

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH  
ORIGINAL APPLICATION NO. 484 OF 2022**

**IN THE MATTER OF:**

Mohammad Mustak Mansuri

...Applicant

Versus

State of M.P.

...Respondent(s)

**INDEX**

Sr No.	Description	Pg No.
1.	Report of the Joint Committee in compliance of Order dated 23.08.2022 passed by the NGT, Principal Bench, in Original Application No. 484 of 2022	1-10
2.	Annexures	11-25

**FILED BY**



**RAGHAV SHARMA**

Advocate for MPPCB

Address: Basement, B5-202, Safdarjung Enclave,  
New Delhi - 110029

Ph. No.: (+91)-8527066461;

Email:raghav@srcolegal.in

**JOINT COMMITTEE REPORT**

**ON**

**Hon'ble NGT order dated 23.08.2022 in  
OA No.484/2022 (PB) in the matter of  
Md. Mustak Ansari Vs State of Madhya Pradesh & Ors**

**Date of Inspection: 15/10/2022**

**By**

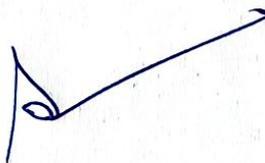
**Joint Committee members**

- 1. Dr. H.V.C. Chary Guntupalli, Scientist E/Addl. Director, MoEF & CC,  
Bhopal, MP. (Representative of MoEF & CC)**
- 2. Sh. Vijay Dehariya, SDM, Jaithari, Dist.-Anuppur, MP. (Representative  
of the District Magistrate, Dist- Anuppur )**
- 3. Sh. Sanjeev Kumar Mehra, RO, MPPCB, Regional Office, Shadol, MP.  
(Representative of MPPCB)**



## Index

<b>Annexure No.</b>	<b>Particulars</b>	<b>Page No</b>
Annexure – 1	Copy of the Hon'ble NGT order dated 23.08.2022 in appeal No. 484 of 2022 (PB)	11-13
Annexure – 2	Copy of letter of nomination of committee members	14-17
Annexure – 3	Location map of area with respect to subject matter of complaint 'Nazri Naksha' appeal no. 484 of 2022(PB)	18
Annexure – 4	'Panchnama' submitted by neighbours of Mustak Mansoori & Haider Ali	19
Annexure – 5	Photo of the site visit on 15.10.2022 during joint committee visit.	20
Annexure – 6	Ground water quality report conducted by the Regional office of MPPCB, Shahdol on 12.10.2022	21
Annexure – 7	Air quality test report conducted by the Regional office of MPPCB, Shahdol	22
Annexure – 8	Proposal submitted by Regional Office, MPPCB, Shahdol to the head office for issuance of instruction to all TPP to provide GPS system in all vehicles engaged in fly ash transportation to low lying area.	23
Annexure – 9	Letter issued by Regional Office, MPPCB, Shahdol to Shri, Hazrat Ali (neighbour of Mustak Mansoori) to always follow guidelines framed by CPCB on his area which is filled by fly ash.	24
Annexure – 10	Photograph of display board erected by M/s M.B. Power (Madhya Pradesh) Limited at loading and unloading site to ensure dumping strictly in designated site.	25



**Factual and Action taken Report of the joint Committee constituted by Hon'ble NGT order dated 23.08.2022 in OA No.484/2022 (PB) in the matter of Md. Mustak Ansari Vs State of Madhya Pradesh & Others**

Hon'ble National Green Tribunal, Principal Bench, New Delhi was pleased to pass an order on 23.08.2022 in the original application no. 484/2022 in the matter of Md. Mustak Ansari Vs State of Madhya Pradesh &Ors. The directions of the order are as follows:

*"Md. Mustak Mansoori resident of Flat no. 158, Sama Colony, Adhartal, Jabalpur, Madhya Pradesh has sent the present letter petition, which is treated and registered as original application, complaining that agriculture land of the applicant is situated on Amarkantak Road, District Anuppur, Madhya Pradesh. His neighbour, Mr. Hazrat Ali son of Mr. Haider Ali resident of Ward no. 8, Gram Panchayat Jamudi has illegally stored fly ash brought from M/s Moser Baer Thermal Power Plant, Jaithari, on his land illegally by use of 10 wheeled truck and JCB machine without permission from the concerned Authorities and has thereby adversely affected by the fertility of his agricultural land and caused air pollution. The fly ash is also causing pollution of water bodies in the nearby areas. During monsoon the fly ash finds its way to the water bodies polluting the same."*

**We accordingly constitute Joint Committee comprising Regional Office of MoEF & CC, Bhopal, State PCB and Collector, Anuppur and direct the same to meet within four weeks, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take remedial action as mandated by the statutory provisions empowering them after notice to the concerned Project Proponents by following due process of law. State PCB will be the nodal agency for coordination and compliance.**

Copy of the order is enclosed at Annexure-I.

In compliance of the Hon'ble NGT order, the following committee members are nominated for conducting the field visit and submitting the factual report by the departments concerned.

1. Dr. H.V.C. Chary Guntupalli, Scientist E/Addl. Director, MoEF& CC, Bhopal, MP (Representative of MoEF& CC)
2. Sh Vijay Dehariya, SDM, Jaithari, Dist.-Anuppur, MP (Representative of the District Magistrate, Dist- Anuppur )
3. Sh. Sanjeev Kumar Mehra, RO, MPPCB, Regional Office, Shadol, MP (Representative of MPPCB)

Copies of the nomination letters are enclosed at **Annexure-II**.

