

FACTUAL & ACTION TAKEN REPORT

Ref: Factual & Action taken report in compliance to the order of Hon'ble NGT order dated 17/10/2023 in the matter of OA 146/2023 (CZ) Mrs. Pratap Vaare Vs. State of M.P. & Others.

Hon'ble NGT issued following instructions on dated 17/10/2023 in the matter of OA 146/2023 (CZ) Mrs. Pratap Vaare Vs. State of M.P. & Others. :-

“1. The issue raised in this application is the violation of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 by discharging the sewage/untreated water in the open by the multi story building located in Ward No.53 within the Municipal Corporation Bhopal. It is further submitted the builders of the colony have not built underground tank or laid any line for the drainage of the sewage water and the untreated sewage water is being discharged in vacant land spreading foul smell, spill, mosquito and diseases in the entire area and also polluting the ground water.

2. A substantial issue of environment has been raised. Issue notice to the respondents. Returnable within four weeks.

3. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.

4. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. We further constitute a committee consisting of :

- (i) One representative from Collector, Bhopal (M.P.)*
- (ii) One representative from State Pollution Control Board, Bhopal(M.P.)*

6. The Committee is directed to visit the place, examine the facts, take remedial measures and submit the factual and action taken

report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.”

In compliance to the order of Honble NGT dated 17/10/2023, a 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 Ashutosh Goswami, SDM, Kolar, Bhopal

Apart from above officials, Shri Atul Sharma, Tehsildar- Kolar, Bhopal and Shri Akhilesh Sharma, Assistant Engineer (C), Regional Office, MPPCB, Bhopal were present during the inspection. The petitioner Shri Pratap Vaare, was also present at the time of joint committee inspection.

The committee reviewed the petition and as per the petition, the untreated sewage and dirty water is being discharged in the open area by the multi storey buildings located in ward no. 53, Bagmugaliya, Bhopal, whose named are: 1) The Prospera (Builder Amaltas), 2) Palmcrest (Builders Sanjeev Singh), 3) Priyadarshini Colony (Builders Asnani), 4) Gulabi Nagar (mentioned Pink City in petition). The Builders of the above colony and multi stories have neither built any underground tank nor laid any lines for the drainage of dirty water. All the dirty water generated from the colonies is being released on the vacant private land in and around the private residence.

Joint committee on dated 20/12/2023 conducted a site visit of the housing projects namely Prospera, Palmcrest, Priyadarshini Colony and Gulabi Nagar (mentioned as Pink City in petition) located at ward no. 53, Bagmugaliya, Bhopal as per the petition. The Geographical location, photographs and visual observations were recorded during inspection. The photographs and google maps of the housing projects are enclosed as **Annexure- 1**.

Field Observation:

During inspection, Joint Committee visited the residential areas as mentioned in the petition of ward no 53, Bagmughaliya, Bhopal and

observed the sewerage system of these colonies and multi stories residential complexes. The details observed during the inspection are mentioned as under: -

1. The Prospera Multi Storied Complex:

- The Prospera multi storied building is a residential complex, situated in ward no 53, Bagmughaliya, Bhopal and it is constructed by M/s Amaltas Builders, Bhopal.
- The geographical location of the building is latitude 23⁰11'32'' and longitude 77⁰28'19''.
- The building is of six storied and consisting of 200 flats and approx 180 flats are occupied and families are residing in to it.
- Sewage treatment plant is installed within the premises on ground level.
- STP was found in non operating condition. Sewage collection tank of STP was found empty.
- Untreated sewage water was found flowing outside the premises of multi storied complex and found accumulating on the adjacent open plots.

2. Palmcrest Multi Storied Complex:

- Palmcrest Multi Storey building is located in ward no 53, Bagmughaliya, Bhopal and it is constructed by M/s Belife Builders Pvt. Ltd. The geographical location of the building latitude 23⁰11'35'' and longitude 77⁰28'17''.

- The building consisting of 36 flats and approx 25 flats are occupied. The multistoried building is 04 storied building. The ground floor is vehicle parking.
- Sewage treatment plant is found installed within the premises.
- During inspection the STP was not found operational. The overflow from the STP was flowing outside the building premises.
- The overflow of sewage from the STP was flowing across the front road and accumulating on the road side vacant plot.

3. Priyadarshini Residential Colony:

- Priyadarshini Colony situated in ward no 53, Bagmughaliya, Bhopal and it is constructed by M/s Asnani Builders, Bhopal. The geographical location of the colony are latitude 23⁰11'31'' and longitude 77⁰28'16''.
- Resident of the colony Shri Umadatt Sharma, House no P-147, Priyadarshini colony phase-II, Bagmugaliya, Bhopal informed that there are approx 180 house are available, which are occupied.
- Map of Priyadarshini colony is enclosed in **Annexure- 2**.
- The sewer network is provided in the colony but not connected with septic tank. The intermediate chambers are open and sewage overflow is observed.
- One septic tank was found situated at the park in the colony. Size of septic tank is approx 12*18 feet. The septic tank is not operational.

