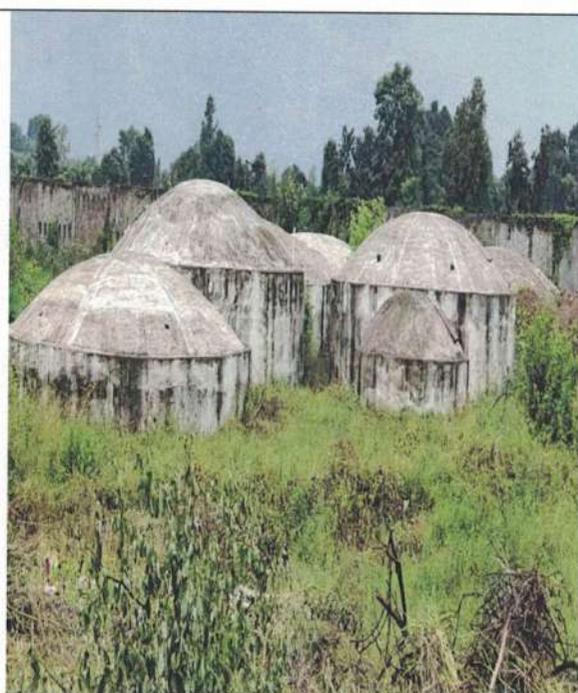
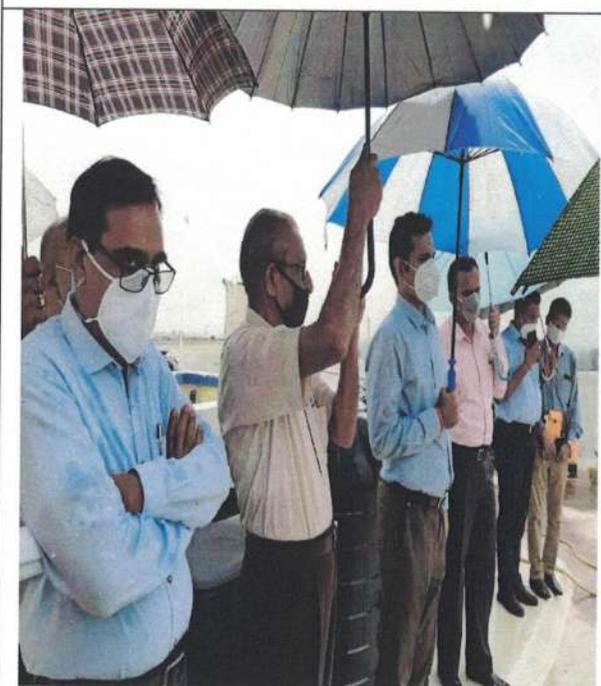


**JOINT VISIT REPORT IN COMPLIANCE OF ORDER DATED 17.08.2020 IN
NGT CASE NO 61/2020 MAJOR GEN. HARPREET SINGH BEDI (RETD) &
ORS V/s Vijay Singh Dwarkadheesh Haveli Builders & Ors.**

Dated 10/09/2020



Prepared by

**The committee constituted by Honorable National Green Tribunal in
reference to the OA No. 61/2020
NGT CASE NO 61/2020 MAJOR GEN. HARPREET SINGH BEDI
(RETD) & ORS V/s Vijay Singh Dwarkadheesh Haveli Builders & Ors.**

Sub: Committee constituted by Hon'ble National Green Tribunal for submission of report along with ATR as per order dated 17/08/2020 in the matter of OA 61/2020.

Ref: Order dated 17/08/2020 in the matter of OA 61/2020 by Hon'ble National Green Tribunal(Annexure-I).

The Hon'ble National Green Tribunal vide order dated 17.08.2020 in the case titled as **NGT CASE NO 61/2020 MAJOR GEN. HARPREET SINGH BEDI (RETD) & ORS V/s Vijay Singh Dwarkadheesh Haveli Builders & Ors.** constituted a Joint Committee consisting of:-

- (i) Collector, Bhopal
- (ii) Municipal Commissioner, Bhopal
- (iii) Madhya Pradesh Pollution Control Board

The Committee is directed by Honorable National Green Tribunal to visit the place and submit the action taken report within four weeks. In view of the above, for the purpose of constituting the said committee as per orders of the Hon'ble Tribunal, following officers of the concerned departments have conducted the visit:

1. Shri. Avinash Lavania (IAS), Collector, Bhopal.
2. Shri KVS Choudary (IAS), Commissioner, Bhopal Municipal Corporation, Bhopal.
3. Shri. Alok Singhai, Regional Officer, M.P. Pollution Control Board, Bhopal.

Additional Collector, Collector office Bhopal, issued visit notice to the Commissioner, Bhopal Municipal Corporation, Bhopal, Regional Officer, M.P. Pollution Control Board, Bhopal, Sub Divisional Officer (Revenue) Govindpura circle Bhopal, Major Gen. Shri H. S. Bedi (Applicant) and Shri Vijay Singh

(Respondent) for visit of the site on 10/09/2020 vide letter dated 07/09/2020 at 4.00 PM (Annexure-II).

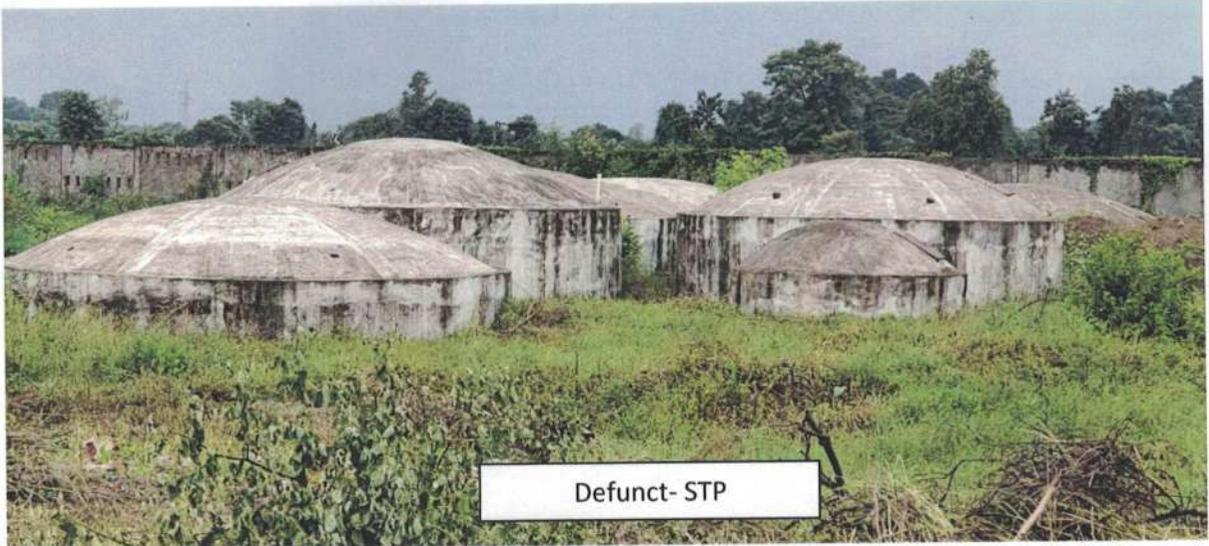
As per the scheduled time and date, the committee visited the site on 10/09/2020. During visit to the site, apart from committee members' the applicant Major General H.S. Bedi & his other office bearers and president of society shri Dinesh Wankhede of Dwarkadham Resident Welfare Society, Bhopal, Officers from District Administration Shri. Satish Kumar ADM Bhopal, Shri Santosh Gupta, ADC, Shri R.K. Gupta Deputy Commissioner from Municipal Corporation Bhopal & Shri H.S. Malviya Suprintending Engineer HO, MPPCB Bhopal and Shri. A.K. Bisen, Executive Engineer, Regional Office, MPPCB, Bhopal are also present. Shri Vijay Singh, respondent and developer of the colony did not attend the visit.

Before visit to the site the committee discussed the details of the order and the responsibility entrusted to the committee by Honourable National Green Tribunal the contents of the order. As per para 11 of the order dated 17/08/2020 *"The Committee is directed to visit the place and submit the action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support."* Further the Hon'ble NGT in para 14 directed the committee *"We also direct the committee to submit a report on the following points:-*

- (i) *The total no of drains were untreated/Sewage water is being discharged in the lake or river bodies in Bhopal.*
- (ii) *Total no of STPs installed there.*
- (iii) *Quantity of water being used by the residents in the city of Bhopal.*
- (iv) *Total capacity to treated the water.*
- (v) *The gape between the used and capacity to treat.*

- (vi) *Future planning of Municipality to meet out the gape and make proper arrangements for treatment of the water.*
- (vii) *Action taken against the polluters who are discharging the water, sewage & untreated water in to the river bodies & causing water pollution & contaminating the underground water.*
- (viii) *It is directed that Municipal authorities to ensure that no solid waste be thrown in to the open space and there should be no discharge of untreated/sewage water in to the water bodies or in the open space & any one violating the norms and any violation of this order should be taken seriously in accordance with the order passed by the principal bench of this tribunal in O.A. No. 148/2016: Mahesh Chandra Saxena v. South Delhi Municipal Corporation & Ors. Vide order dated 21.05.2020....”*

Applicant Shri. Major General H.S. Bedi & Ors. Office bearer of Dwarkadham Resident Welfare Society, Bhopal explained the matter to the committee members and informed that STP of Township is not commissioned till date even after the handing over of apartments to the residents welfare society. Shri Bedi informed the steps taken by him to raise the issue before the developer and various government organizations. The committee took the bird eye view of the area from top of the one of the tower in the colony and observed that STP is totally defunct and lots of bushes/grass was grown around it. The committee also observed that stinking untreated sewage was found in stagnant condition near STP and in open land besides the applicants residence block. Shri Bedi also informed that due to stagnation of untreated sewage nearby the tube well supplying water to their building is contaminated it is verified from water analysis report obtained from Local Laboratory.



Defunct- STP

During visit and based on the observation that non functioning of STP and odour nuisance due to untreated sewage flow in open land alongwith contamination of watersupply bore well, Collector and District Magistrate Bhopal Shri Lavania, directed to **SDM**, Bhopal to take immediate action under **section 133 of CRPC 1973** against the Project Proponent for immediate relief to the residence of Dwarkadham Resident Welfare Society, Bhopal.



Sewage stored in open area

Further, PCB Officials informed that the developer has not obtained consent to establish from MPPCB and EC from SEIAA hence its application was rejected. In response to the complaint dated 20.05.2020 made by the applicant in the Board, the Officers from Regional Office, MPPCB Bhopal inspected site on 23.05.2020 and found that the complaint is right & based on the observations, M.P. Pollution Control Board issued show cause notice dated 22.07.2020 to the developer (**Annexure-III**) under section 15 of Environment Protection Act, 1986 & under section 33-A of Water (Prevention and Control) Act, 1974 & 31-A of Air (Prevention and Control) Act, 1981 and due to inaction by developer, a criminal case is filed against the developer in the court of Judicial Magistrate (I), Bhopal, on 31/08/2020 under section 15 of Environment Protection Act, 1986 & under section 25 & 44 of Water (Prevention and Control) Act, 1974 & 37 & 39 of Air (Prevention and Control) Act, 1981. (**Annexure-IV**)

As per the details sought by Hon'ble NGT as per para 14, the information provided by Municipal Corporation Bhopal to Additional District Magistrate Bhopal is as per **Annexure-V**.

Regional Office, M.P. Pollution Control Board has filed 54 Criminal cases against Polluter (Building Project) in Bhopal Region under **Water (Prevention and Control) Act, 1974** which are under consideration in Honorable Lower Court at Bhopal. (**Annexure-VI**)

Recommendations: After detailed site visit and discussions, following are the recommendations: –

1. Project Proponent shall immediately stop the water supply from the polluted bore well and seal the same.

2. Project proponent to make alternate safe water supply arrangements for affected residents.
3. Project Proponent shall obtain environmental clearance from SEIAA MP under EIA Notification, 2006.
4. Project Proponent shall obtain consent to establish and consent to operate from State Pollution Control Board under section 25 of Water (Prevention and Control) Act, 1974 & 21 of Air (Prevention and Control) Act, 1981.
5. The projection proponent shall rectify the STP on priority and make it functional at the earliest.
6. Project Proponent shall immediately clear the blockage of drain/nallah for free flow of water.

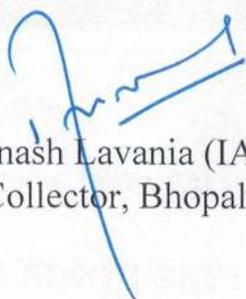
Action Taken Report:

1. Project proponent has not obtained consent to establish and consent to operate from State Pollution Control Board under section 25 of Water (Prevention and Control) Act, 1974 & 21 of Air (Prevention and Control) Act, 1981 hence Board has filed criminal case against the Project Proponent for violation of Environmental Laws (**Annexure-IV**).
2. District Administration has initiated action against Project Proponent under **section 133 of CRPC 1973**.
3. Details of the drains and future plan of the Municipal Corporation is as per **Annexure-V**

Enclosures: As mentioned above (Annexure I to VI).