**A. Issues raised by the complainant Dr. Mohammad Mustak Mansuri in the original complaint:**

The Joint committee examined the original complaint received from the complainant Dr. Mohammad Mustak Mansuri wherein following claims were made by the complainant:

- The fly ash that was stored in the agricultural land of Shri Hazrat Ali and simultaneously spread in the complainant's land was obtained illegally by Shri Hazrat Ali from nearby Moserbear Power Plant
- The disposal of the fly ash in the complainant's agricultural land had degraded its fertility as well as caused environmental damage to adjoining forest land and water resources
- Source of illegally obtained fly ash has been claimed to be from Moserbear (MB) Power (Madhya Pradesh) Limited



**B. General facts related with Public complaint:**

**a) About the Jamudi village:-**

Jamudi is a small village in Anuppur Tehsil in Anuppur District of Madhya Pradesh. It comes under Jamudi Panchayat, and located about 7km towards west from district head quarter Anuppur. According to 2011 census data total populations of Jamudi village is 1489 & no of houses in the village are 315.

**b) About the site:-**

The complainant, Dr. Mohammad Mustak Mansuri, who is residing in Jabalpur, has about 0.25 Acre of land in village Jamudi, which the complainant had bought from the same family of the accused Mr. Hazrat Ali about 20 years ago. The complainant neither lives here nor does farming in this land neither have his house here. Complaint and accused is not immediate neighbor. The land of Mr. Hazrat Ali is not situated adjacent to the land of the applicant. The land of accused is located between the Mr. Dildar Ali's land and Mr. Mohammad Ali's land. **Annexure-IV.** The land of accused on which fly ash is said to have been dumped is far away from the populated area of village. The fly ash dumping site is surrounded by his own house in north side & open land owned by Mr. Dildar Ali, (About 3080 square feet) in west side and open land owned by Shri Mohammad Ali (3080 square feet) in Eastside. There is a public road in north direction & in the south direction land site touches the boundary wall of an industry called M/s Kaltech energy private limited which is closed since many years. The height of boundary wall is about 05 feet from nearby ground level. This land of accused situated in extreme



corner of village. On north side of land owned by accused, 5-6 small houses belong to one big family are located.

**c) Likely sources of fly ash stored in the disputed land:-**

There are three thermal power plants located within 25 km radius of the disputed land. M/s MB Power is located at a distance of 23 km, OPM is located at distance of 22 km and ATPS is located at distance of 19 km from the Jumudi Village. All the thermal power plants are supplying fly ash to Cement Industries and Brick manufacturing units etc. as well as in low-lying areas. As it is alleged by the complainant that the fly ash dumped was obtained illegally, it seems possible that land owner Shri Hazrat Ali has colluded with one of the truck driver [engaged in transportation of fly ash] and out of necessity has made design to fill ash in low lying portion of his land.

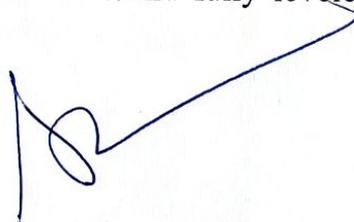
**d) Facts about Fly Ash utilization:-**

In the recent times, the waste material from thermal power plant, i.e., Fly ash, has become a very useful raw material having several applications. As per various notifications issued by MoEF & CC time to time, fly ash is approved as very useful raw material for manufacturing of cement, brick, tiles, road making in embankment of dams and also as filling material in low lying area

**C. Observations of the Joint Committee:-**

The committee has inspected the site on 15<sup>th</sup> October, 2022, where the fly ash is said to be dumped. Location map of area w.r.t. subject matter of complaint is enclosed as **Annexure-III**.

- 1) Factual status of disputed site:-** The accused Shri Hazrat Ali has filled low lying area of his land by fly ash which is found fully leveled and



compacted. Plantation is also seen in that land. It is estimated that approximately 160 tones ash is dumped in low lying of about 800 square feet of land occupied by Mr. Hazrat Ali.

➤ **Impact of fly ash dumping on property owned by complainant:-**

During the site visit, it was observed that currently there is no storage or dumping of fly ash on the land (About 11000 square feet) owned by applicant. The committee checked several points for traces of fly ash but no traces of fly ash dumping were seen, not requiring any scientific analysis of soil. However, groundwater sampling reports furnished by MPPCB (**Annexure-VI**) were perused, which reveals no impact due to storage and dumping of fly ash in the adjoining land of Shri Hazrat Ali. As per the guidelines laid down by the Central Pollution Control Board, soil covering, compaction, bundwall and plantation are required, which are existing in accused land. Boundary wall of about 05 feet height of M/s Keltech Energy Limited exists in another side. So, there is no chance of fly ash spreading and affecting the nearby area. Old trees of about 15-25 meters height are located all around the area. A photo of the site is attached as **Annexure-V**. Therefore, the committee noted that permanent damage and/or long term impact due to fly ash dumping is negligible on the complainant's land.

➤ **Impact of fly ash dumping on water resources:-**

During the site visit, the committee found no traces of fly ash in the natural drainage gradient available adjoining the fly ash dumped area, which reveals that the entire fly ash dumped is restricted in the land of Shri Hazrat Ali and no fly ash has been washed away along with the surface run-off during the rainy season. Further, a one foot high stone



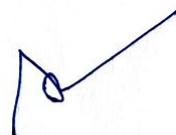
bunding (to act as a retaining wall) was seen built on the fly ash dumped area as well as on the land between Mr. Dildar Ali and the complainant. This stone barrier rules out any future possibility of the fly ash being washed away with the surface runoff and entering the applicant's land. There is no water bodies (river and pond) nearby, so there is no possibility of the water source getting affected. The ground water sample of the area has been tested by the Regional office of Madhya Pradesh Pollution Control Board Shahdol, and quality of ground water of the area matches with the quality of water of other places, hence it is not affected because of ash filling. Ground water test report is attached as **Annexure-VI**.

➤ **Impact of fly ash dumping on Forest land:-**

There is no forest land adjoining to this land and within two kilometer distance, so there is no possibility of adverse impact on forest land and wild animals.