- During inspection it is observed that the sewage from sewer line is discharging on vacant plots of Priyadarshini colony, and was found accumulated on the vacant plots of the colony.

4. Gulabi Nagar Colony (Pink City as per petition):

- Gulabi Nagar Colony situated in ward no 53, Bagmughaliya, Bhopal. The geographical location of the colony are latitude 23°11'31'' and longitude 77°28'4''.
- Gulabi Nagar Colony, Bhopal, is having approx 190 plots, out of on 70 plots houses are constructed and are occupied.
- Map of Gulabi Nagar Colony (pink City as per petition) Bhopal, is enclosed in **Annexure- 3**.
- A Septic tank is provided within the premises but was not found in good condition.
- The sewage of the colony is found accumulated on the open plots.

Action Taken by MPPCB:-

1. MPPCB issued a notice under Water (Prevention and Control of Pollution) Act' 1974 on dated 27/12/2023 & on 28/12/2023 to the Builders of above multi stories and colonies regarding discharge of untreated sewage water outside the premises and on the vacant plots. Copy is enclosed as **Annexure- 4**.
2. Environment compensation is estimated as per CPCB guidelines on 1) The Prospera multi storey building, 2) Palmcrest multi storey building, 3) Priyadarshini Colony, 4) Gulabi Nagar Colony (mentioned Pink City in petition) from the date of violation observed to the date of notice issued. Copy is enclosed as **Annexure- 5**. The Environment compensation calculated is given as under:-

Environment compensation (EC) to be levied on concerned individual/authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated.

Environmental Compensation (EC) to be levied on concerned individual/ authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated as;

$$EC \text{ (Lakhs Rs.)} = 17.5 \times (\text{Total Sewage Genration} - \text{Installed Treatment Capacity}) + 55.5 \times (\text{Total Sewage Genration} - \text{Operational Capacity}) + 0.2 (\text{Sewage Genration} - \text{Operational Capacity}) \times N + \text{Marginal cost of Environmental Externality} \times (\text{Total Sewage Genration} - \text{Operational Capacity}) \times N$$

Where N = Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority. Quantity of Sewage in MLD.

As per the Environmental Compensation guidelines point 1.3.1 of f “In any case, minimum Environmental Compensation shall be Rs. 5000 per day”.

Summery

Name of Colony/Multi Storey Building	Days Violation			Environment Compensation
	Violation observed date	Notice issue date	Days	
The Prospera multi storey building	Case listed on 17/10/2023	27/12/2023	71	8.4500 Lakhs
Palmcrest multi storey building	Case listed on 17/10/2023	27/12/2023	71	3.550 Lakhs
Priyadarshini Colony	Case listed on 17/10/2023	27/12/2023	71	7.340 Lakhs
Gulabi Nagar (Pink City as per petition)	Case listed on 17/10/2023	27/12/2023	71	3.550 Lakhs

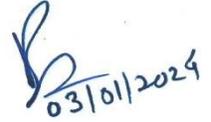
Recommendations:-

1. The sewage treatment plant installed in the multi storied residential complex should be operated regularly and maintained properly by the Builder / society.
2. The septic tanks and sewer network of the residential colonies namely Priyadarshini colony and Gulabi nagar colony should be repaired and make in operative condition by the builder.
3. The septic tank should be regularly cleaned so that condition of overflow should not be arise.
4. The treated waste water should be used in plantation after proper disinfection.
5. Bleaching powder should be spread on the accumulated sewage on the vacant plots to create hinge in the area .



