाद श्रीमान के समक्ष प्रस्तुत किया जा रहा है।
4. यह कि जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 50 के अनुसार परिवादी बोर्ड में कार्यरत सभी सदस्य, अधिकारी एवं कर्मचारी लोक सेवक की श्रेणी में आते हैं तथा परिवादी बोर्ड की ओर से सम्बंधित क्षेत्रीय अधिकारी द्वारा अधिकृत अधिकारी को सदर परिवाद प्रस्तुत करने एवं विचारण के लिए मध्यप्रदेश राजपत्र दिनांक 20.07.2012 के द्वारा अधिकृत किया गया है।



संजय राजपूत
(रसायनज्ञ)

म.प्र.प्रदूषण नियंत्रण बोर्ड
छिन्दवाड़ा

5. यह कि क्षेत्रीय अधिकारी छिन्दवाड़ा द्वारा द्वितीय श्रेणी अधिकारी श्री संजय राजपूत रसायनज्ञ को परिवादी बोर्ड की ओर से न्यायालय में परिवाद प्रस्तुत करने हेतु अधिकृत किया गया है। अतः परिवादी बोर्ड की ओर से श्री संजय राजपूत रसायनज्ञ द्वारा हस्ताक्षर कर परिवाद श्रीमान के समक्ष प्रस्तुत किया जा रहा है।

6. यह कि भारत सरकार, पर्यावरण वन और जलवायु परिवर्तन मंत्रालय द्वारा दिनांक 08.04.2016 को ठोस अपशिष्ट प्रबंधन नियम 2016 जारी किये गये थे, इसके पूर्व नगर पालिका, ठोस अपशिष्ट (प्रबंधन एवं संचालन) नियम 2000 लागू थे। जो कि नगर पालिका ठोस अपशिष्टों के संग्रहण, पृथक्करण, भण्डारण, परिवहन, प्रसंस्करण और निपटान से सम्बंधित है। ठोस अपशिष्ट प्रबंधन नियम 2016 के नियम 2 के अनुसार सभी नगरीय निकायों को अपने सम्बंधित क्षेत्र में उत्पादित ठोस अपशिष्ट के निष्पादन हेतु जिम्मेदार बनाया गया है। साथ ही नियम 15 के अनुसार नगरीय निकायों को राज्य प्रदूषण नियंत्रण बोर्ड से आवेदन कर प्राधिकार प्राप्त करना आवश्यक है।

7. यह कि माननीय राष्ट्रीय हरित अधिकरण, मध्य प्रदेश बैंच भोपाल द्वारा पत्र क्र. 18/22 (विनिता नायर विरुद्ध मध्यप्रदेश शासन व अन्य) में परिवादी द्वारा संयुक्त जांच दल गठित कर आरोपीगण के ठोस अपशिष्ट डंपिंग साइट का स्थल निरीक्षण कर दिनांक 08.04.2022 को माननीय राष्ट्रीय अधिकरण में जांच प्रतिवेदन प्रस्तुत किया गया था। उपरोक्त प्रकरण में आरोपी नगर पालिका मुलताई जिला बैतूल को स्पष्ट रूप से निर्देश दिये गये थे। उक्त आदेश के परिपालन में परिवादी द्वारा भी नगर परिषद मुलताई जिला बैतूल को उपरोक्त आदेश की प्रति संलग्न कर सूचना पत्र जारी किया गया था। साथ ही दिनांक 28.07.2025 को याचिकाकर्ता गुड्डू पाठेकर द्वारा भी आरोपी नगरपालिका मुलताई के विरुद्ध माननीय राष्ट्रीय अधिकरण में प्रकरण क्रमांक ओ.ए. 108/25 में पक्षकार गुड्डू पाठेकर विरुद्ध म.प्र. शासन एवं अन्य में पारित आदेश दिनांक 18.08.2025 को माननीय राष्ट्रीय अधिकरण के निर्देशानुसार संयुक्त समिति गठित की गई जिसमें कलेक्टर महोदय द्वारा श्री राजीव कहार, अनुविभागीय अधिकारी मुलताई को प्रतिनिधि नियुक्त किया गया साथ ही क्षेत्रीय अधिकारी श्री अरविन्द कुमार तिवारी, म.प्र. प्रदूषण नियंत्रण



संजय राजपूत
(रसायनज्ञ)