➤ **Impact of fly ash dumping on ambient air quality:-**

During site inspection, Ash dumped in adjoining area (only about 800 square feet) owned by Hazrat Ali is fully stabilized by soil cover and compacted. Plantation is also done by land owner. Hence, there are no chances of fugitive dust emissions at this juncture. Ambient air quality monitoring report conducted by regional office MPPCB, Shahdol indicate all vital parameter are under prescribed limit report is enclosed here with **(Annexure-VII)**.



**D. Steps taken by MPPCB, Shahdol to ensure more precaution by TPP during transportation of fly ash.**

- ❖ Proposal submitted by Regional Office, MPPCB, Shahdol to its head office for issuance of instructions to all Thermal power plants engaged in utilizing ash for filling low lying area to provide GPS system in all vehicle carrying fly ash to be transported for filling in approved low lying area. Accordingly, amendments are proposed to be done in fly ash notification dated 31.12.2021 **(Annexure-VIII)**
- ❖ Letter issued by Regional Office, MPPCB, Shahdol to neighbor of Mustak Mansoori, Shri Hazrat Ali to always follow guidelines framed by CPCB in future also, on his fly ash dumped area. **(Annexure-IX)**
- ❖ M/s M.B. Power (Madhya Pradesh) Limited has erected display board in ash loading and unloading site mentioning legal action against transporter/driver, if ash for dumping is not taken to designated low lying area. After being motivated by MPPCB, Shahdol. **(Annexure-X)**

**E. Conclusions:-**

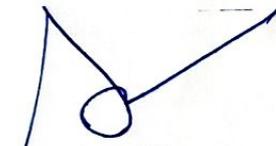
- No ash is seen stored or dumped in private land owned by complainant Sh. Md. Mustak Mansuri.
- Presently environmental conditions are found normal in this area and there is no chance of any adverse effect in future also.

**F. Recommendations of the Joint committee:-**

- i. In light of the complainant's allegation that the fly ash was obtained by Shri Hazrat Ali illegally and to avoid recurrence of such incidents in future, amendments are proposed to be made in fly ash notification dated 31.12.2021 to include following provisions:



- a. GPS tracking system with alert mechanism for deviations in all trucks engaged in transporting ash from thermal power plant to approved low lying area to ensure zero mishandling/ illegal trafficking en-route.
  - b. A log book of the vehicle entry and exit details and quantum of fly ash being transported shall be recorded both at the source of generation and disposal point and monthly records along with material balance at generation and disposal points shall be duly certified by the Environmental Management cell constituted at the individual Thermal Power Plant level. Six-monthly reports in this regard shall be furnished to all the regulatory authorities, i.e., SPCB, CPCB and Integrated Regional Offices of MOEFCC.
- ii. In addition to the ground compaction and subsequent plantation undertaken by Shri Hazrat Ali in the fly ash dumped area, the committee recommends the grass carpeting on either sides of the dump slopes for better strengthening of the dump area.

  
(Sanjeev Kumar Mehra)  
RO, MPPCB,  
Shahdol, (M.P)

  
(Vijay Dehariya)  
SDM, Jaithari,  
Anuppur, (M.P)

  
(Dr. H.V.C. Chary  
Guntupalli)  
Scientist E/Addl. Director,  
MoEF & CC, Bhopal,  
(M.P)



Item No.07

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)  
Original Application No.484/2022

Mohammad Mustak Mansuri

...Applicant

Versus

State of M.P.

...Respondent

Date of hearing: 23.08.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

**Application is registered based on a Letter Petition received by Email.**

**ORDER**

1. Mohammad Mustak Mansuri resident of Flat No. 158, Samta Colony, Adhartal, Jabalpur, Madhya Pradesh has sent the present letter petition, which is treated and registered as original application, complaining that agriculture land of the applicant is situated on Amarkantak Road, District Anuppur, Madhya Pradesh. His neighbor, Mr. Hazrat Ali son of Mr. Haider Ali resident of Ward no. 8, Gram Panchayat Jamudi has illegally stored fly ash brought from M/s Moser Baer Thermal Power Plant, Jaithari on his land illegally by use of 10 wheeled truck and JCB machine without permission from the concerned Authorities and has thereby adversely affected the fertility of his agricultural land and caused air pollution. The fly ash is also causing pollution of water bodies in the nearby areas. During monsoon the fly ash finds its way to the water bodies polluting the same. The applicant made complaint dated 30.03.2022 to the Police but no action has been taken so far.

2. It is now well settled that this Tribunal is empowered to take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in First Schedule of the National Green Tribunal Act, 2010 'Suo Moto' as held by Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897. This Tribunal can also take cognizance of such cases on the basis of letter petitions in accordance with settled principles of law governing the public interest litigation.

3. Prima facie, the allegations made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the allegations made in the application, we consider it appropriate that a Joint Committee of the concerned statutory authorities be asked to verify the factual position and take remedial action on the basis thereof. We accordingly constitute Joint Committee comprising Regional Office of MoEF & CC, Bhopal, State PCB and Collector, Anuppur and direct the same to meet within four weeks, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take remedial action as mandated by the statutory provisions empowering them after notice to the concerned Project Proponents by following due process of law. State PCB will be the nodal agency for coordination and compliance.

4. Factual and Action Taken Report may be furnished within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 16.11.2022.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Regional Office of

O. A. No. 484/2022

Mohammad Mostak Mansuri Vs. State of M.P.

-3-

MoEF & CC, Bhopal, State PCB and Collector, Anuppur by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 23, 2022  
AG



RO Shahadol MPPCB &lt;ropcbshahadol@gmail.com&gt;

**Fw: ORDER passed in Original Application No. 484/2022- Nomination for Joint committee reg.**

2 messages

**Sudhir Shrivastava** <sudhir.2660@yahoo.com>  
To: RO Shahadol MPPCB <ropcbshahadol@gmail.com>

Fri, Sep 9, 2022 at 12:19 PM

----- Forwarded message -----

From: Dy. Director General &lt;rowz.bpl-mef@nic.in&gt;

To: chairman chairmanoffice &lt;chairman-mppcb@mp.gov.in&gt;; ms msoffice &lt;ms-mppcb@mp.gov.in&gt;; Ms Sonia Meena &lt;dmanuppur@nic.in&gt;; sudhir 2660 &lt;sudhir.2660@yahoo.com&gt;; it mppcb &lt;it\_mppcb@rediffmail.com&gt;

Sent: Friday, 9 September, 2022 at 12:14:32 pm IST

Subject: Re: ORDER passed in Original Application No. 484/2022- Nomination for Joint committee reg.