03.01.2024

Ashutosh Goswami
SDM, Kolar, Bhopal



03/01/2024

Brajesh Sharma
Regional Officer
RO, MPPCB, Bhopal

**Inspection Photographs of “The Prospera”, Palmcrest,,
Priyadarshini Colony & Gulabi Nagar Colony**



Sewage water coming out from “The Prospera” Multi



STP of “The Prospera” Multi



Empty STP tank of “prospera” Multi



STP of “The Prospera” Multi



Sewage flowing outside the premises of Prospera” Multi



Sewage water of “The Prospera” Multi in vacant plot



Sewage overflow coming out from Palmcrest Multi STP



STP of Palmcrest Multi



Palmcrest Multi



Septic tank of Priyadarshini Colony



Priyadarshini Colony



Sewage water on vacant plot of Priyadarshini colony



Sewage water in vacant plot of Gulabi Nagar



Septic Tank of Gulabi Nagar

Google Earth Map of The Prospera Multi Storey Building



Google Earth of Pamcrest Multi Storey Building

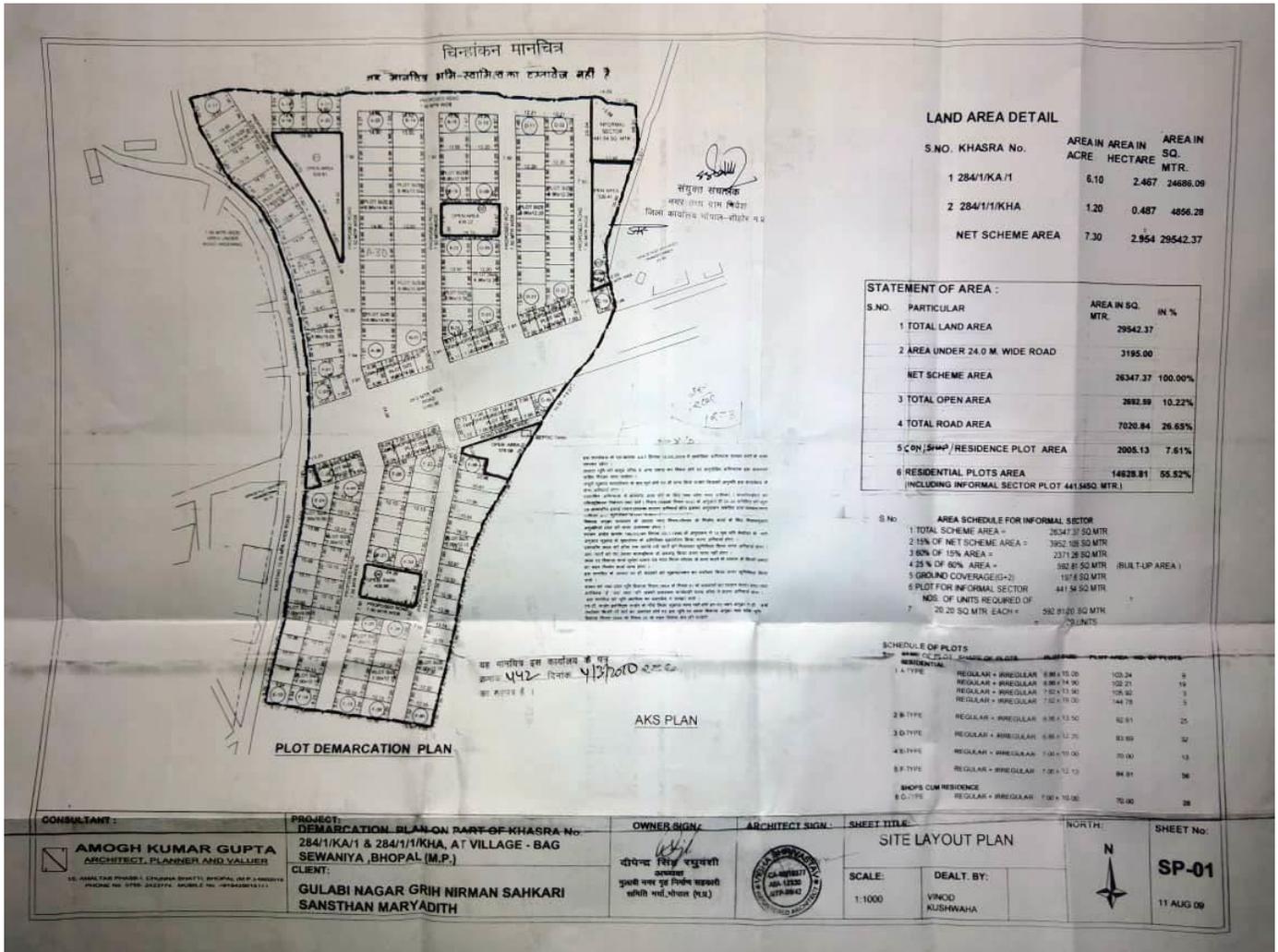


Google Earth Map of Priyadarshini Colony



Google Earth Map of Gulabi Nagar (Pink City as per Petition)







क्षेत्रीय कार्यालय
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी भोपाल (म.प्र.)



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क्रमांक २६५०/क्षेका/प्रनिबो/ भोपाल, दिनांक २७/१२/२०२३
प्रति,

✓ M/s Belife Buildcon Pvt. Ltd.
A-29, New Friends Society, Kaliyasoat Road,
Chunabhatti Bhopal M.P.

