

**FACTUAL REPORT
OF
JOINT COMMITTEE**

IN

Original Application No. 08/2021 (CZ)

Krishna Gopal Baragi

VS

State of Madhya Pradesh & Ors.

Ref. - Factual report of joint committee as per the Hon'ble NGT order on dated 13/04/2021 in OA No 08/2021 (CZ) (Krishna Gopal Bairagi vs. Govt of MP & Ors)

With reference to above order of Hon'ble NGT (CZ) dated 13-04-2021, a team of officials of District Collectorate, Sehore, Chief Municipal Officer, Nagar Palika Parisad, Sehore and Regional Office, M P Pollution Control Board, Bhopal conducted an inspection of the matter on dated 11th June 2021. The officers present during the inspection are Sri Ravi Varma, SDM, Sehore, Sri Sandeep Shrivastav, CMO, Nagar Palika Parisad, Sehore and Sri Brajesh Sharma, Regional Officer and Dr S S Pandya, Scientist, Regional Office, M P Pollution Control Board, Bhopal. The petitioner Sri Krishna Gopal Bairagi was also present at the site at the time of inspection. As per the available data / record the committee has visited the site and the points observed during the inspection are mentioned as under:

1. During the inspection, the geographical location in terms of latitude and longitude of places are measured using mobile based GPS application. The measured latitude and longitude are marked on the Google map and the screen shot are enclosed.
2. Committee visited the premises of Vijasan Dhaam, Town – Sehore, District – Sehore and the same is marked on the google map.
3. The colony is located in the city beside the main road passing through north side of the colony.
4. River Seevan is flowing on the southern side of the Vijasan Colony, Sehore and its boundary is situated adjacent to the river and the same is marked on the google map.
5. As per the record of District Administration, Sehore the colony is illegal and there are 03 pacca houses are constructed within the 30 meters buffer zone of river. These houses have constructed septic tank and soak pit individually for the disposal of their sewage. Committee inspected the area on southern side of the Vijasan Colony, towards the river side and no discharge of waste water from Vijasan colony into river seevan is observed at the time of inspection. The Photographs are enclosed.
6. Committee has also visited the sehore city for observing the status of sewerage system of the town. As per the CMO, Nagar Palika Parisad, Sehore the sewage collection system is laid down and its treatment system is constructed and is in operation. The total 108.641 Kms of underground sewerage system is laid down in the city in which 14409 houses are connected. This sewerage system is connected with Sewage treatment plant. Sewage treatment plant based on Sequential Batch Reactor Technology (SBR) of 12 MLD is constructed and currently in operation.

7. As per the record of Nagar Palika Parisad, Sehore, on the same matter Honble NGT has passed an order on dated 09/09/2020 in the OA 16/2019 (Vinay Ruthia Vs State of MP & Ors) for the demolition of the encroachment in Vijasan Colony which is falling under 30 meters buffer of river. The Honble Supreme Court of India in civil appeal diary no 26338/2020 granted stay on this order on dated 08/12/2020. The copies of the order are enclosed.


Dr S S Pandya, Scientist
Regional Office, MPPCB, Bhopal


Sandeep Shrivastava, CMO,
Nagar Palika Parisad, Sehore

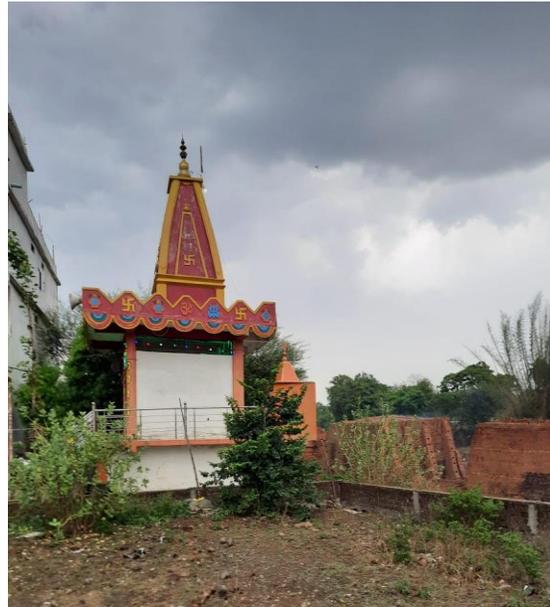

Brajesh Sharma, Regional Officer
RO, MPPCB, Bhopal


Ravi Verma, SDM,
District Collector Office, Sehore



Google Earth Screen shot of the Vijasan Dhaam and Seevan River

PHOTOGRAPHS OF THE SITE INSPECTION ALONG WITH PITITIONER



Photographs showing the committee members alongwith petitioner visiting the Bijasan Dham Colony



Photographs showing brick Bhatta in surrounding of Bijasan Dham towards river seevan



Photograph showing outside of the boundary of Bijasn Dham colony towards river seevan side



**Photograph showing no discharge flow from Bijasn Dham towards river seevan
(Photograph taken from opposite bank side of river seevan)**

Delivery Mode: Registered

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
(RULE 8 OF ORDER XIX, SCR 2013)