महोदय, / Dear Sir/Madam,

mi;qZDr fo"k; ds laca/k esaa ekuuh; vf/kdj.k }kjk ifjr vkns'k ds vuqiky gsrq bl dk;kZy; ls Mk. ,p-oh-lh-pkjh] oSKkfud ^^bZ\*\* (Dr. H.V.C. Chary Guntupalli, Scientist-E/Addl. Director) को कमेटी हेतु नामांकित किया जाता है । उन्हें निम्न जानकारी पर संपर्क किया जा सकता है -

मोबाइल नं-9990517580

ई-मेल आई डी- hvc.chary@nic.in

Regards,

**Integrated Regional Office**  
**Ministry of Environment, Forest & Climate Change,**  
**Bhopal, Madhya Pradesh**  
**(O) 0755-2466525**  
**(F) 0755-2463102**

From: "Consultant Judicial-NGT(P.B.)" &lt;judicial-ngt@gov.in&gt;

To: "Ms Leena Nandan" &lt;secy-moef@nic.in&gt;; "Dy. Director General" &lt;rowz.bpl-mef@nic.in&gt;; "chairman chairmanoffice" &lt;chairman-mppcb@mp.gov.in&gt;; "ms msoffice" &lt;ms-mppcb@mp.gov.in&gt;; "Ms Sonia Meena" &lt;dmanuppur@nic.in&gt;

Cc: "sudhir 2660" &lt;sudhir.2660@yahoo.com&gt;; "it mppcb" &lt;it\_mppcb@rediffmail.com&gt;

Sent: Monday, August 29, 2022 2:49:03 PM

Subject: ORDER passed in Original Application No. 484/2022

Respected Sir/Madam,

I am directed to forward a copy of the **Order dated 23/08/2022 passed in Original Application No. 484/2022 Mohammad Mustak Mansuri...Applicant Versus State of M.P....Respondent.** for your kind perusal & necessary action.

for further correspondence please send all the documents on the new mail-id i.e. [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)

Kindly acknowledge the same.

REGARDS

**CONSULTANT (Judicial)**  
**(N.G.T.)(P.B.)** ● New Delhi ●

WA.  
Su. Anand (S. P.)  
17/9/2022  
A/IBay  
G

14



**Dy. Director General** <rowz.bpl-mef@nic.in>

To: ropcbshahadol@gmail.com, Achyut Anand Mishra <achyutmishra-mspcb@mp.gov.in>, Ms Sonia Meena <dmanuppur@mp.gov.in>

Fri, Sep 9, 2022 at 12:42 PM

Dear Madam/ Sir,

Kind attention is invited to the trailing email regarding Nomination of **Dr. H.V.C. Chary Guntupalli, Scientist-E/Addl. Director** from MoEF&CC, IRO Bhopal for the Joint Committee constituted in compliance of Hon'ble NGT's order dated 23.08.2022, in the matter Original Application No. 484/2022 Mohammad Mustak Mansuri Versus State of Madhya Pradesh.

Regards

**Integrated Regional Office**  
**Ministry of Environment, Forest & Climate Change,**  
**Bhopal, Madhya Pradesh**  
**(O) 0755-2466525**  
**(F) 0755-2463102**

---

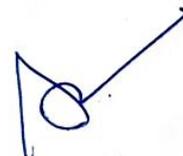
**From:** "Dy. Director General" <rowz.bpl-mef@nic.in>

**To:** "chairman-chairmanoffice" <chairman-mppcb@mp.gov.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, "Ms Sonia Meena" <dmanuppur@nic.in>, "sudhir 2660" <sudhir.2660@yahoo.com>, "it mppcb" <it\_mppcb@rediffmail.com>

**Sent:** Friday, September 9, 2022 12:14:25 PM

[Quoted text hidden]

[Quoted text hidden]



विषय :- मान्. राष्ट्रीय हरित अधिकरण द्वारा प्र.क्र. 484/2022 मोहम्मद मुस्ताक मंसूरी V/S म0प्र0 शासन व अन्य) मे दिनांक 23/08/2022 को पारित आदेश के पालनार्थ संयुक्त जांच हेतु प्रशासन के प्रतिनिधि के निर्धारण बाबत।

संदर्भ :- क्षेत्रीय कार्यालय म0प्र0 प्रदूषण नियंत्रण बोर्ड शहडोल का पत्र क्रमांक 2098 दिनांक 07/09/2022 एवं पत्र क्रमांक 2161 दिनांक 13/09/2022

-----000-----

उपरोक्त विषय के तारतम्य मे संदर्भित पत्र के अवलोकन करने का कष्ट करे, पत्र के माध्यम से NGT प्र.क्र. 484/2022 मो. मुस्ताक अंसारी V/S म0प्र0 शासन व अन्य मे दिनांक 23/08/2022 को पारित आदेशानुसार ग्राम पंचायत जमुडी की भूमि पर अवैधानिक रूप से फ्लाइं ऐस का भंडारण के संबंध मे म0प्र0 प्रदूषण बोर्ड की समिति गठित कर निरीक्षण किये जाने हेतु प्रतिनिधि का नामांकन चाहा गया है।

कृपया जिला स्तर से किन्ही अधिकारी के नामांकन हेतु नस्ती आदेशार्थ सादर प्रस्तुत है

परि.अधि.महो.

