

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL,
ORIGINAL APPLICATION NO. 85/2025

IN THE MATTER OF:

SHIVAM SAXENA

.....APPLICANT

VERSUS

STATE OF M.P. & ORS.

.....RESPONDENT

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Date:01.10.2025

Submitted by MPPCB: -

Place: Bhopal

through Counsel



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REPORT OF JOINT COMMITTEE IN ORIGINAL APPLICATION NO. 85/2025 OF SHIVAM SAXENA V/S STATE OF MADHYA PRADESH & ORS.

1. That, Hon`ble NGT issued following instructions on dated 01/07/2025 in the matter of OA 85/2025 (CZ) Shivam Saxena V/s State of M.P. & Ors.: -

- “1. The issues raised in this application are intended to save the greenery and water bodies of Bhopal which is in endanger by illegal construction on land (urban green space) designated for plantation which situated near the famous international Ramsar site Which also known as Bhoj Wetland Located just 25 metres away Khasra No. 78/1/2/TA, Gram-Kohefiza, Tehsil-Huzur, District-Bhopal that Land designated for tree plantation according Town n Country planning department letter no. 547/2021 dated 21/02/2022 & Bhopal Development plan 2005 Despite of this, Bhopal Municipal Corporation granted building permission to defendant No. 2 or 3 in contravention of the rules on said green belt land" Whereas the applicant thereafter has complaint on dated 25/04/2025 to Respondents Nos.01, against that "illegal construction on greenspaces land by respondent no.02 and 03 which has still not been acted upon nor taken any requisite action on the applicant complaint.*
- 2. It is further submitted that the Bhoj Wetland Ramsar Site status imposes international obligation on the state authorities to preserve and conserve the eco-system and construction of a permanent structure inside the green space area would substantially impact the ecology of the Bhoj wetland area and cause an imbalance in the ecology of the wetland area due to construction and other categories of pollution being generated from that construction.*
- 3. A substantial issue of environment has been raised.*

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7. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of: -

(i) One representative from Collector, Bhopal.

(ii) One representative from the Director, Town & Country Planning, Paryavaran Parisar, Bhopal.

(iii) One representative from the Madhya Pradesh Pollution Control Board.

8. The Committee is directed to visit the place 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 01/07/2025, a joint committee consisting of the following officials of the concerned department has been constituted: -

S. No	Name of Department	Name of Committee Member
1.	One representative from Collector, Bhopal.	Shri Ravishankar Rai, SDM (Bairagarh), Bhopal.
2.	One Representative from the Town and Country Planning Department, Through Commissioner, Director, Paryavaran Parisar, Bhopal.	Shri Hariom Maheshwari, Assistant Director, Town and Country Planning Department, Bhopal.
3.	One Representative from the Member Secretary State Pollution Control Board.	Shri Brajesh Sharma, Regional Officer, RO, MPPCB, Bhopal.

3. That, in compliance to the order of Hon'ble NGT dated 01/07/2025, the joint committee reviewed the order passed by the Hon'ble NGT and discussed the issues raised in the order to proceed for the inspection. The joint committee identified that the main issue alleged is a multi-storey building,

"Sultan Mehmud Apartment," being constructed on land at Khasra No. 78/1/2/TA/1, which is designated for tree plantation and "Amod Pramod" according to the Bhopal Development Plan 2005 and the Town and Country Planning department. This construction is located just 25 meters away from the Bhoj Wetland, a Ramsar site. The Bhopal Municipal Corporation allegedly granted building permission for the construction, despite the land's designation as a green belt.