विषय:- पामकेसट मल्टीस्टोरी बिल्डिंग का अनुपचारित सीवेज खुले में बहाने के संबंध में नोटिस।
संदर्भ:- मेसर्स एन.जी.टी. भोपाल प्रिंसिपल बेंच द्वारा याचिका ओ.ए. क्रमांक १४६/२०२३ सी.जेड.
(प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक
१७/१०/२०२३ के संबंध में।

उपरोक्त संदर्भित विषयान्तर्गत पामकेसट मल्टीस्टोरी बिल्डिंग, वार्ड नं. ५३ बागमुगलिया भोपाल (अक्षांश २३°११'३४" देशान्तर ७७°२८'१७") का माननीय एन.जी.टी. भोपाल प्रिंसिपल बेंच द्वारा याचिका ओ.ए. क्रमांक १४६/२०२३ सी.जेड. (प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक १७/१०/२०२३ के परिपेक्ष्य में गठित समिति द्वारा दिनांक २०/१२/२०२३ को निरीक्षण किया गया। निरीक्षण दौरान याचिकाकर्ता श्री प्रताप वारे उपस्थित थे। मल्टी में लगभग ३६ फ्लेट्स है जिनमें लगभग २५ परिवार निवासरत है। निरीक्षण दौरान पायी गयी कमिया निम्नानुसार है:-

१. मल्टी का अनुपचारित दूषित मल्टी के बाहर खाली प्लाट में एकत्रित पाया गया।
२. मल्टी स्थापना एवं संचालन सम्मति के बिना संचालित पायी गयी।
३. संस्था का एस.टी.पी. संचालित नहीं पाया गया।

उपरोक्तानुसार बिन्दुओं के परिपेक्ष्य में लेख है कि यह कृत्य जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम १९७४ की धारा २५/२६ का स्पष्ट उल्लंघन है। साथ ही बोर्ड जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम १९७४ के प्रावधानों के उल्लंघन के कारण धारा ४३ एवं ४४ के अंतर्गत वाद दायर करने हेतु बाध्य होगा। संस्था दूषित जल का निस्तारण तत्काल प्रभाव से बंद करावे एवं उपयुक्त दूषित जल उपचार व्यवस्था स्थापित करें। संस्था बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम १९७४ सम्मति भी प्राप्त करें।

उक्त निर्देशों के परिपालन में आवश्यक कार्यवाही कर, १५ दिवस के भीतर कार्यालय को जानकारी प्रस्तुत करें।

o/c

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

पृ. क्रमांक २६५१ /क्षेका/प्रनिबो/ भोपाल, दिनांक २७/१२/२०२३
प्रतिलिपि:-

✓ सदस्य सचिव, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आदेशार्थ प्रेषित।

o/c

(बृजेश शर्मा)
क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

पर्यावरण परिसर, ई-5, अरेरा कॉलोनी भोपाल (म.प्र.)

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क्रमांक 2646/क्षेका/प्रनिबो/
प्रति,

भोपाल, दिनांक 27/12/2023

✓ Gulabi Nagar Residential Society,
Ward No. 53, Bagmugaliya,
Bhopal M.P.

विषय:- गुलाबी नगर कॉलोनी का अनुपचारित सीवेज खुले में बहाने के संबंध में नोटिस।
संदर्भ:- मेसर्स एन.जी.टी. भोपाल प्रिसिपल बैंच द्वारा याचिका ओ.ए. क्रमांक 146/2023 सी.जेड.
(प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक
17/10/2023 के संबंध में।

उपरोक्त संदर्भित विषयान्तर्गत गुलाबी नगर कॉलोनी, वार्ड नं. 53 बागमुगलिया भोपाल
(अक्षांश 23°11'28" देशान्तर 77°27'55") का माननीय एन.जी.टी. भोपाल प्रिसिपल बैंच द्वारा याचिका ओ.ए.
क्रमांक 146/2023 सी.जेड. (प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश
दिनांक 17/10/2023 के परिपेक्ष्य में गठित समिति द्वारा दिनांक 20/12/2023 को निरीक्षण किया
गया। निरीक्षण दौरान याचिकाकर्ता श्री प्रताप वारे उपस्थित थे। निरीक्षण दौरान पायी गयी कमिया
निम्नानुसार हैं:-

1. अनुपचारित दूषित जल कॉलोनी में खाली प्लाट में एकत्रित पाया गया।
2. संस्था द्वारा दूषित उपचार संयंत्र स्थापित नहीं किया है।

उपरोक्तानुसार बिन्दुओं के परिपेक्ष्य में लेख है कि यह कृत्य जल (प्रदूषण निवारण तथा
नियंत्रण) अधिनियम 1974 की धारा 25/26 का स्पष्ट उल्लंघन है। साथ ही बोर्ड जल (प्रदूषण निवारण
तथा नियंत्रण) अधिनियम 1974 के प्रावधानों के उल्लंघन के कारण धारा 43 एवं 44 के अंतर्गत वाद
दायर करने हेतु बाध्य होगा। संस्था दूषित जल का निस्तारण तत्काल प्रभाव से बंद करावे एवं उपयुक्त
दूषित जल उपचार व्यवस्था स्थापित करे। संस्था बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम
1974 सम्मति भी प्राप्त करें।

उक्त निर्देशों के परिपालन में आवश्यक कार्यवाही कर, 15 दिवस के भीतर कार्यालय को
जानकारी प्रस्तुत करें।

पृ. क्रमांक 2647/क्षेका/प्रनिबो/
प्रतिलिपि:-

भोपाल, दिनांक 27/12/2023

✓ सदस्य सचिव, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आदेशार्थ प्रेषित।

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

(बृजेश शर्मा)
क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी भोपाल (म.प्र.)