(Alok Singhai)
Regional Officer,
MPPCB, Bhopal


[KVS Choudary (IAS)]
Commissioner
Municipal Corporation,
Bhopal


[Avinash Lavania (IAS)]
Collector, Bhopal

Item No. 01(Through VC-Bhopal)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No.61/2020(CZ)

Maj. Gen. Harpreet Singh Bedi(Retd.) & Ors.

Applicant(s)

Versus

Shri Vijay Singh, Dwarkadheesh
Haveli Builders & Ors.

Respondent(s)

Date of hearing: 17.08.2020

CORAM:
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

For Applicant(s)

Maj. Gen. Harpreet Singh Bedi(Retd.)
Applicant in person

ORDER

1. The issue raised in this application is very serious in nature whereby the applicant has raised the issue that the sewage/untreated water is being discharged in open place or in the water bodies in Dwarka Dham Colony of Karond Bypass Road, Badwai Colony, Bhopal and polluted water is being supplied for the drinking purposes causing serious diseases to the citizens.
2. A strong ammonia smell had been noticed by a resident in the water being supplied from a borewell next to block 4A and 4B, multistory apartments of the colony and when the matter was brought to the notice of the authority concerned, it was ignored and not taken care of. Untreated sewage from one half of the Dwarka Dham Colony is being released in the open place. The Sewage Treatment Plan next to the exit of this sewage is defunct and not connected to the sewage outlet and does not appear to have been activated ever. The sewage is further being flown towards the borewell and it is evident that seepage of sewage is contaminating the ground water and there is no provisional treatment plant there. The fundamental right guaranteed under Article

21 of the Constitution of India provides that none shall be deprived of his life without due process of law but by supplying the polluted water for drinking purposes and discharge of sewage and untreated water in open land or the river/water bodies are causing health hazard and it is indirectly depriving good health and life of the citizens residing there.

3. The Article 39 E, 47 and 48 A of the Constitution of India cast a duty on the State to secure the health of the people, improve public health and protect and improve the environment. It was by reasoned of the lack of effort on the part of the enforcement agencies, notwithstanding adequate laws being in placed, there are air pollution, water pollution and noise pollution in the city. One of the basic principle underlying environmental law is that of sustainable development. This principle requires such development to take place which is ecologically sustainable and the essential features of sustainable development are:-
(i) the Precautionary Principle (ii) the Polluter Pays Principle and the authorities are duty bound to take necessary action on the point.
4. For the negligence of those to whom public duties have been entrusted and can never be allowed to cause public mischief.
5. Issue notice to the respondents. Returnable within four weeks.
6. Applicant is directed to provide copy of the application and relevant documents to the respondents within three days.
7. Applicant is also directed to take necessary steps for service to the respondents by both ways and also on available email.
8. Respondents are directed to submit their reply within four weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
9. Service of notices, summons and pleadings etc. have not been possible during the period of lockdown because this involves visits to post

offices, courier companies or physical delivery of notices, summons and pleadings. We, therefore, consider it appropriate to direct that such services of all the above may be effected by e-mail, FAX, commonly used instant messaging services, such as WhatsApp, Telegram, Signal etc. However, if a party intends to effect service by means of said instant messaging services, we direct that in addition thereto, the party must also affect service of the same document/documents by e-mail, simultaneously on the same date".

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

- (i) The Collector, Bhopal
- (ii) Municipal Commissioner, Bhopal
- (iii) Madhya Pradesh Pollution Control Board

11. The Committee is directed to visit the place and submit the action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.

12. The report in the matter be filed by the Committee by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

13. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.

14. We also direct the Committee to submit a report on the following points:-

- (i) The total number of drains where untreated/sewage water is being discharged in the lake or river bodies in Bhopal.
- (ii) Total number of STPs installed there.
- (iii) Quantity of water being used by the residents in the city of Bhopal

- (iv) Total capacity to treat the water.
- (v) The gap between the use and capacity to treat.
- (vi) Future planning of the municipality to meet out the gap and make proper arrangements for treatment of the water.
- (vii) Action taken against the polluters who are discharging the water, sewage and untreated water into the river bodies and causing water pollution and contaminating the underground water.
- (viii) It is directed that Municipal Authorities to ensure that no solid waste be thrown into the open space and there should be no discharge of untreated/sewage water into the water bodies or in the open space and anyone violating the norms and any violation of this order should be taken seriously in accordance with the order passed by the Principal Bench of this Tribunal in O.A. No. 148/2016: *Mahesh Chandra Saxena v. South Delhi Municipal Corporation & Ors.* vide order dated 21.05.2020, the relevant paras are quoted below for compliance:-

"3. Vide order dated 03.08.2018, the matter was reviewed and after noting that in absence of functional ETPs/CETPs/STPs, untreated effluents were being discharged in water bodies leading to contamination of surface and ground water which causes various diseases and also has adverse consequence on aquatic organism due to decreased level of oxygen. The Tribunal directed the CPCB to prepare an action plan. Direction was also given for monitoring by a Committee of two officers – one each representing MoEF&CC and CPCB at least once in every month. CPCB was required to place the progress report every three months on the website and take penal action for failure by way of recovery of compensation for damage to the environment, apart from other steps.

4. Vide order dated 19.02.2019, after considering the status report furnished by the CPCB, based on the reports furnished by the States/UTs, this Tribunal after referring to orders passed in O.A NO. 673/2018 for remedial action in respect of 351 polluted river stretches, which had direct nexus with the steps for ETPs/CETPs/STPs and order passed in O.A No. 606/2018 requiring Chief Secretaries to monitor progress inter alia on the subject of control of pollution of the river stretches, directed that the Chief Secretaries may look into the subject of setting up and proper functioning of ETPs/CETPs/STPs in their respective States/ UTs. Further direction issued was to prepare a report on assessment of compensation on account of discharge of untreated sewage and dumping of solid waste, loss to ecological

services due to illegal mining, deforestation, after taking inputs from expert bodies. The Tribunal also directed the CPCB to compile its monitoring report with regard to 97 CETPs (assuming the total number of CETPs in the country to be 97) installed in different States. CPCB was also directed to furnish its report in O.A. No. 95/2018, *Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.* which concerned the issue of inadequate functioning CETP leading to water pollution.

5. In the light of directions of this Tribunal dated 19.02.2019, the CPCB furnished reports dated 30.05.2019 updated on 19.07.2019 and 14.08.2019 giving the status of setting up of ETPs/ CETPs/STPs with regard to methodology for assessment of environmental compensation and monitoring of CETPs. The reports were considered exhaustively vide order dated 28.08.2019. Before we advert to the observations of this Tribunal with regard to the reports, we may refer to the observations on the main issue:

1. The issue for consideration is establishment and functioning of ETPs/CETPs/STPs to prevent untreated sewage/effluents being discharged in water bodies, including rivers and canals meeting such rivers or otherwise. The magnitude of the problem is well acknowledged. In the year 1962 GoI set up a Committee for prevention of water pollution. The recommendations led to enactment of the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act") in pursuance of Article 252 of the Constitution. The Water Act provides for the constitution of a Central Board and State Boards/Committees. No polluted matter can be discharged into a stream or well or on land, and no industry, operation or process can be established and no outlet for discharge of sewage used without consent of the State Board. The Water Act provides powers to give directions for closing any such activity as well as for prosecution. Power to give directions implicitly includes recovery of compensation on 'Polluter Pays' principle.

2. In spite of above statutory regime we are faced with serious problem of water pollution. The Hon'ble Supreme Court noted¹ that the water pollution caused serious diseases, including Cholera and Typhoid. Water pollution could not be ignored and adequate measures for prevention and control are necessary. Polluting industries were directed to be shifted on 'Precautionary' principle. It is not necessary to refer to all the judgments of the Hon'ble Supreme Court dealing with the significance of water and need to prevent pollution of water. We may only refer to the observations that everyone has right to have access to drinking water in quantum and equality equal to the basic needs. This is fundamental to life and part of Article 21.²

4. We may note that discharge of untreated effluents and sewage is the principal cause of water pollution in the

¹(1988) 1 SCC 471

²APPCB vs. Prof. M.V Nayudu (2001) 2 SCC 62 at para 3, 4, *State of Orissa Vs. Government of India* (2009) 5 SCC 492, at para 58 "Rivers in India are drying up, groundwater is being rapidly depleted, and canals are polluted. Yamuna in Delhi looks like a black drain. Several perennial rivers like Ganga and Brahmaputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting overpumped. Industries, hotels, etc. are

country as noted in cases relating to pollution of rivers.³ Similarly, in the case of 100 polluted industrial clusters being dealt with by this Tribunal⁴, water pollution is one of the factors polluting the said industrial clusters. As already noted, official data of CPCB is to the effect that 351 river stretches in the Country are polluted. The Tribunal held that remedial action for restoration of the said river stretches is necessary.⁵ In the said order, it was observed:

"As already noted, well known causes of pollution of rivers are dumping of untreated sewage and industrial waste, garbage, plastic waste, e-waste, bio-medical waste, municipal solid waste, diversion of river waters, encroachments of catchment areas and floodplains, over drawl of groundwater, river bank erosion on account of illegal sandmining. In spite of directions to install Effluent Treatment Plants (ETPs), Common Effluent Treatment Plants (CETPs), Sewage Treatment Plants (STPs), and adopting other anti-pollution measures, satisfactory situation has not been achieved. Tough governance is the need of the hour. If pollution does not stop, the industry has to be stopped. If sewage dumping does not stop, local bodies have to be made accountable and their heads are to be prosecuted. Steps have to be taken for awareness and public involvement."

6. We now refer to the observations of this Tribunal while considering the reports dated 30.05.2019 updated on 19.07.2019 and 14.08.2019:

"I. Report dated 30.05.2019 updated on 19.07.2019

13. According to updated report dated 19.07.2019, out of 62,897 number of industries requiring ETPs, 60,944 industries are operating with functional ETPs and 1949 industries are operating without ETPs. 59,258 industries are complying with environmental standards and 1,524 industries are non-complying. There are total 192 CETPs, out of which 133 CETPs are complying with environmental standards and 59 CETPs are non-complying. There are total 13,709 STPs (Municipal and other than municipal), out of which, 13,113 STPs are complying with environmental standards and 637 STPs are non-complying. 73 CETPs in construction/proposal stage, whereas, for STPs, 1164 projects (municipal and non-municipal) are under construction/proposal stage.

³O.A No. 673 of 2018 this Tribunal is considering remedial action to rejuvenate 351 polluted river stretches. Therein, other cases of river pollution are mentioned thus "This Tribunal also considered the issue of pollution of river Yamuna, in Manoj Mishra Vs. Union of India, river Ganga in M.C. Mehta Vs. Union of India, river Ramganga which is a tributary of river Ganga in Mahendra Pandey Vs. Union of India & Ors., rivers Sutlej and Beas in the case of Sobha Singh & Ors. Vs. State of Punjab & Ors., river Son in Nityanand Mishra Vs. State of M.P. & Ors., river Ghaggar in Stench Grips Mansa's Sacred Ghaggar River (Suo-Moto Case)", river Hindon in Doaba Paryavaran Samiti Vs. State of U.P. & Ors., river Kasardi in Arvind Pundalik Mhatre Vs. Ministry of Environment, Forest and Climate Change & Ors., River Ami, Tapti, Rohani and Ramgarh lake in Meera Shukla Vs. Municipal Corporation, Gorakhpur & Ors., rivers Chenab and Tawi in the case of Amresh Singh Vs. Union of India & Ors. and Subarnarekha in Sudarsan Das Vs. State of West Bengal & Ors. and issued directions from time to time"

14. A report has also been prepared on the scale of environmental compensation to be recovered from individual/authorities for causing pollution or failure for preventing causing pollution, apart from illegal extraction of ground water, failure to implement Solid waste Management Rules, damage to environment by mining and steps taken to explore preparation of an annual environmental plan for the country. Extracts from the report which are considered significant for this order are:

I. Environment Compensation to be levied on Industrial Units

Recommendations

The Committee made following recommendations:

1.5.1 To begin with, Environmental Compensation may be levied by CPCB only when CPCB has issued the directions under the Environment (Protection) Act, 1986. In case of a, band c, Environmental Compensation may be calculated based on the formula "EC= PI x N x Rx S x LF", wherein, PI may be taken as 80, 50 and 30 for red, orange and green category of industries, respectively, and R may be taken as 250. Sand LF may be taken as prescribed in the preceding paragraphs

1.5.2 In case of d, e and f, the Environmental Compensation may be levied based on the detailed investigations by Expert Institutions/Organizations.

1.5.3 The Hon'ble Supreme Court in its order dated 22.02.2017 in the matter of Paryavaran Suraksha Samiti and another v/s Union of India and others (Writ Petition (Civil) No. 375 of 2012), directed that all running industrial units which require "consent to operate" from concerned State Pollution Control Board, have a primary effluent treatment plant in place. Therefore, no industry requiring ETP, shall be allowed to operate without ETP.

1.5.4 EC is not a substitute for taking actions under EP Act, Water Act or Air Act. In fact, units found polluting should be closed/prosecuted as per the Acts and Rules.

II. Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in NCR.

Table No. 2.1: Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in Delhi-NCR.

