

BEFORE THE NATIONAL GREEN TRIBUNAL
O.A. No. 171/2023
CENTRAL ZONE BENCH, BHOPAL

IN THE MATTER OF:

D.K. SINGH

...APPLICANT

Versus

STATE OF MP & ORS

...RESPONDENTS

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Date: 31.01.2024

Submitted by MPPCB:-

Place: Bhopal



through Counsel

Adv. Parul Bhadoria

FACTUAL REPORT

Ref: Factual & Action taken report in compliance to the order of Hon'ble NGT order dated 07/12/2023 in the matter of OA 171/2023 (CZ) Mr. D. K. Singh Vs. State of M.P. & Others.

Hon'ble NGT issued following instructions on dated 07/12/2023 in the matter of OA 171/2023 (CZ) Mr. D. K. Singh Vs. State of M.P. & Others. :-

"1. The grievance of the applicant is illegal encroachment and construction work going on in about 5000 sq ft. in the Government/Forest Land in the Danish Hills View Society, Banjari Dussehra Ground, Kolar Road, Bhopal in violation of environmental rules.

2. It is further alleged that in furtherance of the illegal encroachment on the government land, the trees and plants situated there were uprooted and damaged overnight.

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

- i. One representative from the Divisional Forest Officer, Bhopal, M.P.*
- ii. One representative from the State Pollution Control Board, Bhopal, M.P.*

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

In compliance to the order, Joint Committee consisting of the following officials of the concerned department is constituted:-

The Joint *Committee* comprises of Representatives of DFO Bhopal Shri D.S. Puriya SDO Paryavaran Vaniki Bhopal & Representatives of MPPCBAK Bisen EE MPPCB, Forest Ranger of the Region Mr Agarwal along with their staff inspected the site on 29/12/2023. During inspection Shri Sunil Singh Incharge Danish Hill Welfare Society & Other Residents were present .

The Joint committee firstly tried to contact Shri DK Singh Petitioner in this case. Shri DK Singh has neither mentioned his contact no Mobile no/Land line nor His complete address in the Petition under consideration, the Join committee took round of Danish Hill View Colony to contact him & enquired with Office bearer of Danish Hill View Colony Welfare Society including Residents of Danish Hill View Colony but nobody was able to provide Petitioners where about, so The Joint committee decided to inspected the site in the absence of Petition, Status report is as under :-

1. Danish Hill View Colony is Developed by Danish Housing Society Limited Danish House 216A Zone-1 M.P. Nagar, Bhopal at Kolar Region adjoining to Kanha Upvan developed in 20 Hectare land by Capital Project Authority (Parywaran Vaniki) Forest departments Bhopal. GPS location recorded through mobile is 23.19942 N 77.40325 E Google map of site and photographs of inspection (**Annexure 1**). This Residential project's map was approved by Gram Pachayat Beragarh Chichli, Kolar Road, Bhopal Provided by Shri Sunil Singh In charge Danish Hill View Welfare Society during inspection (**Annexure 2**). In this project about 216 plots & in about 100 plots Residential houses developed along with Club House & Multy storied Buildings. In approved map (**Annexure 2**). Location of Prayer Place not mentioned. The overall Management & Maintenance of this colony is under Danish Housing Society Limited Danish House 216A Zone-1 M.P. Nagar, Bhopal. Welfare issue is look after by Danish Hill View Colony Welfare Society

2. During inspection Shri Sunil Singh In charge Danish Hill View Colony Welfare Society & his colleagues informed that plot no 150 is allotted (orally) By Danish Builder to develop a Prayer Place in this plot no. 150. Development of a Mandir in progress.

3. No uprooted and damaged trees noticed in the colony and in the adjoining Land under forest cover developed by Capital Project Authority (Parywaran Vaniki) Forest departments as Kanha Upwan.

4. Joint committee could not contacted with Petitioner due to non availability of his Contact no &. Correct address the documentary proof of uprooted/damaged trees & Encroachment with him could not be verified. In this reference a letter also issued on dated 16/01/2024 to Shri D.K. Singh Petitioner on address mentioned in the petition for the documentary proof related to this petition but no reply received till date. **Annexure 3**

5. As per Digitized map of Forest department Bhopal in adjoining Kanha Upwan. no Encroachment is visible **Annexure 4**

7. The matter reported in this petition is not related with MPPCB, Bhopal were as issue of uprooted/damaged trees in non forest land and Encroachment is also not related with forest department Bhopal Since the reported site is in jurisdiction of Bhopal Municipal Corporation Bhopal.