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क्रमांक 2642 /क्षेका/प्रनिबो/
प्रति,

भोपाल, दिनांक 27 /12 /2023

मेसर्स अमलतास गृह निर्माण सहकारी संस्था मर्यादित,
एस-9, सॉची कॉम्प्लेक्स, बोर्ड ऑफिस के सामने,
शिवाजी नगर, भोपाल म.प्र.-462016

विषय:- द प्रोसपेरा मल्टीस्टोरी बिल्डिंग का अनुपचारित सीवेज खुले में बहाने के संबंध में नोटिस।
संदर्भ:- मेसर्स एन.जी.टी. भोपाल प्रिंसिपल बैंक द्वारा याचिका ओ.ए. क्रमांक 146/2023 सी.जेड.
(प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक
17/10/2023 के संबंध में।

उपरोक्त संदर्भित विषयान्तर्गत द प्रोसपेरा मल्टीस्टोरी बिल्डिंग, वार्ड नं. 53 बागमुगलिया
भोपाल (अक्षांश 23°11'32" देशान्तर 77°28'19") का माननीय एन.जी.टी. भोपाल प्रिंसिपल बैंक द्वारा याचिका
ओ.ए. क्रमांक 146/2023 सी.जेड. (प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित
आदेश दिनांक 17/10/2023 के परिपेक्ष्य में गठित समिति द्वारा दिनांक 20/12/2023 को निरीक्षण
किया गया। निरीक्षण दौरान याचिकाकर्ता श्री प्रताप वारे उपस्थित थे। मल्टी में लगभग 200 फ्लेट्स हैं
जिनमें लगभग 180 परिवार निवासरत हैं। निरीक्षण दौरान पायी गयी कमिया निम्नानुसार हैं:-

1. निरीक्षण दौरान एस.टी.पी. बंद पाया गया।
2. मल्टी का अनुपचारित दूषित मल्टी के बाहर खाली प्लाट में एकत्रित पाया गया।
3. मल्टी द्वारा स्थापना सम्मति दिनांक 03/11/2018 को प्राप्त किया गया। किन्तु आज तक बिना
संचालन सम्मति के संचालित पायी गयी।

उपरोक्तानुसार बिन्दुओं के परिपेक्ष्य में लेख है कि यह कृत्य जल (प्रदूषण निवारण तथा
नियंत्रण) अधिनियम 1974 की धारा 25/26 का स्पष्ट उल्लंघन है। साथ ही बोर्ड जल (प्रदूषण निवारण
तथा नियंत्रण) अधिनियम 1974 के प्रावधानों के उल्लंघन के कारण धारा 43 एवं 44 के अंतर्गत वाद
दायर करने हेतु बाध्य होगा। संस्था दूषित जल का निस्तारण तत्काल प्रभाव से बंद करावे एवं उपयुक्त
दूषित जल उपचार व्यवस्था स्थापित करे। संस्था बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम
1974 सम्मति भी प्राप्त करे।

उक्त निर्देशों के परिपालन में आवश्यक कार्यवाही कर, 15 दिवस के भीतर कार्यालय को
जानकारी प्रस्तुत करें।

o/c

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

पृ. क्रमांक 2643 /क्षेका/प्रनिबो/

भोपाल,

दिनांक 27 /12 /2023

प्रतिलिपि:-

1. सदस्य सचिव, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आदेशार्थ प्रेषित।

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

o/c.



क्षेत्रीय कार्यालय
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी भोपाल (म.प्र.)