Activity	State Of Air Quality	Environmental Compensation (₹)
Industrial Emissions	Severe +/-Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Vapour Recovery System (VRS) at Outlets of Oil Companies		

i. Notin stalled	Target Date	Rs 1.0 Crore
ii. Non functional	Very poor to Severe +	Rs 50.0 Lakh
	Moderate to Poor	Rs 25.0 Lakh
Construction sites (Offending plot more than 20,000 Sq.m.)	Severe +/Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Solid waste/ garbage dumping in Industrial Estates	Very poor to Severe +	Rs 25.0 Lakh
	Moderate to Poor	Rs 10.0 Lakh
Failure to water sprinkling on unpaved roads		
a) Hot-spots	Very poor to Severe +	Rs 25.0 Lakh
b) Other than Hot-spots	Very poor to Severe +	Rs 10.0 Lakh

III. Environmental Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules:

Table No. 3.3: Minimum and Maximum EC to be levied for untreated/partially treated sewage discharge

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Total Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 2000	Min. 1000	Min. 100
	Max. 20000	Max. 10000	Max. 1000
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2	Min. 1	Min. 0.5
	Max. 20	Max. 10	Max. 5

Table No. 3.4: Minimum and Maximum EC to be levied for improper municipal solid wastemanagement

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000	Min. 500	Min. 100
	Max. 10000	Max. 5000	Max. 1000
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 1.0	Min. 0.5	Min. 0.1
	Max. 10.0	Max. 5.0	Max. 1.0

3.3 Environment Compensation for Discharge of Untreated/Partially Treated Sewage by Concerned Individual/ Authority:

BIS 15-1172:1993 suggests that for communities with population above 100,000, minimum of 150 to 200 lpcd of

water demand is to be supplied. Further, 85% of return rate (CPHEEO Manual on Sewerage and Sewage Treatment Systems, 2013), may be considered for calculation of total sewage generation in a city. CPCB Report on "Performance evaluation of sewage treatment plants under NRCD, 2013", describes that the capital cost for 1 MLD STP ranges from 0.63 Cr. to 3 Cr. and O&M cost is around Rs. 30,000 per month. After detail deliberations, the Committee suggested to assume capital cost for STPs as Rs. 1.75 Cr./MLD (marginal average cost). Further, expected cost for conveyance system is assumed as Rs. 5.55 Cr./MLD (marginal average cost) and annual O&M cost as 10% of the combined capital cost. Population of the city may be taken as per the latest Census of India. Based on these assumptions, Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$EC = \text{Capital Cost Factor} \times [\text{Marginal Average Capital Cost for Treatment Facility} \times (\text{Total Generation} - \text{Installed Capacity}) + \text{Marginal Average Capital Cost for Conveyance Facility} \times (\text{Total Generation} - \text{Operational Capacity})] + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Total Generation} - \text{Operational Capacity}) \times \text{No. of Days for which facility was not available} + \text{Environmental Externality} \times \text{No. of Days for which facility was not available}$$

Alternatively;

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

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 is in MLD

Table No. 3.5: Sample calculation for EC to be levied for discharge of untreated/partial treated Sewage

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,63,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Sewage Generation (MLD) (as per the latest data available with CPCB)	4195	381	486	37

Installed Treatment Capacity (MLD) (as per the latest data available with CPCB)	2500	220	404	45.5
Operational Capacity (MLD) (as per the latest data available with CPCB)	1900	140	300	24.5
Treatment Capacity Gap (MID)	2295	241	186	12.5
Calculated EC (capital cost component for STPs) in Lacs Rs.	29662.50	2817.50	1435.00	0.00
Calculated EC (capital cost component for Conveyance System) in Lacs. Rs.	127372.50	13375.50	10323.00	693.75
Calculated EC (Total capital cost component) in Lacs Rs.	157035.00	16193.00	11758.00	693.75
Minimum and Maximum values of EC (Total Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 2000 Max. 20000	Min. 1000 Max. 10000	Min. 100 Max. 1000	Min. 100 Max. 1000
Final EC (Total Capital Cost Component) in Lacs Rs.	20000.00	10000.00	1000.00	693.75
Calculated EC (O&M Component in Lacs Rs./day)	459.00	48.20	37.20	2.50
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2 Max. 20	Min. 1 Max. 10	Min. 0.5 Max. 5	Min. 0.5 Max. 5
Final EC (O&M Component) in Lacs. Rs./Day	20.00	10.00	5.00	2.50
Calculated Environmental Externality (Lacs Rs .Per Day)	2.0655	0.2049	0.1395	0.0094
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. Per Day)	Min. 0.60 Max. 0.80	Min. 0.25 Max. 0.35	Min. 0.05 Max. 0.10	Min. 0.05 Max. 0.10
Final Environmental Externality (Lacs Rs. Per day)	0.80	0.25	0.10	0.05

3.4 Environment Compensation to be Levied on Concerned Individual/Authority for Improper Solid Waste Management:

Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$EC = \text{Capital Cost Factor} \times \text{Marginal Average Cost for Waste Management} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) \times \text{Number of days violation took place} + \text{Environmental Externality} \times N$$

Where;

Waste Quantity in tons per day (TPD)

N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Simplifying;

$$EC \text{ (Lacs Rs.)} = 2.4(\text{Waste Generation} - \text{Waste Disposed as per the Rules}) + 0.02 (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N + \text{Marginal Cost of Environmental Externality} \times (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N$$

Table No. 3.6: Sample calculation for EC to be levied for improper management of Municipal SolidWaste

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,63,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Waste Generation (kg. per person per day)	0.6	0.5	0.4	0.4
Waste Generation (TPD)	9809.90	880.14	350.79	200.31
Waste Disposal as per Rules (TPD) (assumed as 25% of waste generation for sample calculation)	2452.47	220.04	87.70	50.08
Waste Management Capacity Gap (TPD)	7357.42	660.11	263.09	150.23
Calculated EC (capital cost component) in Lacs. Rs.	17657.82	1584.26	631.42	360.56
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000 Max. 10000	Min. 500 Max. 5000	Min. 100 Max. 1000	Min. 100 Max. 1000
Final EC (capital cost component) in Lacs. Rs.	10000.00	1584.26	631.42	360.56

Calculated EC (O&M Component) in Lacs. Rs./Day	147.15	13.20	5.26	3.00
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./Day)	Min. 1.0 Max. 10.0	Min. 0.5 Max. 5.0	Min. 0.1 Max. 1.0	Min. 0.1 Max. 1.0
Final EC (O&M Component) in Lacs. Rs./Day	10.00	5.00	1.00	1.00
Calculated Environmental Externality (Lacs Rs. Per Day)	2.58	0.18	0.03	0.02
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. per day)	Max. 0.80	Min. 0.25 Max. 0.35	Min. 0.01 Max. 0.05	Min. 0.01 Max. 0.05
Final Environmental Externality (Lacs Rs. per day)	0.80	0.25	0.03	0.02

a

ction of Ground Water

4.5 Formula for Environmental Compensation for illegal extraction of ground water

The committee decided that the formula should be based on water consumption (Pump Yield & Time duration) and rates for imposing Environmental Compensation for violation of illegal abstraction of ground water. The committee has proposed following formula for calculation of Environmental Compensation (EC_{Gw}):

$$EC_{Gw} = \text{Water Consumption per Day} \times \text{No. of Days} \times \text{Environmental Compensation Rate for illegal extraction of ground water (ECR}_{Gw})$$

in Rs./m³

Yield of the pump varies based on the capacity/power of pump, water head etc. For reference purpose, yield of the pump may be assumed as given in **Annexure-VI**.

Time duration will be the period from which pump is operated illegally.

In case of illegal extraction of ground water, quantity of discharge as per the meter reading or as calculated with assumptions of yield and time may be used for calculation of EC_{Gw} .

4.6 Environmental Compensation Rate (ECR_{Gw}) for illegal use of Ground Water:

The committee decided that the Environmental Compensation Rate (ECR_{Gw}) for illegal extraction of ground water should increase with increase in water consumption as well as water scarcity in the area.

Further, ECR_{Gw} are kept relaxed for drinking and domestic use as compared to other uses, considering the basic need of human being.

As per CGWB, safe, semi-critical, critical and over-exploited areas are categorized from the ground water resources point of view (CGWB, 2017). List of safe, semi-critical, critical and over-exploited areas are available on the website of CGWB and can be accessed from <http://cgwb-noc.gov.in/LandingPage/NotifiedAreas/CategorizationOfAssessmentUnits.pdf#ZOOM=150>.

Environmental Compensation Rates (ECR_{Gw}) for illegal use of ground water (ECR_{Gw}) for various purposes such as drinking/domestic use, packaging units, mining and industrial sectors as finalized by the committee are given in tables below:

4.6.1 ECR_{Gw} for Drinking and Domestic use:

Drinking and Domestic use means uses of ground water in households, institutional activity, hospitals, commercial complexes, townships etc.

SI. No.	Area Category	Water Consumption (m^3/day)			
		<2	2 to <5	5 to <25	25 & above
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	4	6	8	10
2	Semi Critical	12	14	16	20
3	Critical	22	24	26	30
4	Over-Exploited	32	34	36	40

Minimum EC_{Gw} =Rs 10,000/- (for households) and Rs. 50,000 (for institutional activity, commercial complexes, townships etc.)

4.6.2 ECR_{Gw} for Packaged drinking water units:

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	12	18	24	30
2	Semi critical	24	36	48	60
3	Critical	36	48	66	90
4	Over-exploited	48	72	96	120

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.3 ECR_{Gw} for Mining, Infrastructure and Dewatering Projects

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	15	21	30	40
2	Semi critical	30	45	60	75
3	Critical	45	60	85	115
4	Over-exploited	60	90	120	150

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.4 ECR_{Gw} for Industrial Units:

		Water Consumption (m^3/day)
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No.		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (EC _{GW}) in			
1	Safe	20	30	40	50
2	Semi critical	40	60	80	100
3	Critical	60	80	110	150
4	Over-exploited	80	120	160	200
Minimum EC _{GW} = Rs 1,00,000/-					

4.8 Recommendations

The committee has given following recommendations:

- The minimum Environmental Compensation for illegal extraction of ground water for domestic purpose will be Rs. 10,000, for institutional/commercial use will be 50,000 and for other uses will be 1,00,000.
- In case of fixation of liability, it always lies with current owner of the premises where illegal extraction is taking place.
- Time duration may be assumed to be one year in case where no evidence for period of installation of bore well could be established.
- For Drinking and Domestic use, where metering is not present but storage tank facility is available, minimum water consumption per day may be assumed as similar to the storage capacity of the tank.
- For industrial ground water use, where metering is not available, water consumption may be assumed as per the consent conditions. Further, where in case industry is operating without consent, water consumption may be calculated based on the plant capacity (on the recommendation of SPCB/PCC, if required). SPCB/PCC may bring the issue of illegal extraction of ground water in industries in to the notice of CGWA for appropriate action by CGWA.
- Authorities assigned for levy EC and taking penal action are listed below:

S. No.	Actions	Authority
1.	To seal the illegal bore-well/tube-well to stop extraction of water and further closure of project	District Collector
2.	To levy EC _{GW} as per prescribed method	District Collector,
3.	To levy EC on water pollution, as per the method prescribed in report of CPCB- "EC on industrial pollution"	CPCB/SPCB/PCC
4.	Prosecution of violator	CGWA under EP Act SPCB/PCC under Air and Water Act

- CGWA may maintain a separate account for collection and utilization of fund, collected through the prescribed methodology in this report."

"Discussion on the report date: 30.05.2019 updated on 19.07.2019

15. It is clear from the order of the Hon'ble Supreme Court⁶ that the responsibility of operating STPs under Article 243W and item 6 of Schedule XII to the Constitution is of local bodies who have to evolve norms to recover funds for the purpose which is to be supervised by the States/UTs. The norms were to be finalized upto 31.03.2017 to be implemented from the next year, i.e 01.04.2018. In absence thereof, the States/UTs have to cater to the financial requirement from its own resources. The States/UTs are to prioritize the cities, towns, villages discharging effluents/sewage directly into the water bodies. Industrial activity without proper treatment plants (ETPs and CETPs) is not to be allowed by the State PCBs and the Secretaries, Environment of the States/UTs are to be answerable. Thus, the source for financial resources for the STPs, stands finalized under the binding judgment of the Hon'ble Supreme Court. Authorities and persons accountable are identified. Rigid implementation has been laid down. This Tribunal has been required to monitor compliance of the directions and timelines.

16. It is in this background that the present report needs to be appraised and further directions given. As regards the Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water is accepted as an interim measure. With regard to setting up of STPs, while we appreciate the extensive work of the CPCB based on information furnished by States/UTs, the challenge remains about verification of the said data on the one hand and analysis of the steps taken and required on the other. There is already a database available with the CPCB with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites. This needs to be collated and river basinwise macro picture needs to be prepared by the CPCB in terms of need for interventions, existing infrastructure and gaps therein. The States have given timelines which need to be effectively monitored both by the CPCB and the Chief Secretaries in terms of its execution.