नस्ती आदेशार्थ सादर प्रस्तुत।

23/9/2022

26/9/22

परियोजना अधिकारी  
जि.श.वि. अभिकरण अनूपपुर (म.प्र.)

Resp. DM for

Vijay Behariya, Deputy Collector.

कार्यकेंद्र  
अनूपपुर (म.प्र.)

10

संयुक्त जांच प्रसिद्धि का

Tentative Draft तैयार कर आवश्यक कार्य

कर कर प्रारंभिक अनुपौदन प्राल करे।

C.E. (B.)

7/10



मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड,  
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल-462016  
Fax No : +91-755-2463742 E-mail : it\_mppcb@rediffmail.com

आजादी का  
अमृत महोत्सव



क्रमांक 3348 /विधि/ NGT(CZ)/प्रनिबो/22  
प्रति

भोपाल, दिनांक 0 AUG, 2022

- 1 क्षेत्रीय निर्देशक,  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,  
केन्द्रीय पर्यावरण भवन, ई-5, अरेरा कॉलोनी,  
रविशंकर नगर, भोपाल-462016
- 2 कलेक्टर,  
कलेक्टर कार्यालय,  
अनुपपूर(म.प्र.)

1642  
7/9/22

विषय :- माननीय एनजीटी द्वारा प्र.क. 484/2022 (मोहम्मद मुस्ताक मंसूरी विरुद्ध म.प्र.शासन व अन्य) में पारित आदेश दिनांक 23.08.2022 के अनुपालन बावत।

उपरोक्त विषयान्तर्गत माननीय एनजीटी, प्रिंसिपल बेंच द्वारा प्रकरण क्रमांक 484/2022 में दिनांक 23.08.2022 को पारित आदेश का कृपया अवलोकन हो (प्रति संलग्न), आदेश के मुख्य अंश निम्नानुसार है :-

" Mohammad Mustak Mansuri resident of Flat No. 158, Samta Colony, Adhartal, Jabalpur, Madhya Pradesh has sent the present letter/petition, which is treated and registered as original application, complaining that agriculture land of the applicant is situated on Amarkantak Road, District Anuppur, Madhya Pradesh. His neighbor, Mr. Hazrat Ali son of Mr. Haider Ali resident of Ward no. 8, Gram Panchayat Jamudi has illegally stored fly ash brought from M/s Moser Baer Thermal Power Plant, Jaithari on his land illegally by use of 10 wheeled truck and JCB machine without permission from the concerned Authorities and has thereby adversely affected the fertility of his agricultural land and caused air pollution. The fly ash is also causing pollution of water bodies in the nearby areas. During monsoon the fly ash finds its way to the water bodies polluting the same.

We accordingly constitute Joint Committee comprising Regional Office of MoEF & CC, Bhopal, State PCB and Collector, Anuppur and direct the same to meet within four weeks, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take remedial action as mandated by the statutory provisions empowering them after notice to the concerned Project Proponents by following due process of law. State PCB will be the nodal agency for coordination and compliance.

प्रकरण में आदेश के अनुपालन हेतु माननीय एनजीटी द्वारा गठित कमेटी को एक्शन टेकन रिपोर्ट 2 माह में प्रस्तुत की जानी है। बोर्ड की ओर से क्षेत्रीय अधिकारी, शहडोल (मो.नं. -9893074407) को उक्त समिति हेतु नामांकित किया जाता है। कृपया आपके कार्यालय से अधिकारी को नामांकित कर निर्धारित समयावधि के पूर्व रिपोर्ट प्रस्तुत करने हेतु निर्देशित किये जाने का अनुरोध है, ताकि माननीय अधिकरण के आदेश का पालन सुनिश्चित हो सके।

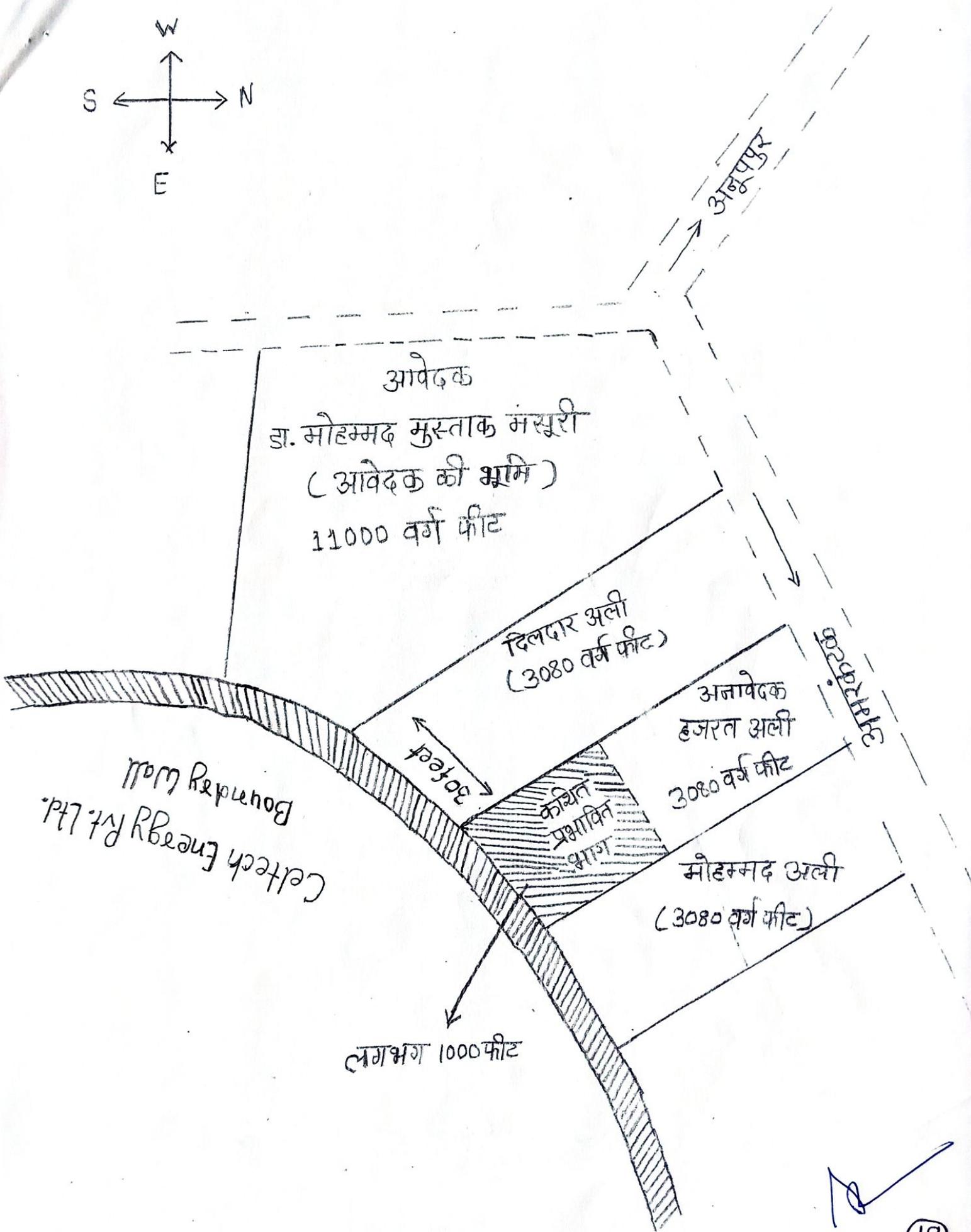
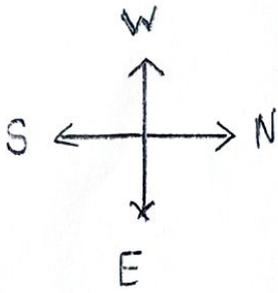
संलग्न :- उपरोक्तानुसार