म.प्र.प्रदूषण नियंत्रण बोर्ड

बोर्ड छिन्दवाड़ा द्वारा दिनांक 16.10.2025 को स्थल निरीक्षण किया गया जिससे खसरा नं. 957 में नगरीय ठोस अपशिष्ट एवं जैव अपशिष्ट का पृथक्करण सुनियोजित तरीके से किया जाना नहीं पाया गया, अपशिष्ट बिना किसी कवर्डशेड के यत्र तत्र डम्प किया जाना पाया गया, प्रसंस्करण स्थल पर कमोस्टिंग इकाई की व्यवस्था संचालित अवस्था में नहीं पाई गई, प्रसंस्करण स्थल पर ठोस अपशिष्ट प्रबंधन हेतु मशीनरी इकाई संचालन की अवस्था में नहीं पायी गई, साथ ही नगरीय निकाय द्वारा परिवादी बोर्ड से वैध सम्मति एवं प्राधिकार प्राप्त किये बिना नगरीय ठोस अपशिष्ट स्थल पर अपशिष्ट के नियमानुसार निष्पादन न किया जाकर डम्प किये जाने एवं जिससे होकर जाने वाले जल के निकटतम जल स्रोत के प्रदूषित होने के सम्बंध में मौके पर पंचनामे की कार्यवाही की गई एवं जल स्रोतों से लिये गये नमूनों (सैंपल) की प्रयोगशाला में जांच करने पर अमानक स्तर का प्रदूषित जल पाया गया, जिसका विस्तृत निरीक्षण प्रतिवेदन माननीय राष्ट्रीय हरित अधिकरण में प्रस्तुत किया गया।

8. यह कि माननीय राष्ट्रीय हरित अधिकरण में प्रकरण क्रमांक ओ.ए. 108/25 में पक्षकार गुड्डू पाठेकर विरुद्ध म.प्र.शासन एवं अन्य में पारित आदेश दिनांक 18.08.2025 को परिवादी बोर्ड को आरोपीगण के विरुद्ध कार्यवाही करने हेतु निर्देशित किया गया है।

9. यह कि परिवादी बोर्ड द्वारा भी पूर्व में आरोपीगण को दिनांक 27.12.2024 को सूचना पत्र जारी कर वैध सम्मति एवं प्राधिकार प्राप्त करने हेतु पत्र क्रमांक 1221/प्रबिनो/क्षे.का./2024 जारी किया गया था। जिसके उपरांत भी आरोपीगण द्वारा जल प्रदूषण अधिनियम 1974 की धारा 25, 26 के अंतर्गत परिवादी बोर्ड से नियमानुसार सम्मति प्राप्त न कर दण्डनीय अपराध किया गया है।

10. यह कि परिवादी बोर्ड द्वारा आरोपीगण को सूचना पत्र क्रमांक 870 प्रबिनो/ 2025 दिनांक 08.10.2025 जारी कर निरीक्षण के दौरान अवलोकित अव्यवस्थाओं के सम्बंध में जानकारी दी गई, जिसके उपरांत भी आरोपीगण द्वारा आज दिनांक तक परिवादी बोर्ड से सम्मति एवं प्राधिकार प्राप्त करने हेतु कोई कार्यवाही नहीं की गई व आज दिनांक तक भी कोई सकारात्मक कार्यवाही न कर परिवादी बोर्ड के आदेश की जानबूझकर अवहेलना की जा रही है।



संजय राजपूत
(रसायनज्ञ)
म.प्र.प्रदूषण नियंत्रण बोर्ड
छिन्दवाड़ा

11. यह कि आरोपी क्रमांक 2, आरोपी क्रमांक 1 नगर पालिका मुलताई के समस्त क्रियाकलापो पर नियंत्रण होने के कारण अपराध के लिए उत्तरदायी है, साथ ही आरोपी क्र. 1 भी इस अपराध के लिए दोषी है, क्योंकि आरोपीगण द्वारा अपराध के निवारण के लिए सम्यक तत्परता नहीं बरती गई हैं। आरोपीगण द्वारा जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 के अंतर्गत परिवाद पत्र में उल्लेखित अपराध हेतु उत्तरदायी है।

12. यह कि आरोपीगण द्वारा नगर पालिका मुलताई के नगरीय ठोस अपशिष्ट प्रसंस्करण स्थल हेतु परिवादी बोर्ड से सम्मति एवं प्राधिकार प्राप्त न कर आज दिनांक तक निरंतर जानबूझकर जल (प्रदूषण निवारण एवं नियंत्रण) अधि. 1974 के प्रावधानों का उल्लंघन करने का अपराध किया जा रहा है, जो दण्डनीय है।

13. यह कि परिवादी परिवाद पत्र के समर्थन में सूची अनुसार दस्तावेज प्रस्तुत कर रहा है, एवं शेष दस्तावेज प्रस्तुत करने का अपना अधिकार सुरक्षित रखता है।

अतः परिवादी बोर्ड की ओर से माननीय न्यायालय से प्रार्थना है कि न्याय हित में आरोपीगण को जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 24, 25, 43, 44 एवं 47 अनुसार सजा एवं अर्थदण्ड से दंडित किये जाने की कृपा करें।

स्थान

दिनांक

परिवादी

अधिवक्ता वास्ते परिवादी

विशाल म्हस्की

परिवादी साक्षी की सूची :-

1. श्री संजय राजपूत, रसायनज्ञ, म.प्र. प्रदूषण नियंत्रण बोर्ड, छिन्दवाड़ा म.प्र.
2. श्री अरविन्द कुमार तिवारी क्षेत्रीय अधिकारी, म.प्र. प्रदूषण नियंत्रण बोर्ड, छिन्दवाड़ा म.प्र.