17. As already noted, prevention of pollution of water is directly linked to access to potable water as well as food safety. Restoration of pristine glory of rivers is also of cultural and ecological significance. This necessitates effective steps to ensure that no pollution is discharged in water bodies. Doing so is a criminal offence under the Water Act and is harmful to the environment and public health. 'Precautionary' principle of environmental law is to be enforced. Thus, the mandate of law is that there must be 100% treatment of sewage as well as trade effluents. This Tribunal has already directed in the case of river Ganga that timelines laid down therein be adhered to for setting up of STPs and till then, interim measures be taken for treatment of sewage. There is no reason why this direction be not followed, so as to control pollution of all the river stretches in the country. The issue of ETPs/CETPs is being dealt with by an appropriate action against polluting industries. Setting up of STPs and MSW facilities is the responsibility of Local Bodies and in case of their default, of the States. Their failure on the subject has to be adequately monitored.

Recovery of compensation on 'Polluter Pays' principle is a part of enforcement strategy but not a substitute for compliance. It is thus necessary to issue directions to all the States/UTs to enforce the compensation regime, latest with effect from 01.04.2020. We may not be taken to be condoning any past violations. The States/UTs have to enforce recovery of compensation from 01.04.2020 from the defaulting local bodies. On failure of the States/UTs, the States/UTs themselves have to pay the requisite amount of compensation to be deposited with the CPCB for restoration of environment. The Chief Secretaries of all the States may furnish their respective compliance reports as per directions already issued in O.A. No. 606/2018."

"II. Report dated 14.08.2019 with regard to monitoring of CETPs

18. The Committee inspected 127 CETPs in 14 States. Figure of CETP assumed to be 97 was not correct. 66 CETPs were found to be non-compliant. CPCB directed SPCBs to take following steps:

1. SPCBs shall direct non-complying CETPs to take immediate corrective actions to comply with the environmental standards.
2. CETP should be directed to take action as per the recommendations provided at Annexure A-N within a time frame.
3. In case of non-complying CETPs, action as deemed fit including levying of environmental compensation may be taken.
4. In case, OCEMS are not connected with CPCB & SPCB servers, ensure a robust system of physical inspections to verify compliance by drawing samples."

"Discussion on the report dated 14.08.2019

19. We accept the recommendation of the CPCB and direct the Chief Secretaries, State Governments, Union Territories and the SPCBs/PCCs to take further action accordingly and furnish an action taken report accordingly. The CPCB to meanwhile compile and collate information with regard to ETPs, CETPs, STPs, MSW Facilities, Legacy Waste dump sites and complete the pending task on the subject before the next date and furnish a report.

20. The environmental compensation regime for CETP not meeting the prescribed norms need to be evolved by the CPCB."

(emphasis supplied)

7. After the above discussion, this Tribunal proceeded to issue following directions:

"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 basin-wise 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.**

List for further consideration on 21.05.2020, unless required earlier. A copy of this order be placed on the file of O.A. No. 606/2018 relating to all States/UTs and be sent to Chief Secretaries of all States/UTs, Secretary MoEF&CC, Secretary Jal Shakti and Secretary, MoHUA.

(emphasis supplied)

8. Before proceeding further, we may also note further order of this Tribunal dated 06.12.2019 in O.A. No. 673/2018 directing as follows:

“XII. Directions:

47. We now sum up our directions as follows:

- i. **100% treatment of sewage may be ensured as directed by this Tribunal vide order dated 28.08.2019 in O.A. No. 593/2017 by 31.03.2020 atleast to the extent of in-situ remediation and before the said date, commencement of setting up of STPs and the work of connecting all the drains and or/er sources of generation of sewage to the STPs, must be ensured. If this is not done, the local bodies and the concerned departments of the States/UTs will be liable to pay compensation as already directed vide order dated 22.08.2019 in the case of**

river Ganga i.e. Rs. 5 lakhs per month per drain, for default in in-situ remediation and Rs. 5 lakhs per STP for default in commencement of setting up of the STP.

- ii. **Timeline for completing all steps of action plans including completion of setting up STPs and their commissioning till 31.03.2021 in terms of order dated 08.04.2019 in the present case will remain as already directed. In default, compensation will be liable to be paid at the scale laid down in the order of this Tribunal dated 22.08.2019 in the case of river Ganga i.e. Rs. 10 lakhs per month per STP.**
- iii. We further direct that an institutional mechanism be evolved for ensuring compliance of above directions. For this purpose, monitoring may be done by the Chief Secretaries of all the States/UTs at State level and at National level by the Secretary, Ministry of Jal Shakti with the assistance of NMCG and CPCB.
- iv. **For above purpose, a meeting at central level must be held with the Chief Secretaries of all the States/UTs atleast once in a month (option of video conferencing facility is open) to take stock of the progress and to plan further action. NMCG will be the nodal agency for compliance who may take assistance of CPCB and may give its quarterly report to this Tribunal commencing 01.04.2020.**
- v. The Chief Secretaries may set up appropriate monitoring mechanism at State level specifying accountability of nodal authorities not below the Secretary level and ensuring appropriate adverse entries in the ACRs of erring officers. Monitoring at State level must take place on fortnightly basis and record of progress maintained. The Chief Secretaries may have an accountable person attached in his office for this purpose.
- vi. Monthly progress report may be furnished by the States/UTs to Secretary, Ministry of Jal Shakti with a copy to CPCB. Any default must be visited with serious consequences at every level, including initiation of prosecution, disciplinary action and entries in ACRs of the erring officers.
- vii. **As already mentioned, procedures for DPRs/tender process needs to be shortened and if found viable business model developed at central/state level.**
- viii. **Wherever work is awarded to any contractor, performance guarantee must be taken in above terms.**
- ix. CPCB may finalize its recommendations for action plans relating to P-III and P-IV as has been done for P-I and P-II on or before 31.03.2020. This will not be a ground to delay the execution of the action plans prepared by the States which may start forthwith, if not already started.

- x. *The action plan prepared by the Delhi Government which is to be approved by the CPCB has to follow the action points delineated in the order of this Tribunal dated 11.09.2019 in O.A. No. 06/2012.*
- xi. *Since the report of the CPCB has focused only on BOD and FC without other parameters for analysis such as pH, COD, DO and other recalcitrant toxic pollutants having tendency of bio magnification, a survey may now be conducted with reference to all the said parameters by involving the SPCB/PCCs within three months. Monitoring gaps be identified and upgraded so to cover upstream and downstream locations of major discharges to the river. CPCB may file a report on the subject before the next date by e-mail at judicial-ngt@gov.in.*
- xii. *Rivers which have been identified as clean may be maintained."*
15. The day to day working and presentation of the application before the Tribunal reveals that the sewage system is not properly functioning in the Bhopal city and a city which is known as one of the best city is being polluted by not systematic managing affairs.
16. Thus, the Registrar, Central Bench Bhopal is directed to prepare a list of all pending cases in which the matter of solid waste, liquid waste, STP, ETP and discharge of untreated or sewage water into the drains or water bodies are pending and submit the report to the Registrar General at New Delhi so that all these cases should be connected and proper action may be taken.
17. The State Pollution Control Board is directed to do the needful and submit the report after compilation.
18. List it on 17.09.2020.

Justice Sheo Kumar Singh, JM

Dr. Satyawan Singh Garbyal, EM

कार्यालय कलेक्टर एवं जिला दण्डाधिकारी, भोपाल (म0प्र0)

कमांक 372 / अजिद / 2020
प्रति,

भोपाल, दिनांक 7 सितम्बर, 2020

- 1- आयुक्त,
नगर पालिक निगम भोपाल
- 2- क्षेत्रीय प्रबंधक
प्रदूषण मण्डल बोर्ड, भोपाल
- 3- अनुविभागीय अधिकारी,
गोविन्दपुरा वृत्त
- 4- मेजर जनरल श्री एच एस बेदी (रिटा.)
फ्लैट न0 503, ब्लाक 4बी द्वारकाधाम कालोनी
करोंद बायपास भोपाल मो0 8800716600
- 5- श्री विजय सिंह,
द्वारकाधीश हवेली बिल्डरस्
द्वारका धाम कैम्पस करोंद बायपास
रोड बडबई भोपाल मो0 8319405147

विषय - माननीय राष्ट्रीय हरित अधिकरण (एनजीटी) भोपाल द्वारा पारित आदेश- मेजर जनरल एच एस बेदी (रिटा.) एवं अन्य विरुद्ध श्री विजय सिंह एवं अन्य।

उपरोक्त विषयांतर्गत माननीय राष्ट्रीय हरित अधिकरण (एनजीटी) के उपरोक्त पारित आदेश के संबंध में कलेक्टर महोदय की अध्यक्षता में स्थल निरीक्षण हेतु दिनांक 10/09/2020 को समय 4:00 बजे निर्धारित की गई है।

अतः दिनांक 10/09/2020 को समय 4:00 बजे ^{साय} स्थल निरीक्षण हेतु उपस्थित होने का कष्ट करें।


अपर जिला मजिस्ट्रेट,
भोपाल

मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड

पर्यावरण परिसर, ई-5 सेक्टर, अरेरा कालोनी, भोपाल-462016

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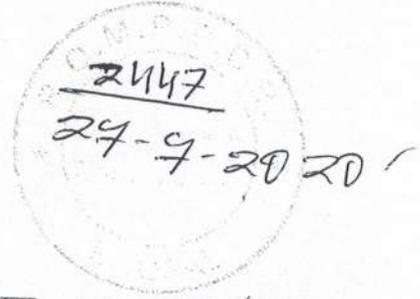
कमांक 565
प्रति,

/प्रनिबो/2020

भोपाल, दिनांक

22 JUL 2020

अधिष्ठाता,
मैसर्स द्वारकाधाम हवेली बिल्डर्स प्रा०लि०,
द्वारकाधाम कालोनी,
8.202 हेक्टेयर, करोंद बायपास रोड,
बडबई, भोपाल (म.प्र.)



विषय:- पर्यावरण (संरक्षण) अधिनियम 1986 की धारा 15, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 33 ए, वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 31 ए, के अन्तर्गत कारण बताओ सूचना ।

संदर्भ :- द्वारकाधाम वेलफेयर सोसायटी द्वारा प्रस्तुत शिकायत

:-:-:-:-

- 1 यह कि, मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड का गठन जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 4 के अंतर्गत हुआ है, बोर्ड द्वारा उक्त अधिनियम के साथ-साथ वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 तथा पर्यावरण संरक्षण अधिनियम के अन्तर्गत समस्त उत्तरदायित्वों का निर्वहन किया जा रहा है ।
2. यह कि, आपका संस्थान भोपाल जिले में 2000 वर्गमीटर से अधिक क्षेत्र वाली एक आवासीय/रहवासी कोलोनी/प्रकोष्ठ/व्यवसायिक प्रकोष्ठ संबंधी परियोजना के अधिष्ठाता हैं ।
- 3 यह कि, संस्थान को भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा जारी ईआईए नोटिफिकेशन 14/09/2006 अनुसार संस्थान हेतु पर्यावरणीय स्वीकृति प्राप्त करना वैधानिक अनिवार्यता है ।
- 4 यह कि, संस्थान को जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 के प्रावधानों के अनुसार सभी जल प्रदूषणकारी प्रकृति के स्रोतों पर जल प्रदूषणरोधी व्यवस्थाओं तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के प्रावधानों के अनुसार सभी वायु प्रदूषणकारी स्रोतों पर वायु प्रदूषणरोधी व्यवस्थाओं का सुनिश्चयन कर परिवेशीय वायु गुणवत्ता को निर्धारित मानकों के अन्दर बनाये रखना विधिक अनिवार्यता है ।
- 5 यह कि उद्योग को परिसंकटमय अपशिष्ट नियम 2008 तथा नगरीय ठोस अपशिष्ट प्रबंधन नियम 2016 के अनुपालन हेतु आवश्यक कार्यवाही करना भी विधिक अनिवार्यता है ।
- 6 यह कि द्वारकाधाम वेलफेयर सोसायटी द्वारा प्रस्तुत शिकायत के परिप्रेक्ष्य में दिनांक 23 मई 2020 को क्षेत्रीय कार्यालय भोपाल के कार्यपालन यंत्री श्री ए.के.बिसेन द्वारा स्थल निरीक्षण किया गया । निरीक्षण के दौरान संस्थान में निम्न कमियाँ पाई गईं जो कि पर्यावरणीय नियमों के उल्लंघन अन्तर्गत आती हैं :-

➤ संस्थान द्वारा पर्यावरणीय स्वीकृति एवं बिना सम्मति प्राप्त किये टाउनशिप का विकास एवं संचालन किया जा रहा है ।

- निरीक्षण के दौरान एसटीपी का संचालन नहीं पाया गया ।
- ब्लॉक क्रमांक 4 ए एवं 4 बी के मध्य खुली भूमि पर घरेलू जल का जमाव पाया गया ।
- दूषित जल से जल प्रदाय करने वाले ट्यूबवेल की जल गुणवत्ता प्रभावित होने जैसी स्थिति पाई गई ।

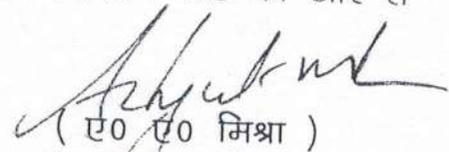
उपरोक्त तथ्यों के प्रकाश में आपका संस्थान भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा जारी ईआईए नोटिफिकेशन 14/09/2006 अनुसार बिना पर्यावरणीय स्वीकृति एवं जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 25 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 21 अनुसार बोर्ड की बिना सम्मति प्राप्त किये संचालित होना पाया गया जो कि अधिनियम के प्रावधानों का उल्लंघन है ।