CIVIL APPEAL No. 4014 OF 2020

WITH

L.A. NO. 127095/2020

(APPLICATION FOR STAY)

TARANJEET KAUR SALUJA
AND OTHERS

... Petitioner(s)/Appellant(s)

VERSUS

VINAY RUTHIA AND OTHERS

... Respondent(s)

To,

1 VINAY RUTHIA S/O LATE MANAKCHAND
RUTHIA,
R/O BADA BAZAAR, DISTRICT- SEHORE,
MADHYA PRADESH

PID: 126106/2020 FOR R[1] IN C.A.
NO.4014/2020 (SEC XVII)

2 THE STATE OF MADHYA PRADESH,
THROUGH DISTRICT COLLECTOR
OFFICE OF THE COLLECTOR, SEHORE,
DISTRICT- SEHORE, MADHYA PRADESH

PID: 126107/2020 FOR R[2] IN C.A.
NO.4014/2020 (SEC XVII)

3 MUNICIPAL COUNCIL OF SEHORE,
THROUGH CHIEF MUNICIPAL OFFICER
NAGAR PALIKA PARISAR, SEHORE,
DISTRICT- SEHORE, MADHYA PRADESH

PID: 126108/2020 FOR R[3] IN C.A.
NO.4014/2020 (SEC XVII)

4 WATER RESOURCE DEPARTMENT,
THROUGH ENGINEER IN CHIEF JAL
SANSADHAN BHAWAN, TULSI NAGAR,
BHOPAL, DISTRICT- BHOPAL, MADHYA
PRADESH - 462003

PID: 126109/2020 FOR R[4] IN C.A.
NO.4014/2020 (SEC XVII)

WHEREAS the appeal above-mentioned (copy enclosed) filed in the Registry by Mr. Vikramaditya Singh, Advocate, on behalf of the Appellant above-named were listed for hearing before this Court on the 08th December, 2020, when the Court was pleased to pass the following Order :

" Applications for exemption from filing certified copy of the impugned judgment and exemption from filing official translation are allowed.

Permission to file appeal is granted.

Issue notice.

In the meantime, there shall be stay of the operation of the impugned order dated 9th September, 2020 passed by the National Green Tribunal."

NOW, THEREFORE, TAKE NOTICE that the above appeal along with application will be posted for hearing before this Court in due course when you may appear before the Court either in person or through an Advocate-on-record of this Court duly appointed by you and show cause to the Court on the day that may subsequently be specified as to why the leave to appeal may not be allowed.

You may file your affidavit in opposition to the petition within 30 days from the date of receipt of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier, but shall do

so only by setting out the grounds in opposition to the questions of law or grounds set out in the Appeal and may produce such pleadings and documents filed before the Tribunal against whose order the appeal is filed.

TAKE FURTHER NOTICE that if you fail to enter appearance as aforesaid, no further notice shall be given to you and the matter above-mentioned shall be disposed of in your absence.

Dated : 22nd December, 2020

Parveer
28/12/2020
ASSISTANT REGISTRAR

Copy to :-

1 Mr. Vikramaditya Singh (adv.)

ASSISTANT REGISTRAR

Important Notice
LEGAL AID

(1) Legal Services of an advocate is provided by the Supreme Court Legal Services Committee and the Supreme Court Middle Income Group Legal Aid Society to eligible litigants.

For further information, please contact the Secretary, Supreme Court Legal Services Committee or the Member Secretary, Supreme Court Middle Income Group Legal Aid Society, 107-108, Lawyers' Chambers, R.K. Jain Block - Near Post Office, Supreme Court Compound, Tilak Marg, New Delhi-110001 (Tel Nos. 011-23388316, 23388597)

MEDIATION

(2) The facility of amicable settlement of disputes by trained mediators in cases pending in the Supreme Court is now available in the Supreme Court.

For further information, please contact the Coordinator, Supreme Court Mediation Centre, 109, Lawyers' Chambers, R.K. Jain Block - Near Post Office, Supreme Court Compound, Tilak Marg, New Delhi-110001 (Tel No. 011-23071432)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s). 26338/2020

(Arising out of impugned final judgment and order dated 09-09-2020
in OA No. 16/2019 passed by the National Green Tribunal)

TARANJEET KAUR SALUJA & ORS.

Petitioner(s)

VERSUS

VINAY RUTHIA & ORS.

Respondent(s)

(IA No.127097/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.127095/2020-EX-PARTE STAY and IA No.127098/2020-
EXEMPTION FROM FILING O.T. and IA No.127088/2020-PERMISSION TO FILE
APPEAL)

Date : 08-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

HON'BLE MR. JUSTICE K.M. JOSEPH

HON'BLE MR. JUSTICE KRISHNA MURARI (Did not participate)

For Petitioner(s) Mr. Yashvardhan Bandi, Adv.
Mr. Vikramaditya Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RApplications for exemption from filing certified copy
of the impugned judgment and exemption from filing official
translation are allowed.