Phone No. 0755&2466392 | E-mail :- romppcb_bpl@rediffmail.com

क्रमांक 2659 A/क्षेका/प्रनिबो/ भोपाल, दिनांक 28 / 12 / 2023

प्रति,

M/s Asnani Builders & Developers
601-6th Floor Aashima Corporate Zone
Aashima Mall, Hoshangbad Road Bhopal

विषय:- प्रियदर्शनी कॉलोनी का अनुपचारित सीवेज खुले में बहाने के संबंध में नोटिस।
संदर्भ:- 1. मेसर्स एन.जी.टी. भोपाल प्रिंसिपल बेंच द्वारा याचिका ओ.ए. क्रमांक 146/2023 सी.जेड. (प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक 17/10/2023 के संबंध में।
2. कार्यालय का पत्र क्र. 2644 दिनांक 27/12/2023

उपरोक्त संदर्भित पत्र क्र. 2 द्वारा जारी पत्र के संबंध में शुद्धी पत्र। उपरोक्त विषयान्तर्गत प्रियदर्शनी कॉलोनी, वार्ड नं. 53 बागमुगलिया भोपाल (अक्षांश 23°11'31" देशान्तर 77°28'16") का माननीय एन.जी.टी. भोपाल प्रिंसिपल बेंच द्वारा याचिका ओ.ए. क्रमांक 146/2023 सी.जेड. (प्रताप वारे विरुद्ध मध्यप्रदेश शासन व अन्य) के अंतर्गत पारित आदेश दिनांक 17/10/2023 के परिपेक्ष्य में गठित समिति द्वारा दिनांक 20/12/2023 को निरीक्षण किया गया। निरीक्षण दौरान याचिकाकर्ता श्री प्रताप वारे उपस्थित थे। वर्तमान में कॉलोनी में 156 परिवार निवासरत है। निरीक्षण दौरान पायी गयी कमिया निम्नानुसार है:-

1. अनुपचारित दूषित जल कॉलोनी में खाली प्लाट में एकत्रित पाया गया।
2. कॉलोनी द्वारा बोर्ड से सम्मति प्राप्त नहीं की है।
3. संस्था द्वारा दूषित जल उपचार संयंत्र स्थापित नहीं किया है।

उपरोक्तानुसार बिन्दुओं के परिपेक्ष्य में लेख है कि यह कृत्य जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 25/26 का स्पष्ट उल्लंघन है। साथ ही बोर्ड जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 के प्रावधानों के उल्लंघन के कारण धारा 43 एवं 44 के अंतर्गत वाद दायर करने हेतु बाध्य होगा। संस्था दूषित जल का निस्तारण तत्काल प्रभाव से बंद करावे एवं उपयुक्त दूषित जल उपचार व्यवस्था स्थापित करें। संस्था बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 सम्मति भी प्राप्त करें।

उक्त निर्देशों के परिपालन में आवश्यक कार्यवाही कर, 15 दिवस के भीतर कार्यालय को जानकारी प्रस्तुत करें।

Gtc

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

पृ. क्रमांक 2659 B /क्षेका/प्रनिबो/
प्रतिलिपि:-

भोपाल, दिनांक 28 / 12 / 2023

1. सदस्य सचिव, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आदेशार्थ प्रेषित।

Gtc

(बृजेश शर्मा)
क्षेत्रीय अधिकारी

Annexure-05

1) Calculation of Environment Compensation to be levied on “The Prospera” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal:

It is proposed to levy Environment compensation of Sum **Rs. 8,45,000/- (Rs. Eight Lakhs Forty Five Thousand Only)** on “The Prospera” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal for not treating the sewage generated. The violation period has been calculated from the date of violation observed of water (Prevention and Control of Pollution) Act, 1974 i.e, 17.10.2023 to date 27.12.2023 i.e, notice issued to “The Prospera” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal. The calculation steps of Environment Compensation are as under:-

Calculation of Environment Compensation to be levied on “The Prospera” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal:

Environmental Compensation (EC) to be levied on concerned individual/ authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated as;

$$EC \text{ (Lacs Rs.)} = 17.5 \times (\text{Total Sewage Generation} - \text{Installed Treatment Capacity}) + 55.5 \times (\text{Total Sewage Generation} - \text{Operational Capacity}) + 0.2 (\text{Sewage Generation} - \text{Operational Capacity}) \times N + \text{Marginal cost of Environmental Externality} \times (\text{Total Sewage Generation} - \text{Operational Capacity}) \times N$$

Where N = Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority. Quantity of Sewage in MLD.

As per above methodology, the information recorded during inspection and based on following parameters environment compensation is assessed:-

S.No	Components of EC	Estimated Value	Remarks
1.	Water demand per day (MLD) (approx)	0.1215	As per population of building, the total domestic water requirement is 0.1215MLD.
2.	Total Sewage Generation per day (MLD) (approx)	0.097	As per population of building, the total sewage generated is 0.097MLD.
3.	Installed Treatment Capacity		01 Nos. of STP 20KLD, was