आपको सूचित किया जाता है कि कृपया आप पर्यावरणीय स्वीकृति, जल एवं वायु सम्मति, खतरनाक अपशिष्ट हेतु प्राधिकार प्राप्त करने हेतु आवेदन करें, साथ ही दूषित जल का भराव रोकते हुये एसटीपी का संचालन तत्काल प्रारम्भ करें, ऐसे बोलवेल जिनके जल की गुणवत्ता निर्धारित मानकों से अधिक है से जल प्रदपाय तत्काल बंद करें ।

इस संबंध में आप अपना पक्ष पत्र जारी करने की तिथि से 15 दिन के अन्दर बोर्ड के समक्ष लिखित अथवा मौखिक रूप से रख सकते हैं । संतोषजनक उत्तर प्राप्त नहीं होने अथवा समय सीमा में उत्तर प्राप्त नहीं होने पर माना जायेगा कि उद्योग को इस संबंध में कुछ नहीं कहना है एवं बोर्ड जल अधिनियमों के तहत कार्यवाही हेतु स्वतंत्र होगा ।

पत्र की पावती व पालन प्रतिवेदन तत्काल भेजना सुनिश्चित करें ।

म.प्र.प्रदूषण नियंत्रण बोर्ड की ओर से


(E O मिश्रा)

सदस्य सचिव,

भोपाल, दिनांक 22 JUL 2020

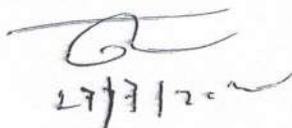
क्रमांक 566 /प्रनिबो/2020

प्रतिलिपि:-

- 1 आयुक्त, नगर तथा ग्राम निवेश विभाग, मध्य प्रदेश शासन, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।
- 2 संचालक, नगर तथा ग्राम निवेश विभाग, जिला भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।
- 3 आयुक्त, नगर निगम भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।
- 4 क्षेत्रीय अधिकारी, म.प्र.प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।



LDC (D)


27/7/20

न्यायलय श्रीमान न्यायिक दंडाधिकारी (प्रथम क्षेत्रीय), भोपाल (म.प्र.)

पकरण क्रमांक :: /2020

मध्य प्रदेश प्रदूषण नियंत्रण मंडल

द्वारा क्षेत्रीय अधिकारी,

क्षेत्रीय कार्यालय, ई-5, अरेरा कॉलोनी,

पर्यावरण परिसर, भोपाल (म.प्र.)

परिवादी

//विशुद्ध//

1. भेसर्स द्वाकाधाम हवेली बिल्डर्स प्र० ली०
द्वारा अधिष्ठाता
द्वाकाधाम कॉलोनी,
करौंद बाय-पास रोड, बड़वई, भोपाल (म.प्र.)

2. श्री विजय सिंह, पबंधक,
द्वाकाधाम कॉलोनी,
करौंद बाय-पास रोड, बड़वई, भोपाल (म.प्र.)

3. श्री टी पी सोनी
पोजेक्ट पतिनिधि
द्वाकाधाम कॉलोनी,
करौंद बाय-पास रोड, बड़वई, भोपाल (म.प्र.)

आरोपीगण

परिवाद अंतर्गत धरा 200 द.प्र.स. अपराध अंतर्गत धारा 15 पर्यावरण (संरक्षण)
अधिनियम, 1986, धारा 44 जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974
तथा धारा 37 व 39 वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981

परिवादी निम्नलिखित परिवाद पस्तुत करता है :

1. यह कि परिवादी मंडल का गठन जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 4 के अंतर्गत हुआ है जिसका मुख्यालय भोपाल (म.प्र.) में होकर क्षेत्रीय कार्यालय, पर्यावरण परिसर, ई- 5, अरेरा कॉलोनी, भोपाल में स्थित है।
2. यह कि जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 4 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 धारा 4 के अंतर्गत परिवाद बोर्ड को उक्त अधिनियमों के अंतर्गत कार्य करने एवं उत्तरदायित्वों का निर्वहन करने हेतु अधिकृत किया गया है। यह अधिनियम सम्पूर्ण मध्य प्रदेश में प्रभावशाली है। (प्रदर्श - 1)

3. यह कि, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-49 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-43 के तहत परिवाद श्रवण करने का अधिकार होने से परिवाद श्रीमान के समक्ष प्रस्तुत किया जा रहा है।
4. यह कि मुख्यालय, मध्य प्रदेश नियंत्रण बोर्ड, भोपाल के पत्र क्रमांक 563/विधि/प्रनिबो/2020 दिनांक 22/07/2020 के द्वारा क्षेत्रीय अधिकारी, मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड, भोपाल को द्वार्काधाम हवेली बिल्डर्स के विरुद्ध पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 15 तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 44 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 37 व 39 के प्रावधानों के उल्लंघन के कारण सक्षम न्यायालय में वाद दायर करने हेतु निर्देशित किया गया है (प्रदर्श-2)
5. यह की परिवादी बोर्ड के क्षेत्रीय कार्यालय द्वारा आरोपीगण के परिसर का निरीक्षण दिनांक 23.05.2020 को किया गया जिसमें कई अनियमितता पाई गयीं! निरीक्षण प्रतिवेदन की प्रति प्रदर्श-3 के रूप में संलग्न है।
6. यह की निरीक्षण के दौरान यह पाया गया की आरोपीगण द्वारा लगभग 54 एकड़ क्षेत्र में एक आवासीय कालोनी का निर्माण किया जा रहा है जिसमें ए से एफ तक सेक्टर हैं तथा ए- सेक्टर में 55 डुप्लेक्स व 05 मल्टीस्टोरी बिल्डिंग्स हैं एवं बी से एफ सेक्टर में 235 डुप्लेक्स व 120 फ्लैट्स हैं। कोलोनी में जल प्रदाय 4 बोरेवेल के माध्यम से किया जाता है जिनकी अनुमति केंद्रीय भू-जल बोर्ड से प्राप्त नहीं की गयी है। इसके अतिरिक्त, आरोपीगण द्वारा कोलोनी में स्थापित सीवेज ट्रीटमेंट प्लांट (STP) चालू नहीं किया गया है एवं एस टी पी के पास स्थित चैम्बर से घरेलु दूषित जल बाहर बहता पाया गया जिसका नमूना विश्लेषण हेतु एकत्रित किया गया था। (प्रदर्श-4)
7. यह की ईआईए अधिसूचना, 2006 के अंतर्गत जो भी कंस्ट्रक्शन प्रोजेक्ट 20,000 वर्ग मीटर्स के ऊपर होते हैं, उनको मध्य प्रदेश State Environment Impact Assessment Authority से पर्यावरण स्वीकृति प्राप्त करना अनिवार्य है, जो की

आरोपीगण द्वारा आज दिनांक तक प्राप्त नहीं की गयी है! यह की ईआईए अधिसूचना, 2006 का प्रासंगिक सार प्रदर्श 4 के रूप में संलग्न है!

8. यह की आरोपीगण द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 25 के अंतर्गत परिवादी बोर्ड से Consent to Establish एवं Consent to Operate की अनुमति भी प्राप्त नहीं की गयी है, जो की जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के प्रावधानों के विपरीत है!
9. यह की आरोपीगण द्वारा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 21 के अंतर्गत परिवादी बोर्ड से Consent to Establish एवं Consent to Operate की अनुमति भी प्राप्त नहीं की गयी है, जो की जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के प्रावधानों के विपरीत है!
10. एस प्रकार आरोपी परियोजना द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 तथा वायु (प्रदुषण निवारण तथा नियंत्रण) अधिनियम, 1981 तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के उक्त वर्णित प्रावधानों का उल्लंघन करने का अपराध किया है!
11. यह की आरोपी क्रमांक 1 मेसर्स द्वार्काधाम हवेली बिल्डर्स प्र0 ली0 है जिसका कारोबार के संचालन के लिए आरोपी क्रमांक 2 एवं आरोपी क्रमांक 3 उत्तरदायी हैं! आरोपी क्रमांक 2 एवं आरोपी क्रमांक 3 आरोपी क्रमांक 1 कंपनी के उत्तरदायी होने से एवं कंपनी के दिन-प्रतिदिन मामलों का प्रबंधन कार्य करने से, उपरोक्त अपराध के लिए पूर्ण रूप से ज़िम्मेदार हैं! आरोपीगण द्वारा गंभीर रूप से और व्यक्तिगत रूप से उपरोक्तानुसार अपराध कारित किया गया है जो की दण्डनीय है!
12. यह की जल (प्रदुषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 50 एवं वायु (प्रदुषण निवारण तथा नियंत्रण) अधिनियम, 1981 धारा 44 के अंतर्गत परिवादी बोर्ड के अधिकारी एवं कर्मचारी लोक सेवक की क्षेणी में आते हैं! अतः उन्हें व्यक्तिगत उपस्थिति से मुक्त रखा जाना उचित होगा!

13. यह की परिवाद पत्र के समर्थन में संलग्न सूची अनुसार दरतावेज प्रस्तुत किये जा रहे हैं।
14. यह की परिवाद पत्र के समर्थन में परिवादी साक्षियों की सूची भी संलग्न है।
15. यह की परिवाद पत्र पेश करने हेतु बोर्ड द्वारा क्षेत्रीय अधिकारी को अधिकृत किया गया है, जिनका शपथ पत्र भी परिवाद पत्र के साथ संलग्न है।

प्रार्थना

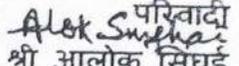
अतएव परिवादी बोर्ड की ओर से माननीय न्यायालय से प्रार्थना है कि न्यायहित में आरोपीगण को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 15 तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 44 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 37 व 39 का उल्लंघन करने के कारण विधि अनुसार सजा एवं अर्थदण्ड से दण्डित किया जाए।

स्थान :: भोपाल

दिनांक :: 31.08.2020


द्वारा अधिवक्ता
रोहित शर्मा
8435256569

ई-5/43, अरेरा कॉलोनी, भोपाल (म.प्र.)


परिवादी
श्री आलोक सिंघई
क्षेत्रीय अधिकारी

म.प्र. प्रदूषण नियंत्रण मंडल, भोपाल
REGIONAL OFFICER
Regional Office
M.P. Pollution Control Board
Bhopal

न्यायलय श्रीमान न्यायिक दंडाधिकारी (प्रथम क्षणी), भोपाल (म.प्र.)

प्रकरण क्रमांक :: /2020

मध्य प्रदेश प्रदूषण नियंत्रण मंडल ----- परिवादी
//विरुद्ध//
मेसर्स द्वार्काधाम हवेली बिल्डर्स प्र0 ली0 एवं अन्य ----- आरोपीगण

शपथ - पत्र

मैं आलोक सिंघई, क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, मध्य प्रदेश प्रदूषण नियंत्रण मंडल, कार्यालय पता - ई-5, अरेरा कॉलोनी, पर्यावरण परिसर, भोपाल (म.प्र.) का होकर शपथपूर्वक निम्न कथन करता हूँ :

1. यह कि मैं मध्य प्रदेश प्रदूषण नियंत्रण मंडल में वर्तमान में क्षेत्रीय अधिकारी के पद पर पदस्त हूँ एवं परिवाद प्रस्तुत करने हेतु बोर्ड की ओर से अधिकृत एवं निर्देशित हूँ तथा मुझे वर्तमान प्रकरण की समस्त तथ्यों की पूर्ण जानकारी है!
2. यह कि मेरे द्वारा माननीय न्यायलय के समक्ष बोर्ड की ओर से परिवाद अंतर्गत धारा 200 द.प्र.स. अपराध अंतर्गत धारा 15 पर्यावरण (संरक्षण) अधिनियम, 1986, धारा 44 जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 तथा धारा 37 व 39 वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के तहत प्रस्तुत किया गया है ! उक्त परिवाद पत्र में वर्णित तथ्य एवं जानकारी मेरे निजी ज्ञान विश्वास एवं उपलब्ध कार्यालय रिकॉर्ड के आधार पर सत्य व सही है!
3. यह कि यह शपथ-पत्र माननीय न्यायलय के समक्ष प्रस्तुत परिवाद पत्र के समर्थन में तथ्यों की पुष्टि स्वरूप माननीय न्यायलय के समक्ष प्रस्तुत किया जा रहा है!



श्री. श्रीमान न्यायिक दंडाधिकारी
उपलब्ध श्री. श्रीमान न्यायिक दंडाधिकारी
नियंत्रण मंडल
कार्यालय पता - ई-5, अरेरा कॉलोनी, परिसर, भोपाल (म.प्र.)
श्री. श्रीमान न्यायिक दंडाधिकारी
उपलब्ध श्री. श्रीमान न्यायिक दंडाधिकारी

सत्यापन

Alok Singh
शपथग्रहीता
REGIONAL OFFICER
Regional Office
M.P. Pollution Control Board
Bhopal

मैं उपरोक्त शपथग्रहीता सत्यापित करता हूँ कि उपरोक्त शपथपत्र के चरण क्रमांक 3 में वर्णित जानकारी मेरे निजी ज्ञान एवं विश्वास के आधार पर सत्य है।

31/8/20
शपथ ग्रहणकर्ता
शपथ आयुक्त, भोपाल

Alok Singh
शपथग्रहीता
REGIONAL OFFICER
Regional Office
M.P. Pollution Control Board
Bhopal

IDENTIFIED BY ME

न्यायलय श्रीमान न्यायिक दंडाधिकारी (प्रथम क्षेणी), भोपाल (म.प्र.)