संजय राजपूत
(रसायनज्ञ)
म.प्र.प्रदूषण नियंत्रण बोर्ड
छिन्दवाड़ा

समक्ष: न्यायालय श्रीमान मुख्य न्यायिक दण्डाधिकारी महोदय जी, बैतूल
प्र.क्र.

म.प्र. प्रदूषण नियंत्रण बोर्ड
द्वारा संजय राजपूत, रसायनज्ञ

.....परिवादी

विरुद्ध

नगरपालिका, मुलताई
तह. मुलताई जि. बैतूल व अन्य

.....अभियुक्तगण

शपथ पत्र

मैं संजय राजपूत, रसायनज्ञ क्षेत्रीय कार्यालय पर्यावरण प्रदूषण बोर्ड मुल्लाजी पेट्रोल पम्प के पास, परासिया रोड, छिन्दवाड़ा म.प्र. का होकर निम्नानुसार शपथ पर कथन करता हूँ :-

1. यह कि मैं म.प्र. प्रदूषण नियंत्रण बोर्ड का सहायक यंत्री होकर वर्तमान परिवाद प्रस्तुत करने हेतु बोर्ड की ओर से अधिकृत एवं निर्देशित हूँ तथा मुझे वर्तमान प्रकरण की समस्त तथ्यों का पूर्ण ज्ञान है।
2. यह कि मेरे द्वारा माननीय न्यायालय के समक्ष बोर्ड की ओर से परिवाद पत्र अंतर्गत धारा 223 भा.ना.सु.सं. अपराध अंतर्गत धारा जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 24, 25, 43, 44 एवं 47 के तहत प्रस्तुत किया गया है। उक्त परिवाद में वर्णित तथ्य एवं जानकारी मेरे निजी ज्ञान, विश्वास एवं उपलब्ध कार्यालय रिकार्ड के आधार पर सत्य एवं सही है।
3. यह कि यह शपथ पत्र माननीय न्यायालय के समक्ष प्रस्तुत परिवाद पत्र के समर्थन में तथ्यों की पुष्टि स्वरूप माननीय न्यायालय के समक्ष प्रस्तुत किया जा रहा है।

अतः उक्त आशय का शपथ पत्र प्रस्तुत है।

शपथकर्ता

सत्यापन

मैं उपरोक्त शपथकर्ता सत्यापित करता हूँ कि उपरोक्त शपथपत्र की कंडिका 1 लगायत 3 में लिखे समस्त तथ्य मेरी निजी जानकारी के आधार पर सत्य व सही है।

बैतूल
दिनांक

शपथकर्ता


संजय राजपूत
(रसायनज्ञ)
म.प्र.प्रदूषण नियंत्रण बोर्ड
छिन्दवाड़ा

नम्बर सु. म.प्र. प्रदूषण नियंत्रण बोर्ड
 V/S नगर पालिका, मुलताई
 तम्पेरी तारीख

फेहरिस्त दस्तावेज जो पेश की है ।

नम्बर सुभत	दस्तावेज	तारीख दस्तावेज	अवतल या नकल	कैफियत
1	कानूनिय अपील	12/12/25	मूलत	
2	म.प्र. राजपूत	20/7/12	फोटोग्राफ	
2A	खाल पत्रनामा	7/10/25	—	
3	सम्बन्धित शमीति रिपोर्ट	16/10/25	—	
4	खाल पत्रनामा	16/10/25	—	
5	निर्दिष्ट फोटोग्राफ	16/10/25	—	
6	निर्दिष्ट के दौरान अवलोकित मन्व्यवस्था के खण्ड में जारी खुलाग पत्र	8/10/25	—	
7	निर्दिष्ट फोटोग्राफ	7/10/25	—	
8	वाटर क्वैलिटी गार्डिज लार्नि		—	
9	रनालिखित रिपोर्ट	19/11/25	—	
10	नगर पालिका को जारी खुलाग पत्र	16/9/22	—	
11	खुलाग पत्र	27/12/24	—	

संजय राजपूत
 (रसायनज्ञ)

अधिक

Service of Action Taken Report in OA 108/2025 Guddu pathekar vs State of Mp & ors

From : Legal Cell <legalcell.pcb@mp.gov.in>

Wed, Feb 11, 2026 03:08 PM

Subject : Service of Action Taken Report in OA 108/2025 Guddu pathekar vs State of Mp & ors

 1 attachment

To : pshousenv@mp.nic.in, dmbetul <dmbetul@nic.in>, Ompal Singh Bhadauriya <cmomultai@mpurban.gov.in>, adv sakshipawar <adv.sakshipawar@gmail.com>, omslawhouse1 <omslawhouse1@gmail.com>

Cc : parul bhadoria04 <parul.bhadoria04@gmail.com>, harnengt <harnengt@gmail.com>

Madam/Sir

Please find enclosed the Action Taken Report on behalf of Madhya Pradesh Pollution Control Board (MPPCB) in compliance to order dated 09.12.2025 in OA 108/2025 (CZ) GUDDU PATHEKAR VERSUS STATE OF MP & ORS . [This mail be considered as proof of service.](#)

Regards
Legal Section
MP PCB

 **ATR by MP PCB in OA 108-2025 dated 11.02.2026.pdf**
8 MB