	(MLD)	0.020	found installed.
4	Operational Capacity of STP (MLD)	0	STP was found non operating condition.
5.	Gap in treatment of Sewage (MLD)	0.097	Total Sewage Generation – Installed Treatment capacity of STP = 0.077 Total Sewage Generation – Operational Treatment capacity of STP = 0.097
6	N = Number of Days of Violation	71	No. of days of violation is calculated from the date of violation observed i.e. 17.10.2023 to date 27.12.2023 i.e. date of notice issued.
	As per the above data Environmental Compensation	Rs. 845000/-	$EC = 17.5*(0.097-0) + 55.5*(0.097-0) + 0.2*(0.097-0)*71$ EC= 8.4500(In Lakhs Rs.)
.	As per Environment Compensation guidelines points 1.3.1 of f “In any case, minimum environment compensation shall be Rs. 5000 per day”	Rs 355000/-	Total No. of days = 71 Environment Compensation will be Rs. 5000*71 = 355000/-
Conclusion: Therefore Environmental Compensation to be levied on “The Prospera” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal is Rs. 845000/-			

2) Calculation of Environment Compensation to be levied on “Palmcrest” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal:

It is proposed to levy Environment compensation of Sum **Rs. 355000/- (Rs. Three Lakhs Fifty Five Thousand Only)** on “Palmcrest” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal for not treating the sewage generated. The violation period has been calculated from the date of violation observed of water (Prevention and Control of Pollution) Act, 1974 i.e, 17.10.2023 to date 27.12.2023 i.e, notice issued to “Palmcrest” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal. The calculation steps of Environment Compensation are as under:-

Calculation of Environment Compensation to be levied on “Palmcrest” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal:

Environmental Compensation (EC) to be levied on concerned individual/ authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated as;

$$EC \text{ (Lacs Rs.)} = 17.5 \times (\text{Total Sewage Generation} - \text{Installed Treatment Capacity}) + 55.5 \times (\text{Total Sewage Generation} - \text{Operational Capacity}) + 0.2 (\text{Sewage Generation} - \text{Operational Capacity}) \times N + \text{Marginal cost of Environmental Externality} \times (\text{Total Sewage Generation} - \text{Operational Capacity}) \times N$$

Where N = Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority. Quantity of Sewage in MLD.

As per above methodology, the information recorded during inspection and based on following parameters environment compensation is assessed:-

S.No.	Components of EC	Estimated Value	Remarks
1.	Water demand per day (MLD) (approx)	0.0168	As per population of building, the total domestic water requirement is 0.0168MLD.
2.	Total Sewage Generation per day (MLD) (approx)	0.0135	As per population of building, the total sewage generated is 0.0135MLD.
3.	Installed Treatment Capacity (MLD)	-	01 Nos. of STP was found installed. Capacity not provided by Society.
4	Operational Capacity of STP (MLD)	0	STP was found non operating condition.
5.	Gap in treatment of Sewage (MLD)	0.0135	Total Sewage Generation – Operational Treatment capacity of STP = 0.0135
6	N = Number of Days of Violation	71	No. of days of violation is calculated from the date of violation observed i.e. 17.10.2023 to date 27.12.2023 i.e. date of

			notice issued.
	As per the above data Environmental Compensation	Rs. 117000/-	EC= 17.5*(0.0135-0) + 55.5*(0.0135-0) + 0.2*(0.0135-0)*71 EC= 1.170 (In Lakhs Rs.)
.	As per Environment Compensation guidelines points 1.3.1 of f “In any case, minimum environment compensation shall be Rs. 5000 per day”	Rs 355000/-	Total No. of days = 71 Environment Compensation will be Rs. 5000*71 = 355000/-
Conclusion: Therefore Environmental Compensation to be levied on “Palmcrest” Multi Storey building, Ward no 53, Bagmugaliya, Bhopal is Rs. 355000/-			

3) Calculation of Environment Compensation to be levied on “Priyadarshini Colony”, Ward no 53, Bagmugaliya, Bhopal:

It is proposed to levy Environment compensation of Sum **Rs. 734000/- (Rs. Seven Lakhs Thirty Four Thousand Only)** on “Priyadarshini Colony”, Ward no 53, Bagmugaliya, Bhopal for not treating the sewage generated. The violation period has been calculated from the date of violation observed of water (Prevention and Control of Pollution) Act, 1974 i.e, 17.10.2023 to date 27.12.2023 i.e, notice issued to “Priyadarshini Colony”, Ward no 53, Bagmugaliya, Bhopal. The calculation steps of Environment Compensation are as under:-

Calculation of Environment Compensation to be levied on “Priyadarshini Colony”, Ward no 53, Bagmugaliya, Bhopal:

Environmental Compensation (EC) to be levied on concerned individual/ authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated as;

$$EC \text{ (Lacs Rs.)} = 17.5 \times (\text{Total Sewage Genration} - \text{Installed Treatment Capacity}) + 55.5 \times (\text{Total Sewage Genration} - \text{Operational Capacity}) + 0.2 (\text{Sewage Genration} - \text{Operational Capacity}) \times N + \text{Marginal cost of Environmental Externality} \times (\text{Total Sewage Genration} - \text{Operational Capacity}) \times N$$

Where N = Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority. Quantity of Sewage in MLD.