प्रकरण क्रमांक :: /2020

मध्य प्रदेश प्रदुषण नियंत्रण मंडल

परिवादी

//विरुद्ध//

मेसर्स द्वाकाधाम हवेली बिल्डर्स प्र0 ली0 एवं अन्य

आरोपीगण

परिवादी साक्षियों की सूची

1. श्री अलोक सिंघई, क्षेत्रीय अधिकारी, मध्य प्रदेश प्रदुषण बोर्ड, भोपाल
2. श्री ए के बिसेन, कार्यपालन यंत्री, क्षेत्रीय कार्यालय, मध्य प्रदेश प्रदुषण बोर्ड, भोपाल

स्थान :: भोपाल

दिनांक :: 31.08.2020



द्वारा अधिवक्ता

रोहित शर्मा

8435256569

ई-5/43, अरेरा कॉलोनी, भोपाल (म.प्र.)

न्यायालय श्रीमान न्यायिक दंडाधिकारी (प्रथम क्षेत्री), भोपाल (म.प्र.)

प्रकरण क्रमांक :: /2020

मध्य प्रदेश प्रदूषण नियंत्रण मंडल ----- परिवादी

//विरुद्ध//

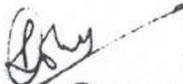
मेसर्स द्वाकाधाम हवेली बिल्डर्स प्र० ली० एवं अन्य ----- आरोपीगण

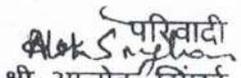
दस्तावेजों की सूची

1. मध्य प्रदेश राजपत्र दिनांक 11.09.2018 की प्रति - प्रदर्श 1
2. मुख्यालय, मध्य प्रदेश नियंत्रण बोर्ड, भोपाल के पत्र क्रमांक 563/विधि/प्रनिबो/2020 दिनांक 22/07/2020 के द्वारा क्षेत्रीय अधिकारी, मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड, भोपाल को भवन निर्माण परियोजनाओं के विरुद्ध पर्यावरण (संरक्षण) अधिनियम, 1986 की धरा 15 तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 44 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 37 व 39 के प्रावधानों के उल्लंघन के कारण सक्षम न्यायालय में वाद दायर करने हेतु निर्देश की प्रति! - प्रदर्श 2
3. निरीक्षण प्रतिवेदन दिनांक 23.05.2020 - प्रदर्श - 3
4. ईआईए अधिसूचना, 2006 का प्रासंगिक सार - प्रदर्श 4
5. Water Analysis Report - 24.8.20 4

स्थान :: भोपाल

दिनांक :: 31.08.2020


द्वारा अधिवक्ता
रोहित शर्मा


परिवादी
श्री आलोक सिंघई
क्षेत्रीय अधिकारी
म.प्र. प्रदूषण नियंत्रण मंडल, भोपाल
REGIONAL OFFICER
Regional Office
M.P. Pollution Control Board
Bhopal

उद्देश - १



वेबसाइट www.govtpressmp.nic.in से डाउन लोड किया जा सकता है।



मध्यप्रदेश राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 38] भोपाल, शुक्रवार, दिनांक 21 सितम्बर, 2018-भाद्र 30, शके 1940

भाग 3 (१)

विज्ञापन

स्थानीय संस्थाओं की सूचनाएं
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड, भोपाल
भोपाल, दिनांक 11 सितम्बर, 2018

क्र.7812/विधि/प्रनिबो/2018.—जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-49(1) तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-43(1) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड द्वारा अधिसूचना क्रमांक 235/विधि/प्रनिबो/2012, दिनांक 28 जून, 2012 द्वारा सारणी में सूचीबद्ध अधिकारियों एवं प्राधिकारियों को उक्त धाराओं के प्रयोजनों के क्रियान्वयन के लिये प्राधिकृत किया गया था। राज्य बोर्ड की 142वीं बैठक दिनांक 24 अक्टूबर, 2016 व 144वीं बैठक दिनांक 26 जुलाई, 2017 द्वारा अन्य अधिकारियों/कर्मचारियों को भी उक्त धाराओं के प्रयोजनों के लिये प्राधिकृत करने के निर्णय के फलस्वरूप प्राधिकृत अधिकारियों/कर्मचारियों के पदनाम एवं कार्यक्षेत्र को यथास्थान समाविष्ट कर उक्त अधिसूचना में निम्न सारणी प्रतिस्थापित की जाती है:-

सारणी

क्रमांक	प्राधिकृत अधिकारी/कर्मचारी	अधिकारिता क्षेत्र
1.	अध्यक्ष/सदस्य सचिव/डायरेक्टर (पर्यावरण)/ मुख्य वैज्ञानिक अधिकारी.	सम्पूर्ण मध्यप्रदेश
2.	अधीक्षण यंत्री/वरिष्ठ वैज्ञानिक अधिकारी	संबंधित क्षेत्र
3.	कार्यपालन यंत्री/मुख्य रसायनज्ञ	संबंधित क्षेत्र
4.	वैज्ञानिक/सहायक यंत्री	संबंधित क्षेत्र
5.	कनिष्ठ वैज्ञानिक.	संबंधित क्षेत्र
6.	रसायनज्ञ	संबंधित क्षेत्र
7.	उपयंत्री	संबंधित क्षेत्र

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
के नाम से तथा आदेशानुसार.

(491-बी)

Recd / S.J. Dr. Sanjay
S.L. Kishore
25/11/18

प्रदेश - 2

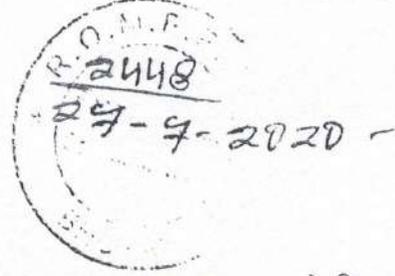
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल-462016
Fax no: 91 755-2463742 E-mail: mpppcb@rediffmail.com

क्रमांक 563 विधि प्रनिबो 2020

भोपाल, दिनांक 22 JUL 2020

प्रति,

✓ क्षेत्रीय अधिकारी,
क्षेत्रीय कार्यालय,
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड,
भोपाल (म.प्र.)



विषय:- मैसर्स द्वारकाधाम हवेली बिल्डर्स प्रा0लि0, द्वारकाधाम कालोनी, 8.202
हेक्टेयर, करौंद बायपास रोड, बड़वई भोपाल के विरुद्ध न्यायालयीन चार्ज
दायर करने बावत् ।

संदर्भ:- आपके कार्यालय का पत्र दिनांक 27/05/2020

-----000-----

उपरोक्त विषयान्तर्गत लेख है कि द्वारकाधाम रेसीडेन्स बेलफेयर
सोसायटी से प्राप्त शिकायत के परिपेक्ष्य में क्षेत्रीय कार्यालय द्वारा किये गये
निरीक्षण में पाये अनुसार संस्थान द्वारा भारत सरकार के ईआईए नोटिफिकेशन
2006 के तहत बिना पर्यावरणीय स्वीकृति एवं बोर्ड से जल एवं वायु अधिनियम
के अन्तर्गत बिना स्थापना सम्मति प्राप्त किये प्रोजेक्ट विकसित करने संबंधी कृत्य
के लिये संस्थान के विरुद्ध पर्यावरण (संरक्षण) अधिनियम 1986 की धारा 15
तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 44 तथा
वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 37 व 39 के
अन्तर्गत समस्त कर्ताधर्ताओं के विरुद्ध न्यायालय में प्रकरण दायर कर बोर्ड को
अवगत कराये । कामावधि 15 दिन

क्रमांक 564 विधि/प्रनिबो/2020

(ए0पी0 मिश्रा)
सदस्य सचिव
भोपाल, दिनांक 22 JUL 2020

LD: (D) प्रतिलिपि:-
विधि शाख, म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल की ओर सूचनार्थ ।

आ.प्र. से प्र. मि.प्र.
a

जाँच प्रतिवेदन

विषय	:-	द्वारकाधाम रेसीडेंट वेलफेयर सोसायटी, माधवराव सिंधिया मार्ग, भोपाल से प्राप्त शिकायत।
निरीक्षण दिनांक	:-	23.05.2020
निरीक्षण संदर्भ	:-	बोर्ड मुख्यालय का पत्र क्रं 370. स्था./प्रनिबो/2020 दिनांक 22.05.2020
शिकायतकर्ता व प्रोजेक्ट प्रतिनिधि	:-	<ol style="list-style-type: none"> 1. श्री व्ही.पी. त्रिपाठी पूर्व अध्यक्ष द्वारकाधाम रेसीडेंट वेलफेयर सोसायटी, भोपाल 2. मेजर एच.एस.बेदी, निवासी 4बी, फ्लेट नं. 503-504 3. श्री गेडाम एवं मदन विडवार निवासी बिल्डिंग नं. 4बी 4. प्रोजेक्ट प्रतिनिधि श्री टी.पी. सोनी

शिकायत विवरण :-

द्वारकाधाम कालोनी करोंद बायपास बड़वई भोपाल लगभग 54 एकड़ क्षेत्र में वर्ष 2012 स्थापित करने की जानकारी श्री व्ही.पी. त्रिपाठी पूर्व अध्यक्ष द्वारकाधाम द्वारा दी गई। उनके द्वारा बताया गया यह एक पार्टनरशिप प्रोजेक्ट है। जिसके सी.ई.ओ. श्री विजय सिंह है। श्री व्ही.पी. त्रिपाठी के माध्यम से उन्हें दिनांक 27.05.2020 को बोर्ड मुख्यालय में मध्यम 3:00 बजे आयोजित बैठक में उपस्थित होने अनुरोध किया गया है।

द्वारकाधाम कालोनी जो लगभग 54 एकड़ क्षेत्र में स्थापित बताई गई है। जिसमें ए से एफ सेक्टर है। ए-सेक्टर में 55 डुप्लेक्स व 05 मल्टीस्टोरी बिल्डिंग है। तथा बी से एफ सेक्टर में 235 डुप्लेक्स व 120 फ्लैट्स है। इस आवासीय कालोनी से लगी मेपल ट्री टाउनशिप व गोकुलधाम टाउनशिप। टाउनशिप का स्थल मानचित्र व गूगल मैप संलग्न 1 अनुसार है। इस टाउनशिप में जल प्रदाय चार बोरेवेल के माध्यम से किया जाता है। जिस हेतु आवश्यक अनुमति केन्द्रीय भू-जल बोर्ड से प्राप्त करना आवश्यक है। ऐसी कोई अनुमति से टाउनशिप प्रबंधन द्वारा अनभिग्यता प्रकट की गई।

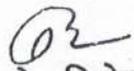
शिकायत के परिप्रेक्ष्य में मेजर एच.एस. बेदी व अन्य रहवासियों से चर्चा की गई उनके द्वारा बताया गया कि इस टाउनशिप में स्थापित किया गया एसटीपी प्रारंभ नहीं किया गया जिसकी पुष्टि निरीक्षण के दौरान हुई। कालोनी के सेक्टर ए स्थित आवासों से घरेलू दूषित जल पाईप लाईन के माध्यम से एसटीपी के पास स्थित चेम्बर से ओवर फ्लो होता पाया गया जिसका नमूना विश्लेषण हेतु एकत्रित किया गया है। एसटीपी के समीप व बिल्डिंग क्रमांक 4ए व 4बी, के मध्य ओपन लैंड पर घरेलू दूषित जल का जमाव पाया गया। श्री बेदी द्वारा बताया गया एसटीपी के पास जमा अनउपचारित दूषित जल के कारण उनकी बिल्डिंग को सप्लाई करने वाले ट्यूबवेल का पानी प्रदूषित हो गया है। जिसका विश्लेषण श्री बेदी द्वारा स्थानीय प्रयोगशाला यथा लाल पैथोलॉजी आदि से कराया गया है।

जिसमें जल क्वालीफार्म से प्रदूषित पाया गया है। अतः इस टाउनशिप द्वारा स्थापित एसटीपी का संचालन यथाशीघ्र प्रारंभ कराया जाये जिससे आसपास घरेलू दूषित जल जमाव के कारण भू-जल प्रदूषण को रोका जा सके। ब्लॉक क्र. 4ए व 4बी स्थित ट्यूबवेल व श्री बेदी के घर के नल से जल नमूने बोर्ड के प्रयोगशाला सहायक द्वारा एकत्रित किये गये। विश्लेषण उपरांत परिणामों से शीघ्र अवगत कराया जा सकेगा।