प्रतिलिपि :-

- 1 क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड, शहडोल की सूचनाार्थ। आपको निर्देशित किया जाता है कि आप संबंधितों से समन्वय एवं सम्पर्क कर निर्धारित समयावधि में वास्तविक तथ्यों की जांच कर दिनांक 28.10.2022 के पूर्व एक्शन टेकन रिपोर्ट मुख्यालय को प्रस्तुत करें।

Do as discussed  
① write also concern to nominate  
② prepare tentative draft

# नजरी नक्शा



स्थल पंथनामा

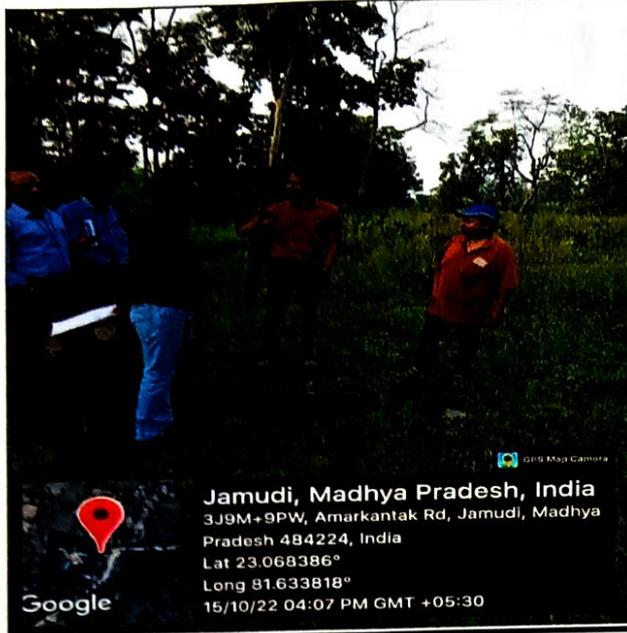
747  
16310 (70)

शाल दिनांक 15/09/2022 को जलाम जमुडी तहसील एवं  
 जिला अररपुडा के कार्ड क्रमांक 8 में स्थित श्री  
 मुस्ताक मंसूरी द्वारा की गयी शिकायत के सम्बन्ध  
 में स्थल का निरीक्षण किया गया। निरीक्षण के  
 दौरान श्री मुस्ताक मंसूरी के जमीन के आस पास  
 रहने वाले रहवासियो द्वारा जानकारी दी गयी  
 कि श्री मुस्ताक मंसूरी के जमीन में किसी भी  
 प्रकार की खेती नहीं की जाती है परन्तु जमीन  
 है और न ही इनके जमीन का प्लान एक  
 पत्री है। शिकायत कारी का मकल भी जलाम  
 जमुडी में नहीं है। स्थल से लगभग दूरी में  
 के लरेक एनर्जी कार्ड है जो कि वर्तमान में  
 बन्द है। आस पास पयाल नुका मेके डू  
 है। स्थल का किसी भी प्रकार का प्लान एक  
 का बकावत नहीं पाया गया। प्लान एक का  
 मिट्टी के बूझ रूप से मरुत का डिया गया  
 है तथा वृक्षारोपण का काम प्रारम्भ नही है।  
 स्थल के एक तरफ 6-7 मकान है, दो ओर खुला जगह है

(1)  
 15/9/2022  
 15C(BND)

मौ. उमली जमुडी  
 सैयाद अली  
 उप सरपंच जमुडी  
 एजरातडावा  
 एमिन सली जमुडी  
 नास रुफ़िन जमुडी  
 मौ. इराहका जमुडी

15/9/22  
 श्री. एम. परेक  
 कनिष्ठ वंचाक  
 मध्यम प्र. नि. वे. 35  
 शहडोल



Joint Inspection Team visited the Inspection Site on 15.10.2022



Land owned by complainant Shri Mustak Mansoori. No storage/heap of ash is visible. Area having full grown tree of 15-25 feet height



Land owned by accused showing stabilization of filled ash by soil cover, plantation and bund wall.