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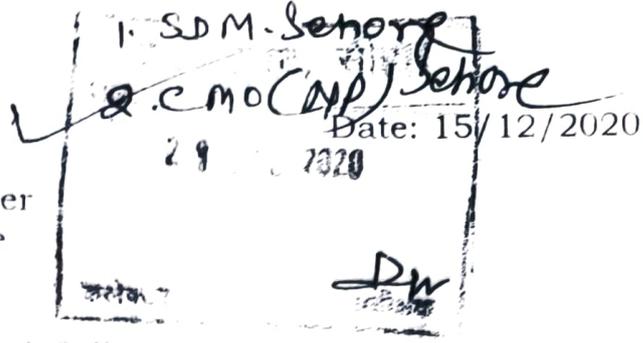
Digitally Verified
Digitally signed by
Anita Malhotra
Date: 2020.12.08
17:52:37 IST
Reason

(ANITA MALHOTRA)
COURT MASTER(NISHA TRIPATHI)
COURT MASTER

To,

1. The Chief Municipal Officer
Municipal Council Sehore
Sehore(MP)

2. The District Magistrate and Collector
Sehore (MP)



Subject: Pertaining to Stay granted by the Hon'ble Supreme Court of India in the matter of Civil Appeal Diary Number (s) 26338/2020 against the order dated 09/09/2020 of the Learned National Green Tribunal Bhopal passed in the matter of OA no 16/2019 Vinay Ruthia Vs State of MP & Others.

Dear Sir

The Hon'ble Supreme Court of India vide its order dated 08/12/2020 has been pleased to grant stay on the operations of the Judgment dated 09/09/2020 passed by the Hon'ble National Green Tribunal Central Zone bench at Bhopal in the matter of Original Application no 16/2020 (CZ), wherein the directions for demolitions of the allegedly identified encroachments was given by the NGT.

In light of the aforesaid, it is most humbly requested by your goodself that, till the final adjudication of the Civil Appeal pending before the Hon'ble Supreme Court of India, no coercive action be taken against the undersigned.

Thanking You

Enclosed : SC Order dated 08/12/2020

Amit

Amit Maheshwari
s/o Sh. Bhola Prasad Maheshwari,
Bijashan Dham Colony,
Sehore - 466001
Madhya Pradesh

No. 5566
24/12/2020

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s). 26338/2020

(Arising out of impugned final judgment and order dated 09-09-2020
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TARANJEET KAUR SALUJA & ORS.

Petitioner(s)

VERSUS

VINAY RUTHIA & ORS.

Respondent(s)

(IA No.127097/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED
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HON'BLE MR. JUSTICE KRISHNA MURARI (Did not participate)For Petitioner(s) Mr. Yashvardhan Bandi, Adv.
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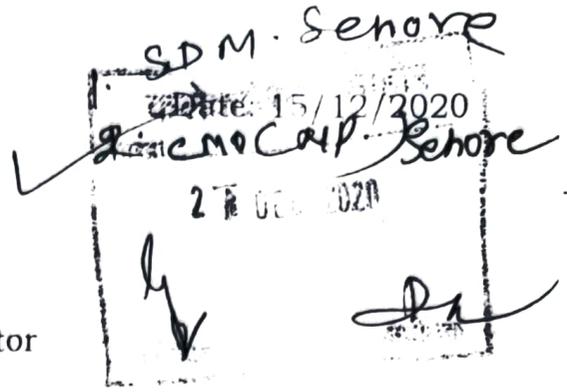
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the National Green Tribunal.
(ANITA MALHOTRA)
COURT MASTER(NISHA TRIPATHI)
COURT MASTER

To,

1. The Chief Municipal Officer
Municipal Council Sehore
Sehore(MP)

✓ 2. The District Magistrate and Collector
Sehore (MP)



3080
24-12-20

Subject: Pertaining to Stay granted by the Hon'ble Supreme Court of India in the matter of Civil Appeal Diary Number (s) 26338/2020 against the order dated 09/09/2020 of the Learned National Green Tribunal Bhopal passed in the matter of OA no 16/2019 Vinay Ruthia Vs State of MP & Others.

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Thanking You

Enclosed : SC Order dated 08/12/2020

Ramesh Chandra Chandrawanshi

s/o Sh. Dhoolji Chandrawanshi,

421, Gulzari ka Bagicha,

Sehore - 466001

Madhya Pradesh

No. 5567
29/12/2020

To.

1. The Chief Municipal Officer
Municipal Council Sehore
Sehore(MP)

2. The District Magistrate and Collector
Sehore (MP)

Date: 15/12/2020

T. SDM. Sehore

EMO (APP) Sehore

15 DEC 2020

↓

↓

Subject: Pertaining to Stay granted by the Hon'ble Supreme Court of India in the matter of Civil Appeal Diary Number (s) 26338/2020 against the order dated 09/09/2020 of the Learned National Green Tribunal Bhopal passed in the matter of OA no 16/2019 Vinay Ruthia Vs State of MP & Others.

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तरनजीत कौर

Taranjeet Kaur Saluja

w/o Sh. Gurmeet Singh,

Paltan Area,

New Bus Stand, Bijashan Dham Colony,

Sehore-466001,

Madhya Pradesh

NC 5568
29/12/2020

3081
24-12-20