अभिमत एवं अनुशंसा :-

1. पर्यावरण स्वीकृति हेतु आवेदन विचाराधीन बताया गया है। बोर्ड से भी नियमानुसार जल/वायु सम्मति प्राप्त नहीं की गई है। अतः अविलम्ब पर्यावरण स्वीकृति तथा जल/वायु सम्मति हेतु कार्यवाही सुनिश्चित करें।
2. टाउनशिप स्थापित एसटीपी का संचालन अविलम्ब प्रारंभ किया जावे।
3. ब्लॉक क्र. 4ए व 4बी को जल प्रदाय करने वाले ट्यूबवेल की जल की गुणवत्ता निर्धारित मानकों में ना होने की स्थिति में उससे जल प्रदाय बंद कर वैकल्पिक व्यवस्था अविलम्ब सुनिश्चित करें।
4. नगर निगम भोपाल को शिकायत की प्रति उपलब्ध कराते हुये नगर निगम से संबंधित बिन्दुओं पर कार्यवाही सुनिश्चित करने के निर्देश दिये जाना प्रस्तावित है।
5. टाउनशिप प्रबंधन, बोरेवेल से जल प्रदाय हेतु आवश्यक अनुमति केन्द्रीय भू-जल बोर्ड से प्राप्त करें।
6. टाउनशिप को पर्यावरण संरक्षण नियम 1986 के प्रावधानों का उल्लंघन करने के कारण बताओं नोटिस जारी किया जाना अनुशंसित है।

निरीक्षण के दौरान लिये गये फोटोग्राफ संलग्न 2 निरीक्षण के दौरान चाही गई अपूर्ण जानकारी प्रोजेक्ट द्वारा प्रस्तुत की गई जो संलग्नक 3 अनुसार है। उपरोक्तानुसार निरीक्षण प्रतिवेदन अग्रिम कार्यवाही हेतु प्रस्तुत है।


(ए.के. बिसेन)
कार्यपालन यंत्री
क्षे.म.प्र.नि.बो., भोपाल।

यु०३-४

REGIONAL OFFICE
M.P. POLLUTION CONTROL BOARD,
PARYAWARAN PARISAR, E-5, ARERA COLONY, BHOPAL (M.P.)
WATER ANALYSIS REPORT

Report No. 2783(1)

Sample From :- Dwarkadham Colony Madhav Rao Sindhiya Marg.
Karond Bhopal
Sample Details :- Untreated Sewage Water Sample Near STP
Sample collected by :- Mr. R.K. Masatker (Sampler)
Date of Collection :- 23-05-2020
Date of Analysis :- 23-05-2020

Analyzed by :-Mr. Arvind Singh
(Jr. Scientist)

S. No.	Parameter	Unit	Result I
1	Temperature	oC	29
2	pH	pH Unit	8.16
3	BOD (3 days at 27°C)	mg/l	246.4
4	COD	mg/l	818
5	Chloride	mg/l	174.94
6	Total Solids	mg/l	1810
7	Total Dissolved Solids	mg/l	1560
8	Suspended Solids	mg/l	250
9	Amm. Nitrogen	mg/l	22


Report prepared by


Chief Chemist

(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)
MINISTRY OF ENVIRONMENT AND FORESTS
 New Delhi 14th September, 2006

Notification

S.O. 1533(E). - Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994 except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub-paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).

“(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and copy thereof sent to MoEF.”

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. # “In the absence of a duly constituted SEIAA

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EIA notification S.O.1533(E) dated 14.09.2006

or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy

I: II: III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form 1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

- (ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.
- (iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

- (i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i). The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii) (a), (b); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- iii "(cc) maintenance dredging provided the dredged material shall be disposed within port limits.";
- iii "(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification)."
- e) all Category 'B2' projects and activities.
- f). all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
 - (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory

i; ii; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002| New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.

- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.
- (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.
- (ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (III)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

i; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009, an amendment to EC notification S.O.1533(E) dated 14.09.2006

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
1(a)	(i) Mining of minerals.	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining Irrespective of mining area	<50 ha < 5 ha .of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted."
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	All projects.		
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		Note Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey V "General Condition shall apply. Note: Irrigation projects not involving submergence or Interstate domain shall be appraised by the SEIAA as Category 'B' Projects."
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- IV (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.
- (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of the MoEF website where it is displayed.
- (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Governmental portal.
- (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.”;
- IV (ii) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- IV (iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the

I; II; III (I), (II); IV (a), (b); V (I), (II), (III)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned

- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (Item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity

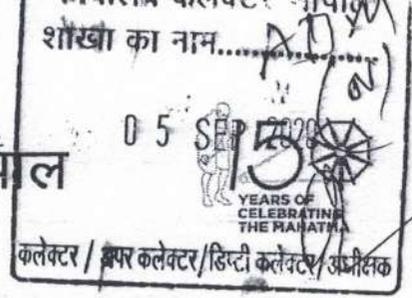
I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009, an amendment to EC notification S.O.1533(E) dated 14.09.2006



63 1099
29/09/20

कार्यालय नगर निगम, भोपाल

अपर आयुक्त कक्ष



क्रमांक 838/आ.अ.क/2020

भोपाल दिनांक 04/09/2020

प्रति,

अपर जिला मजिस्ट्रेट
भोपाल

PA to ADM
07/09/20

विषय: माननीय राष्ट्रीय हरित अधिकरण (एनजीटी) भोपाल द्वारा पारित आदेश-मेजर जनरल एच.एस.बेदी (सेवा) एवं अन्य विरुद्ध श्री विजय सिंह एवं अन्य।

संदर्भ: आपका पत्र क्र.361/अ.जिम./2020 भोपाल दिनांक 01.09.2020।

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माननीय राष्ट्रीय हरित अधिकरण (एनजीटी) के पारित आदेश के परिपालन में चाही गई जानकारी आपकी ओर संलग्न कर प्रेषित।

संलग्न: उपरोक्तानुसार

(एम.पी. सिंह)

अपर आयुक्त

अपर आयुक्त सिंह

नगर निगम, भोपाल

पृ.क्र. /आ.अ.क/2020

भोपाल दिनांक 04/09/2020

प्रतिलिपि :

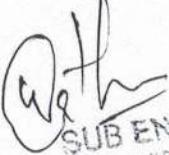
- 1 आयुक्त, निज सचिव के माध्यम से नगर निगम भोपाल की ओर सूचनार्थ।
- 2 अपर आयुक्त, (विधि) की ओर सूचनार्थ।

अपर आयुक्त
नगर निगम, भोपाल

S.N.	Points	Compliance
01.	The Total number of drain where untreated / sewage water is being discharged in the lake or river. bodies in Bhopal.	Total no. of Drain -55 (upper lake -18, lower lake-21, Shahpur lake -03, SiddiquiHassan talab -8, motia talab - 03,bagmunshihassain khan - 01, sarangpani talab -01) -:09
02.	Total number of S.T.P. installed there.	kotra-10 MLD T T Nagar - 4.5 MLD Chuna Bhatti - 2 MLD Goudarmou -2.34 MLD Bawadiakalan -13 MLD Badwai - 16.7 MLD MaholiDhamkheda - 35 MLD Barkhedapathani - 4.5 MLD piplani BHEL - 2.5 MLD Total capacity -: 90.54 MLD
03	Quantity of water being used by the residents in the city of Bhopal	-: 390 MLD (water work department related)
04.	Total capacity at treat the waste water	-: 90.54 MLD
05	The gap between the use and capacity to treat.	-: 221.46 MLD


 SUB ENGINEER
 MUNICIPAL CORPORATION, BHOPAL.

06.	Future planning of the municipality to meet out the gap and make proper arrangements for treatment of the water.	(1) work under Amrut project - Total of 380 km Network is proposed under Amrut Phase-1 completion Date of project 13/02/2021. Project cost-442 Cr. Total number of proposed STP- 09. (2) DPR for Amrut Phase-2 Amount of Rs. 1200 cr. Amrut Phase-2has been proposed for the remaining part of city and it is expected to cater 95% of waste water infrastructure requirement of the city.
07.	Action taken against the polluters who are discharging the water, sewage and untreated water into the river bodies and causing water pollution and contaminating the underground water.	:-Enclosed copy of challan.
08.	It is directed that Municipal Authorities to Ensure that no solid waste be thrown into the open space and there should be no discharge of untreated/sewage water into the water bodies or in the open space and anyone violating the norms and any violation of this order should be taken seriously in accordance with the order passed by the Principal Bench of this Tribunal in	BMC shall ensure that no untreated sewage water into the water body. Amrut (Sewerage) Phase -1 has been designed keeping into consideration the same.


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S.No. ⑦ के संदर्भ में:

BHOPAL MUNICIPAL CORPORATION

SEWAGE CELL

SPOT FINES SHEET

S.No	ZC	W	DATE	NAME		AMOUNT
1	18	82	15-01-2019	BRAJ MOHAN SAHU	1856/04	10000
2	1	3	25-02-2019	JAMUNADAS	3107/31	50000
3	4	17	10-03-2019	PALLAVI VED	1346/18	40000
4	6	26	10-04-2019	RAJESH SONI	1208/43	20000
5	8	42	17-06-2019	S K SONI	3104/51	20000
6	13	52	09-12-2019	HIGH RISE APARTMENT AKIRTI REALSTATE	020110 462211009 000490 29	65000
7	13	52	09-12-2019	HIGH RISE APARTMENT AKIRTI REALSTATE	020109 462211009 000490 29	10000
8	12		17-12-2019	SHRI RAM HIGHT RAJEEV GUPTA	003315 395012011 202778 29	100000
9	4	29	05-12-2019	RAM NARAYAN VISWKARMA	191205071700353E020058577	500
10	10	13	03-12-2019	RAMESH CHANDRA JAIN	191203074303166E030050109	300
11	9	49	03-12-2019	PRAVEEN JAIN	191203050307015E040042285	1000
12	9	73	02-12-2019	PAWANA	191202133225831E020032594	100
13	3	70	05-12-2019	BAGMARE SIR	191205051621496E090054117	500
14	13	54	03-12-2019	AMAR	191203125914498E010047120	100
15	17	75	01-12-2019	REEMA NARWANI	131900045176 CFC	75000
16	17	75	01-12-2019	REEMA NARWANI	131900045175 CFC	25000
17	17	75	30-11-2019	MUKESH KUMAR	191130101323991E020055605	300
18	16	68	09-11-2019	PRESTINE BUILDER SPOT FINE 9584475402	191109034	5000
19	16	68	09-11-2019	PRESTINE BUILDER SPOT FINE 8878676345	191109034321916E020040414	10000
20	16	68	09-11-2019	PRESTINE BUILDER SPOT FINE 9907544490	191109034619238E040058370	10000
21	17	78	12-11-2019	KULDEEP SINGH	191112122956434E040066428	10000
22	14	60	05-09-2019	AADHAR SHILA COLONY	929/34 ZONE 14	5000
23	6	25	03-09-2019	RAMKUMAR	1019/53 ZONE 06	100
24	7	67	09-12-2019	AAMIR KHAN	191209042745125E010036552	500
25	16	39	08-12-2019	MAHUR	191208062044540E020027268	500
26	16	43	08-12-2019	KAMLESH PATEL	191208051036198E020069933	500
27	4	26	06-12-2019	VINAY GUPTA	191206110621255E010030930	500
28	13	57	04-12-2019	TEH BAJARI	191204084553113E030076742	1000
29	15	73	10-12-2019	MASJID UMAR (PAYTM)	191210067828826E090054683	900
30	3	41	11-12-2019	JULFIKAR ALI	191211082648197E010055753	500
31	2	57	10-12-2019	AVINASH	191210085847467E020055451	500
32	2	53	10-12-2019	SANTOSH SAIR	191210062624285E010078396	500
33	9	52	09-12-2019	ARMS	191209055011014E090028320	1500
34	19	81	05-12-2019	B S PATEL	191205104205852E030051883	300
35	12	45	05-12-2019	VIJAY	191205094042243E040055932	500
36	18	84	09-12-2019	FAME KINGDOM SOCIETY	191209100857259E040064441	2000
37	15	67	19-12-2019	PRESIDENT COMFART HERITAGE	191219051644742E010049671	2500
38	9	48	19-12-2019	ASHWIN CHOUHAN	191219061147580E040038198	5000
39	9	48	19-12-2019	ABHISHAKE CHOUHAN	191219061007795E040073769	10000
40	9	45	19-12-2019	KARAN CIRDHAR	191219060248493E040050062	10000
41	9	48	19-12-2019	DR AK BHATTACHARYA	191219060420211E090063262	5000
42	19		12-12-2019	NISAN MOTARS CHUNNA BHATTI	191212104617719E020338926	600
43	2	55	13-12-2019	NAVIN ARORA	191213072643794E040061481	500
44	19	85	13-12-2019	GIRLS HOSTEL KOLAR	191213093816786E010060037	500
45	2	55	13-12-2019	SEEMA ARORA	191213073444910E030070445	500
46	9	52	17-12-2019	RUDHARAKSH PARK PHASE 01	191217055618107E030072313	500
47	9	30	19-12-2019	DEEPESH	191219051804542E090078134	300
48	4	28	19-12-2019	JITENDRA MAHOR	191219074103688E090059569	300
49	4	28	19-12-2019	YOGESH SINGH	191219074343242E090054306	300
50	4	28	19-12-2019	J J	191219073544988F020059733	300
51	15	76	21-12-2019	CHETAN	191221093152005E030079792	500
52	17	32	24-12-2019	NAGENDRA KUMAR DWIVEDI	191224055701233E020049034	500
53	17	57	24-12-2019	AJAY KANARE	191224055946498E090044400	300
54	17	82	24-12-2019	MAHESH VERMA	191224090736372E010070936	500
55	4	28	06-01-2020	SDO PWD CITY3	200106093615433E020065975	1500
56	18	81	06-01-2020	RAJKUMARI WELFARE SOCIETY	200106043812247E030041704	3000
57	10	31	07-01-2020	HARI RAJORIYA	200107032020595E090072136	300
58	10	30	07-01-2020	MOHD. RAEES	200107061518666E020063760	500
59	15	66	25-01-2020	SEHRA MORAR	200125072439152E040050807	2000
GRAND TOTAL						513000