Land owned by accused showing stabilization of filled ash by soil cover, plantation and bund wall.





**REGIONAL OFFICE**  
**M. P. POLLUTION CONTROL BOARD**  
 SHAHDOL -484001 ☎ 07652 248938  
 Email-ropcbshahdol@gmail.com

### WATER ANALYSIS REPORT

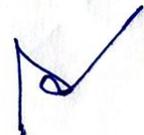
1. Location of sampling: **Hand Pump Water Sample, Village- Jamudi dist. Anuppur (M.P.)**
2. Description of Sample: **1. Hand Pump Water Sample. Village jamudi Near Bajran Stone crusher**
3. Date of Sampling- **12.10.2022**
4. Date of Analysis: - **12.10.20200**
5. Sample Collected by:- **A.K.Sharma (Chemist) & Balendra Singh (Lab Attendent)**
6. Sample Analysis by: **B.M. Patel (Junior Scientist)**

S. No.	CHARACTERISTICS	UNIT	Permissible Limit	Sample- I
1	Temperature	°C	-	27.8
2	Appearance		-	Clear
3	Color	PCS	-	Colourless
4	Odour	T.No.	-	Odourless
5	pH	pH Unit	6.5-8.5	7.94
6	Sp. Conductivity	µMhos/cm.	-	525.6
7	Total Solids	Mg/l	-	412.0
8	Total Dissolved Solids	Mg/l	500	405.0
9	Total Suspended Solids	Mg/l	-	7.0
10	Ammonical Nitrogen	Mg/l	-	0.020
11	Nitrite Nitrogen	Mg/l	-	0.010
12	Nitrate Nitrogen	Mg/l	-	1.42
13	Phosphate	Mg/l	-	BDL
14	Chloride	Mg/l	250	28.7
15	Sulphate	Mg/l	200	18.0
16	Alkalinity	Mg/l	200	84.0
17	T. Hardness	Mg/l	300	272.0
18	Calcium Hardness	Mg/l	-	160.0
19	Magnesium Hardness	Mg/l	-	112.0
20	B.O.D. (3 days at 27°C)	Mg/l	-	0.1
21	C.O.D	Mg/l	-	BDL

  
 Chemist

  
 Jr. Scientist

Lab-in charge



(21)



**REGIONAL OFFICE**  
 M. P. POLLUTION CONTROL BOARD  
 SHAHDOL -484001 ☎ 07652 248938  
 Email-ropcbshahadol@gmail.com

Date:- 14.10.2022

Name Of Industry : Near Haidar Ali house Village-Jamudi, dist. Anuppur  
 Date of Sampling : 12.10.2022  
 Date of Analysis : 13.10.2022  
 Sample Collected by : A.K. Sharma (Chemist) & Balendra Singh (Lab Atte.)  
 Sample Analysed by : C.S. Patel, Junior Scientist

Ambient Sampling Points:-

A- Near Haidar Ali house

S.No.	Parameters	Unit	A	B	C	D
1	Particulate Matter [PM <sub>10</sub> ]	µg/M <sup>3</sup>	48.60	-	-	-
2	Sulfur dioxide	µg/M <sup>3</sup>	5.10	-	-	-
3	Nitrogen dioxide	µg/M <sup>3</sup>	10.24	-	-	-
4	Average Noise Level	dB	51.20	-	-	-

Remarks:- During the monitoring time Weather was clear.

- Indicate that the values exceed permissible limit.
- Compared with MPPCB Standard.

  
 Chemist

  
 Jr. Scientist

Lab-in charge



# क्षेत्रीय कार्यालय

Annexure - 8  
आजादीक  
अमृत महोत्सव

## मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

बाई पास चौक, गोस्तरा, बुढार रोड जिला शहडोल 484001 (म.प्र.)

Tel./Fax (07652) 248938 / E mail : ropcbshahadol@gmail.com

क्रमांक 2439 क्षेत्रा/प्रनिबो/शहडोल/2022  
प्रति,

दिनांक 07/10/2022

सदस्य सचिव,  
म.प्र. प्रदूषण नियंत्रण बोर्ड,  
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी  
मुख्यालय, भोपाल (म.प्र.)

विषय:- फ्लाई ऐश के लोडिंग एवं अनलोडिंग स्थान पर सी.सी.टी.वी. कैमरा उपलब्धता इत्यादि बावत।  
संदर्भ:- फ्लाई ऐश नोटिफिकेशन दिनांक 31.12.2021

उपरोक्त विषयान्तर्गत अनुरोध सहित लेख है कि, केन्द्र शासन के द्वारा भारत के राजपत्र (असाधारण) में प्रकाशित कर अधिसूचित किये गये फ्लाई ऐश प्रबंधन नियम 2016 तथा 2021 के अनुसार फ्लाई ऐश का शत प्रतिशत उपयोग करना आवश्यक है। तत्संबंध में बोर्ड मुख्यालय भोपाल द्वारा क्षेत्रांतर्गत एकाधिक ताप विद्युत गृहों को चिन्हित लो-लाईग भूमि पर फ्लाई ऐश का डम्प कर समतलीकरण हेतु अनुमति जारी की गयी है, किन्तु कार्यालय के संज्ञान में आये एक प्रकरण से ऐसा प्रतीत होता है कि फ्लाई ऐश के परिवहन हेतु संलग्न अनुबंधित वाहन/ संस्था के मालिक प्रत्यक्ष/अप्रत्यक्ष रूप से फ्लाई ऐश की कुछ मात्रा अवैधानिक रूप से बिना बोर्ड के संज्ञान में आये बिना अन्य स्थान पर डम्प की हैं।