As per above methodology, the information recorded during inspection and based on following parameters environment compensation is assessed:-

S.No.	Components of EC	Estimated Value	Remarks
1.	Water demand per day (MLD) (approx)	0.105	As per population of colony, the total domestic water requirement is 0.105MLD.
2.	Total Sewage Generation per day (MLD) (approx)	0.0842	As per population of colony, the total sewage generated is 0.0842MLD.
3.	Installed Treatment Capacity (MLD)	0	No STP found installed.
4.	Gap in treatment of Sewage (MLD)	0.0842	Total Sewage Generation – Installed Treatment capacity of STP = 0.0842 Total Sewage Generation – Operational Treatment capacity of STP = 0.0842
6	N = Number of Days of Violation	71	No. of days of violation is calculated from the date of violation observed i.e. 17.10.2023 to date 27.12.2023 i.e. date of notice issued.
	As per the above data Environmental Compensation	Rs. 734000/-	EC= 17.5*(0.0842-0) + 55.5*(0.0842-0) + 0.2*(0.0842-0)*71 EC= 7.34 (In Lakhs Rs.)
.	As per Environment Compensation guidelines points 1.3.1 of f “In any case, minimum environment compensation shall be Rs. 5000 per day”	Rs 355000/-	Total No. of days = 71 Environment Compensation will be Rs. 5000*71 = 355000/-
Conclusion: Therefore Environmental Compensation to be levied on “Priyadarshini Colony”, Ward no 53, Bagmugaliya, Bhopal is Rs. 734000/-			

4) Calculation of Environment Compensation to be levied on “Gulabi Nagar”(Pink City as per prtition), Ward no 53, Bagmugaliya, Bhopal:

It is proposed to levy Environment compensation of Sum **Rs. 355000/- (Rs. Three Lakhs Fifty Five Thousand Only)** on “Gulabi Nagar”(Pink City as per petition), Ward no 53, Bagmugaliya, Bhopal for not treating the sewage generated. The violation period has been calculated from the date of violation observed of water (Prevention and Control of Pollution) Act, 1974 i.e, 17.10.2023 to date 27.12.2023 i.e, notice issued to “Gulabi Nagar”(Pink City as per petition), Ward no 53, Bagmugaliya, Bhopal. The calculation steps of Environment Compensation are as under:-

Calculation of Environment Compensation to be levied on “Gulabi Nagar”(Pink City as per prtition), Ward no 53, Bagmugaliya, Bhopal.

Environmental Compensation (EC) to be levied on concerned individual/ authority as per the order of Hon’ble NGT in case of OA 593/2017 dated 28/08/2019 may be calculated as;

$$EC \text{ (Lacs Rs.)} = 17.5 \times (\text{Total Sewage Genration} - \text{Installed Treatment Capacity}) + 55.5 \times (\text{Total Sewage Genration} - \text{Operational Capacity}) + 0.2 (\text{Sewage Genration} - \text{Operational Capacity}) \times N + \text{Marginal cost of Environmental Externality} \times (\text{Total Sewage Genration} - \text{Operational Capacity}) \times N$$

Where N = Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority. Quantity of Sewage in MLD.

As per above methodology, the information recorded during inspection and based on following parameters environment compensation is assessed:-

S.No.	Components of EC	Estimated Value	Remarks
1.	Water demand per day (MLD) (approx)	0.047	As per population of colony, the total domestic water requirement is 0.054MLD.
2.	Total Sewage Generation per day (MLD) (approx)	0.0378	As per population of colony, the total sewage generated is 0.0378MLD.
3.	Installed Treatment Capacity (MLD)	0	No STP found installed.

4.	Gap in treatment of Sewage (MLD)	0.0378	Total Sewage Generation – Installed Treatment capacity of STP = 0.0378 Total Sewage Generation – Operational Treatment capacity of STP = 0.0378
6	N = Number of Days of Violation	71	No. of days of violation is calculated from the date of violation observed i.e. 17.10.2023 to date 27.12.2023 i.e. date of notice issued.
	As per the above data Environmental Compensation	Rs. 734000/-	EC= 17.5*(0.0378-0) + 55.5*(0.0378-0) + 0.2*(0.0378-0)*71 EC= 3.295 (In Lakhs Rs.)
.	As per Environment Compensation guidelines points 1.3.1 of f “In any case, minimum environment compensation shall be Rs. 5000 per day”	Rs 355000/-	Total No. of days = 71 Environment Compensation will be Rs. 5000*71 = 355000/-
Conclusion: Therefore Environmental Compensation to be levied on “Gulabi Nagar”(Pink City as per petition), Ward no 53, Bagmugaliya, Bhopal is Rs. 355000/-			