बिल्डिंग प्रोजेक्ट के विरुद्ध, लोवर कोर्ट में प्रचलित प्रकरणों का विवरण

जिला - भोपाल

क्र.	संस्था/उद्योग का नाम	केस नं./ पंजीयन दिनांक	कोर्ट का नाम	अधिनियम / धारा
1.	रीगल टाउन (रीगल होम्स का हाउसिंग प्रोजेक्ट) खजूरीकला, भोपाल	RCT 2912604 / 2014 05-12-2014	JMFC S7	ईपीए- 15, 16
2.	अग्रवाल बिल्डर्स (सागर लेक व्यू होम्स) हताईखेड़ा, भोपाल	RCT 2912602 / 2014 05-12-2014	JMFC S7	ईपीए- 15, 16
3.	राय होम्स यूनिवर्सल प्रा0 लि0(राय पिक सिटी फेज-2) बोरदा, भोपाल	RCT 2912607 / 2014 05-12-2014	JMFC S7	ईपीए- 15, 16
4.	प्रभातम इन्फ्रास्ट्रक्चर्स लि0, (प्रभातम हाइट्स) खजूरीकला, भोपाल	RCT 2912601 / 2014 05-12-2014	JMFC S7	ईपीए- 15, 16
5.	सिग्नेचर बिल्डर एंड कालोनाइजर (सिग्नेचर 360), बरई, भोपाल	RCT 3101441 / 2015 02-03-2015	JMFC G1	जल - 25,44,47 वायु - 21,37,40
6.	फारचून सौम्या हाउसिंग (फारचून सौम्या हेरिटेज), भोपाल	RCT 3101614 / 2015 02-03-2015	JMFC G1	जल-25,44,47 वायु - 21,37,40
7.	फारचून बिल्डर्स (फारचून डेवाइन सिटी), बरई, भोपाल	RCT 3101438 / 2015 02-03-2015	JMFC G1	जल- 25,44,47 वायु - 21,37,40
8.	फारचून बिल्डर्स (फारचून सिग्नेचर), बरई, भोपाल	RCT 3101449 / 2015 27-03-2017	JMFC G1	जल-25,44,47 वायु - 21,37,40
9.	फारचून सौम्या हाउसिंग (फारचून सौम्या अटलांटिस), भोपाल	RCT 3101437 / 2015 03-12-2015	JMFC G1	जल- 25,44,47 वायु - 21,37,40
10.	सिग्नेचर बिल्डर (सिग्नेचर रेसीडेंसी),	RCT 3101451 / 2015 02-03-2015	JMFC G1	जल - 25,44,47 वायु - 21,37,40

	बंजारी, कोलार रोड भोपाल			
11.	फारचून सौम्या हाउसिंग (फारचून सौम्या ट्यूलिप ग्रीन्स), भोपाल	RCT 3101613 / 2015 02-03-2015	JMFC G1	जल- 25,44,47 वायु - 21,37,40
12.	सिग्नेचर इन्फ्रास्ट्रक्चर (सिग्नेचर सिटी) बागली एवं बरई, कटारा हिल्स, भोपाल	RCT 3101444 / 2015 02-03-2015	JMFC G1	जल- 25,44,47 वायु - 21,37,40
13.	फारचून बिल्डर्स (फारचून करतूरी), जाटखेड़ी, भोपाल	RCT 3101471 / 2015 02-03-2015	JMFC G1	जल - 25,44,47 वायु - 21,37,40
14.	सिग्नेचर बिल्डर एंड कालोनाइजर (सिग्नेचर 360), बरई, कटारा हिल्स, भोपाल	346 / 2016 23-02-2015	JMFC S1	ईपीए- 15, 16
15.	फारचून सौम्या हाउसिंग (फारचून सौम्या हैरिटेज), भोपाल	RCT 2400362 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
16.	फारचून बिल्डर्स (फारचून डिवाइन सिटी), बरई, भोपाल	RCT 2400371 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
17.	फारचून बिल्डर्स (फारचून सिग्नेचर), बरई, भोपाल	RCT 2400348 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
18.	फारचून सौम्या हाउसिंग (फारचून सौम्या अटलांटिस), भोपाल	RCT 2400357 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
19.	सिग्नेचर बिल्डर (सिग्नेचर रेसीडेंसी), बंजारी, कोलार रोड भोपाल	RCT 2400364 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
20.	फारचून सौम्या हाउसिंग (फारचून सौम्या ट्यूलिपग्रीन्स) भोपाल	RCT 2400367 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
21.	सिग्नेचर इन्फ्रास्ट्रक्चर (सिग्नेचर सिटी), बागली एवं बरई, कटारा हिल्स, भोपाल	RCT 2400364 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
22.	फारचून बिल्डर्स (फारचून करतूरी), जाटखेड़ी, होशंगाबाद रोड, भोपाल	RCT 2400360 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16
23.	पारस हाउसिंग (इंडिया) प्रा0 लि0 (पारस अर्बन पार्क) बावडियाकलां, भोपाल	RCT 2410896 / 2015 16-10-2015	JMFC	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40

24.	सिमनेघर डेक्कलपर्स (सिमनेघर 99) भोपाल	RCT 2410894 / 2015 16-10-2015	JMFC	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
25.	चिनार रियल्टी प्रा0लि0, (चिनार ड्रीम सी.टी.) भोपाल	RCT 2410895 / 2015 16-10-2015	JMFC	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
26.	अग्रवाल प्रोपर्टीज (सागर ईडनगार्डन) बावडियाकलां, भोपाल	RCT 2410892 / 2015 16-10-2015	JMFC	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
27.	कौशल्या पिक हेरीटेज (गुणहाउसिंग प्रोजेक्ट) हिनातिया काछान एवं सेमराकलां, भोपाल	RCT 2400434 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
28.	विराशा हाईट्स (गुण हाउसिंग प्रोजेक्ट) बंजारी, भोपाल	RCT 2400383 / 2016 16-01-2016	JMFC S1	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
29.	गोविंद रियल्टी प्र0 लि0 आशिमा मॉल (मल्टीप्लेक्स कम शॉपिंग काम्पलेक्स) बावडिया कलां, भोपाल	RCT 2400429 / 2016 16-01-2016	JMFC S16	ईपीए- 15, 16 जल - 25,44,47 वायु - 21,37,40
30.	उज्जवला हाउसिंग एंड फायनेंस प्रा0 लि0, (आम्रवेली रेसीडेणियल प्रोजेक्ट) सनखेडी, भोपाल	08-05-18 (अंडर रजिस्ट्रेशन)	CJM	जल-धारा 25,44
31.	ग्लोबस लाइफ स्टाइल प्रा0लि0 (कोरल कासा रेसीडेणियल प्रोजेक्ट), रासलाखेडी, भोपाल	13-06-18 (अंडर रजिस्ट्रेशन)	CJM	जल- 25,44
32.	एस.व्ही. इन्फा डेक्कलपर्स (प्रीमियर आर्चर्ड) रासलाखेडी, भोपाल	08-05-18 (अंडर रजिस्ट्रेशन)	CJM	जल- 25,44
33.	एस.टी.सी.आलार्क (सिमनेघर पार्क), पीपलनेर, भोपाल	08-05-18 (अंडर रजिस्ट्रेशन)	CJM	जल- 25,44
34.	सिल्वर इस्टेट (शेकर रियल वेन्चर्स), कटारा, भोपाल	RCT 2710194 / 2013 1-11-2013	JMFC 13	ईपीए- 15, 16
35.	भोजपाल बिल्डर्स एवं डेवलपर्स प्रा.लि. (श्री कृष्णा हाइट्स रेसीडेणियल प्रोजेक्ट) ग्राम बरई जिला भोपाल	RCT 3101744 / 2015 05-02-2015	JMFC	ईपीए-धारा 15, 16

36.	भोजपाल बिल्डर्स एवं डेवलपर्स प्रा.लि. (श्री कृष्णा हाइट्स रेसीडेंशियल प्रोजेक्ट) ग्राम बरई जिला भोपाल	RCT 3101741 / 2015 05-02-2015	JMFC	जल-25,44,47 वायु - 21,37, 40
37.	साक इन्फ्रास्ट्रक्चर एण्ड टेक्नोलॉजी (प्रेसीकिकविजनस सेंटर) ग्राम बावडिया, भोपाल	RCT 3101749 / 2015 05-02-2015	JMFC	ईपीए-धारा 15, 16
38.	साक इन्फ्रास्ट्रक्चर एण्ड टेक्नोलॉजी (प्रेसीकिकविजनस सेंटर) ग्राम बावडिया, भोपाल	RCT 3101753 / 2015 05-02-2015	JMFC	जल - 25,44,47 वायु - 21,37, 40
39.	आद्या इनोवेशन हाऊसिंग प्लाट, ग्राम बंजारी, भोपाल	RCT 2406257 / 2017 16-05-2017		जल - 25,44,47
40.	ट्रस्टि बिल्डर्स एण्ड डेवलपर्स ट्रस्टि सिटी, ग्राम बोरदा भोपाल	RCT 2406258 / 2017 16-05-2017		जल - 25,44,47
41.	लीला डेवलपर्स भोपाल लीला अतुल्यम (मल्टीस्टोरी प्रोजेक्ट) ग्राम सलैया, भोपाल	RCT 2406260 / 2017 16-05-2017		जल - 25,44,47 वायु - 21,37, 40
42.	अग्रवाल कन्स्ट्रक्शन प्रीमियम टॉवर्स ग्राम बंजारी जिला भोपाल	RCT 2406259 / 2017 16-05-2017		जल - 25,44,47
43.	शीतलनाथ बिल्डर्स प्रा.लि. शीतल पैराडाइज (मल्टीस्टोरी प्रोजेक्ट) ग्राम नरेला बंकारी जिला भोपाल	RCT 2406256 / 2017 16-05-2017		जल - 25,44,47
44.	शिवा कंस्ट्रक्शन कंपनी शिवा रॉयल पार्क (प्लाट डेवलपमेंट) ग्राम सलैया जिला भोपाल	16-02-2017		जल - 25,44,47
45.	स्टरलिंग रलॉब बिल्डर्स स्टरलिंग रलॉब ग्रांड (मल्टीस्टोरी प्रोजेक्ट) ग्राम जाटखेडी, जिला भोपाल	RCT 2406255 / 2017 16-05-2017		जल - 25,44,47
46.	जे.सी. शर्मा एण्ड संस तिरुपति अभिनव होम्स (प्लाट डेवलपमेंट) ग्राम मोहाली जिला भोपाल	RCT 2406251 / 2017 16-05-2017		जल - 25,44,47
47.	एजी 8 वेंचर्स लि0 आकृति एक्वासिटी (युप हाउसिंग प्रोजेक्ट) ग्राम फंदा कलां, जिला भोपाल	RCT 2400781 / 2016 27-01-2016		ईपीए-15, 16 जल - 25,44,47
48.	एजी 8 वेंचर्स लि0 आकृति हाइलेण्ड (युप हाउसिंग प्रोजेक्ट) ग्राम फंदा कलां, जिला भोपाल	RCT 2400782 / 2016 27-01-2016		ईपीए-15, 16 जल - 25,44,47
49.	दानिश गृह निर्माण सहकारी संस्था मर्यादित, वेस्टर्न एवल्यू, ग्राम दामखेड़ा, कोलार रोड, भोपाल	RCT 2400775 / 2016 27-01-2016		ईपीए-15, 16 जल - 25,44,47

50.	अल्टीमेट बिल्डर्स अल्टीमेट इग्लिष विलाज, ग्राम बोरदा जिला भोपाल	RCT 2400778 / 2016 27-01-2016		ईपीए-15, 16 जल - 25,44,47
51.	स्टर्लिंग ग्लोब बिल्डर्स स्टर्लिंग ग्लोब ग्रांड (गुप हाऊसिंग प्रोजेक्ट) ग्राम जाटखेड़ी, जिला भोपाल	RCT 2006892 / 2016 05-07-2016	CJM	ईपीए-15, 16 जल - 25,44,47 वायु - 21,37, 40
52.	सेन्चुरी 21 माल्स प्रा.लि. होशंगाबाद रोड, भोपाल	RCT 2013862 / 2016 15-11-2016	CJM	जल - 25,44,47 वायु - 21,37, 40
53.	सत्यप्रकाश कालोनाईजर्स प्रा. लि. (नाईस स्पेस) ग्राम बड़वई, भोपाल	RCT 2013862 / 2016 15-11-2016	CJM	जल - 25,44,47 वायु - 21,37, 40
54.	खनेजा प्राॅपटीज प्रा.लि. (कामर्शियल काम्पलेक्स प्रोजेक्ट) ग्राम बैरागाढ़ विचली कोलार रोड, भोपाल	RCT 3101747 / 2015 12-03-2015	JMFC	ईपीए- 15, 16