अतः फ्लाई ऐश के लोडिंग एवं अनलोडिंग स्थान पर निम्न व्यवस्थाएँ करने हेतु वृहद श्रेणी के लाल प्रवर्ग के 17 प्रकार के उद्योगों की सूची में शामिल लो लाइंग एरिया में ऐश फिलिंग करवा रहे ताप विद्युत गृहों जैसे- एम.बी. पॉवर (मध्यप्रदेश) लिमिटेड को कड़े निर्देश जारी किये जाना प्रस्तावित है:-

1. फ्लाई ऐश लोडिंग एवं अनलोडिंग दोनों स्थानों पर सीसीटीवी लगाये जाये जिसमें वाहन एवं वाहन का नम्बर साफ दिखाई दें। उक्त कैमरों की कनेक्टिविटी स्थानीय क्षेत्रीय कार्यालय को उपलब्ध कराई जाये तथा ऐश।
2. जी.पी.एस. सिस्टम से लैस वाहनों से ही फ्लाई की डम्पिंग कराना सुनिश्चित करें।
3. लोडिंग एवं अनलोडिंग स्थान पर रजिस्टर में डम्पिंग साइट का नाम, वाहन नं., ड्राइवर/हेल्पर का नाम एवं हस्ताक्षर आवश्यक रूप से कराये, जिसका समय आने पर कार्यालय के अधिकारियों के द्वारा मूल्यांकन किया जा सके तथा फ्लाई ऐश के यत्र-तत्र डम्प करने की प्रवृत्ति पर रोक लगे।
4. लोडिंग एवं अनलोडिंग स्थान पर नोटिस बोर्ड स्थापित किये जाये, जिस पर अवैधानिक कार्य करते हुये पाये जाने पर उनके खिलाफ सख्त कानूनी कार्यवाही करने की चेतावनी लिखी हो।

माननीय राष्ट्रीय हरित अधिकरण के द्वारा इस क्षेत्र के अंतर्गत संचालित एम.बी. पॉवर (मध्यप्रदेश) लिमिटेड के विरुद्ध पूर्व में दायर प्रकरण क्रमांक 122/2016 (द्वारा: अमर सिंह राठौर) तथा प्रकरण 364/2021 (द्वारा: संतोषराम) में पारित आदेश के अनुसार फ्लाई ऐश प्रबंधन नियमों का एम.बी. पॉवर (मध्यप्रदेश) लिमिटेड द्वारा पूर्ण रूप से पालन किया जाना आवश्यक है, अतः पर्यावरण हित में फ्लाई ऐश प्रबंधन अधिसूचना दिनांक 31.12.2021 में उक्त हेतु आवश्यक समावेश/प्रावधान कराये जाने हेतु उपरोक्तानुसार विनम्र अनुरोध है।

(संजीव मेहरा)  
क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय  
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

बाई पास चौक गोरतरा बुढार रोड जिला शहडोल 484001 (म.प्र.)

E mail:ropcbshahadol@gmail.com



क्रमांक 2213 /क्षेका/प्रनिबो/शहडोल/2022  
प्रति,

शहडोल, दिनांक 16/09/2022

श्री हजरत अली  
ग्राम-जमुड़ी, तहसील-अनूपपुर  
जिला- अनूपपुर (म.प्र.)

विषय:- आपके द्वारा निजी स्वामित्व की भूमि ग्राम-जमुड़ी पर फ्लाइ एश नोटिफिकेशन 2021 का उल्लंघन कर अवैधानिक रूप से फ्लाइ एश डंपिन्ग कराये जाने बावत्।

- संदर्भ:- 1. पर्यावरण एवं वन तथा जलवायु परिवर्तन मंत्रालय द्वारा 31 दिसम्बर 2021 को जारी फ्लाइ एश अधिसूचना के प्रावधान।  
2. केन्द्रीय प्रदूषण नियंत्रण बोर्ड के द्वारा जारी मानक संचालन प्रक्रिया।

महोदय,

इस कार्यालय के अधिकारियों/कर्मचारियों के दल द्वारा दिनांक 07.09.2022 एवं दिनांक 15.09.2022 को किये गये निरीक्षण के दौरान यह पाया गया है, कि केन्द्र शासन पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा 31 दिसम्बर 2021 को जारी फ्लाइ एश अधिसूचना के प्रावधानों की अवहेलना करते हुये आपके द्वारा ग्राम-जमुड़ी, जिला-अनूपपुर (म.प्र.) में स्थित स्वयं की स्वामित्व की निजी भूमि में अवैधानिक रूप से लगभग 3-4 हाईवा ट्रक फ्लाइ एश डंपिन्ग का कार्य प्रत्यक्ष/अप्रत्यक्ष रूप से पूर्व में अनुमानतः 1-2 दिन में कार्य किया/कराया गया है, जो कि उपयुक्त नहीं है।

अतः जनहित में एवं पर्यावरण हित में फ्लाइ एश प्रबंधन नियमों के प्रावधानों के पालनार्थ आवश्यक कार्यवाही करें तथा सुनिश्चित करें कि किसी भी प्रकार के प्रदूषण की स्थिति उपस्थित नहीं हो। सुलभ संदर्भ एवं आवश्यक कार्यवाही हेतु अधिसूचना दिनांक 31.12.2021 एवं मानक संचालन प्रक्रिया की छायाप्रति संलग्न है।

उपरोक्त संबंध में आपके द्वारा की गई कार्यवाही से इस कार्यालय को भी अवगत करायें।

//इस पत्र की प्राप्ति से अभिस्वीकृत कराएँ//

संलग्न : उपरोक्तानुसार

1. अधिसूचना की प्रति
2. एस.ओ.पी. की प्रति

संजीव मिहरा  
क्षेत्रीय अधिकारी



After being motivated by MPPCB, Shahdol. M/s M.B. Power (Madhya Pradesh) Limited has erected display board in ash loading and unloading site, mentioning legal action against transporter/driver, if ash for dumping is not taken to designated low lying area.