4. FIELD OBSERVATIONS:

Joint committee conducted a site visit on dated 23/09/2025 of the Building as mentioned in the petition situated in Village-Kohefiza, Tehsil-Huzur, District-Bhopal. The site was verified by the officials of District Administration and Contractor of the "Sultan Mehmud Apartment", Mr. Md. Rizwan Ahmed along with Mr. Md. Amirwas present during the inspection. During site visit, apart from the Joint Committee members following officials, Mr. Shivam Dwivedi, Advocate, RO, MPPCB, Bhopal, Shri Firoz Ali, Revenue Inspector, Ms. Meenu Goswami, Patwari, Halka 81, Village-Kohefiza, Tehsil – Huzur, District Bhopal were present during 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 visual observations recorded during inspection are as under: -

- 4.1 That, committee along with the district administration identified the building named "Sultal Mehmud Apartment".
- 4.2 The multistoreyapartment building site "Sultan Mehmud Apartment" is located at Village-Kohefiza, Tehsil-Huzur, District-Bhopal, Madhya Pradesh. The geographical location of the site is latitude 23°15'39.54"N and longitude 77°22'33.58"E.

- 4.3 VIP road is passing between the Upper Lake and the building. The building is located on the north side of the VIP road. The Upper Lake is located on South side of the building.
- 4.4 The building is currently under construction, with the building structure nearing completion. Only the finishing work remains pending.
- 4.5 Using the Google Earth Pro computer application, the minimum distance from the south face of the building mentioned in the petition to the outer boundary of the VIP road towards Upper Lake is coming out to be approximately 52 Meters.
- 4.6 The FTL of the upper lake is further away from the VIP Road.

5. COMMENTS OF THE JOINT COMMITTEE:

- 5.1. The minimum distance measured using geographical location of the building (latitude and longitude) from the southern face of the building to the outer boundary of VIP Road (towards Upper Lake) is approximately 52 meters.
- 5.2. This distance lies outside the 50-meter restricted buffer zone of Upper Lake, a designated Ramsar Site, where any permanent construction is prohibited within 50 meters.
- 5.3. The land use of land under question as per Bhopal Development Plan 2005 is Existing Recreational (Afforestation).


Ravishankar Rai,
SDM (Bairagarh),
Bhopal
 सब डिवीजनल मजिस्ट्रेट
 शाहजहाँनाबाद / बैरागढ़ संभाग
 जिला-भोपाल


Brajesh Sharma,
Regional Officer,
MPPCB, Bhopal


Hariom Maheshwari,
Assistant Director,
Town and Country
Planning Directorate,
Bhopal

Inspection Photographs in OA 85/2025
dated 23/09/2025





Google Earth Map in OA 85/2025



VAKALATNAMA
[Rule 4(1) of the Rules framed under Advocates Act, 1961]
BEFORE THE NATIONAL GREEN TRIBUNAL
ORIGINAL APPLICATION 85/2025
CENTRA ZONAL BENCH

IN THE MATTER OF:

SHIVAM SAXENA

.....APPLICANT

VERSUS

STATE OF M.P. & ORS.

.....RESPONDENT

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

In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this **03.10.2025** at **Bhopal**.

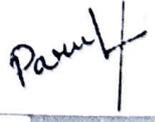
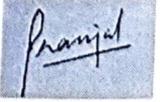
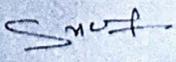
PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA

Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature
Brajesh Sharma , Regional Officer Bhopal , MPPCB	E5, Arera Colony Paryawaran Parisar Regional Office MPPCB Bhopal - 462016	9893002888 romppcb_bpl@rediff.com	Officer-in-Charge	 03/10/2025

Accepted

Regional Officer

**M P Pollution Control Board
BHOPAL**

Name & Enrollment. No.	Address (If any) E-Mail Add.	Telephone (If any)	Full Signature
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Report of Joint Committee in OA No. 85/2025 of Shivam Saxena V/s State of Madhya Pradesh & Ors.

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

Fri, Oct 03, 2025 03:50 PM

Subject : Report of Joint Committee in OA No. 85/2025 of Shivam Saxena V/s State of Madhya Pradesh & Ors.

 1 attachment

To : tigeraug15 <tigeraug15@gmail.com>

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Madam/Sir

Please find enclosed the Joint committee Report in **compliance** of Hon'ble NGT Order dated 01.07.2025 in OA No. 85/2025 (CZ) of Shivam Saxena V/s State of Madhya Pradesh & Ors. This mail may be treated as proof of service.

Regards

Legal Section

MP PCB

 **JCR in OA 85-2025 dated 30.09.2025_.pdf**
2 MB