Recommendation

1. Encroachment on Revenue land if any could be resolved based on Demarcation of site by Revenue Department, Bhopal.

A.K. Bisen
Executive Engineer
MPPCB, Bhopal

D.S. Puriya, SDO
Paryavaran Vaniki
Bhopal

Alok Pathak, DFO
Bhopal

Annexure - 1

Inspection Photographs in the matter of OA 171-2023







Commater Baba

Anugraha Villa

Danish Hills View Township

GameOn - ClubHouse

23.1794 77.4032

Image © 2024 Airbus

Google Earth

1985

EN English (United States)

Correction

24°11.86' E elev 1818 ft eye alt 2595 ft



क्षेत्रीय कार्यालय
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल



Telephone:- 0755-2466392 Email:- romppcb_bpl@rediffmail.com

क्रमांक 129 / क्षेका / प्रनिबो / 2024

भोपाल, दिनांक 16/01 / 2024

प्रति,

श्री डी.के. सिंह, अधिवक्ता
प्लॉट नं. 173/ए
दानिश हिल्स ब्यू सोसायटी
कोलार रोड, भोपाल (म.प्र.)।

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल बेंच के प्रकरण क्रमांक 171/2023 (सी.जेड) डी.के. सिंह विरुद्ध म.प्र. शासन व अन्य बावत्।

उपरोक्त विषयांतर्गत माननीय राष्ट्रीय हरित अधिकरण, भोपाल में आपके द्वारा प्रस्तुत पिटीशन के संबंध में दिनांक 07/12/2023 को पारित आदेशानुसार संयुक्त निरीक्षण दल जिसमें वन विभाग एवं प्रदूषण नियंत्रण बोर्ड के नामकित अधिकारी शामिल थे, दिनांक 29.12.2023 को स्थल निरीक्षण किया गया। स्थल निरीक्षण के पूर्व आपका मोबाईल अथवा लैंडलाइन नंबर आवेदन पर उपलब्ध न होने के कारण संपर्क नहीं किया जा सका, दानिश हिल्स ब्यू कॉलोनी में आपके पते पर भी आपसे संपर्क करने का प्रयास संयुक्त दल द्वारा किया गया। किन्तु आपसे संपर्क न होने के कारण आपकी अनुपस्थिति में स्थल निरीक्षण किया गया है। आपसे अनुरोध है कि आप संयुक्त जांच दल को 07 दिवस के भीतर शिकायत से संबंधित दस्तावेजी सबूत उपलब्ध करावें। अथवा आपकी उपस्थिति में निरीक्षण किये जाने की तिथि सूचित करें।

(ए.के. बिसेन)
कार्यपालन यंत्री

पृ.क्रमांक 130 / क्षेका / प्रनिबो / 2024
प्रतिलिपि:-

भोपाल, दिनांक 16/01 / 2024

1. श्रीमती पारूल भदौरिया, अधिवक्ता, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित। कृपया पिटीशनर से संपर्क हेतु उनका दूरभाष अथवा ई-मेल सूचित करने का कष्ट करें।
2. वन मण्डलाधिकारी, खेल परिसर 74, बंगलो, लिंक रोड, नं. 1, निशात कॉलोनी, अरेरा हिल्स, जिला भोपाल की ओर सूचनार्थ प्रेषित।

(ए.के. बिसेन)
कार्यपालन यंत्री

129

16/1/24

श्री डी.के. सिंह अधिवक्ता / भोपाल
प्लॉट नं. 173/2 दानिस हिल्स वू
मोसापटी कोलर रोड. भोपाल (म.प्र.)



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* Indicates a required field.

* Consignment Number

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
BNPL UNIT BHOPAL	19/01/2024 12:43:54	462001	17.70	Inland Speed Post	Bhopal G.P.O.	25/01/2024 17:22:48

Event Details For : EI953922425IN

Current Status : Item Delivered(Sender)

Date	Time	Office	Event
25/01/2024	17:22:48	R.S.Nagar S.O	Item Delivered(Sender)
25/01/2024	16:46:08	R.S.Nagar S.O (Beat Number:20)	Item Delivered [To: fhjvn (Addressee)]
25/01/2024	11:24:06	R.S.Nagar S.O	Out for Delivery
25/01/2024	09:49:26	R.S.Nagar S.O	Item Received
25/01/2024	04:20:01	Bhopal NSH	Item Dispatched
25/01/2024	01:45:03	Bhopal NSH	Item Bagged
24/01/2024	19:34:02	Bhopal NSH	Item Received
24/01/2024	15:30:57	Kolar Road S.O	Item Dispatched
24/01/2024	15:21:07	Kolar Road S.O	Item Bagged
23/01/2024	18:31:35	Kolar Road S.O	Item Returned Insufficient Address
23/01/2024	11:47:35	Kolar Road S.O	Out for Delivery
22/01/2024	18:04:06	Kolar Road S.O	Item Onhold Addressee cannot be located
22/01/2024	14:58:47	Kolar Road S.O	Out for Delivery
20/01/2024	17:46:40	Kolar Road S.O	Item Onhold Addressee cannot be located
20/01/2024	11:06:56	Kolar Road S.O	Out for Delivery
20/01/2024	09:42:33	Kolar Road S.O	Item Received
20/01/2024	05:30:54	Bhopal NSH	Item Dispatched
20/01/2024	03:02:31	Bhopal NSH	Item Bagged
19/01/2024	20:50:12	BNPL UNIT BHOPAL	Item Dispatched
19/01/2024	19:28:16	Bhopal NSH	Item Received

19/01/2024	18:18:55	BNPL UNIT BHOPAL	Item Bagged
19/01/2024	12:43:54	BNPL UNIT BHOPAL	Item Booked

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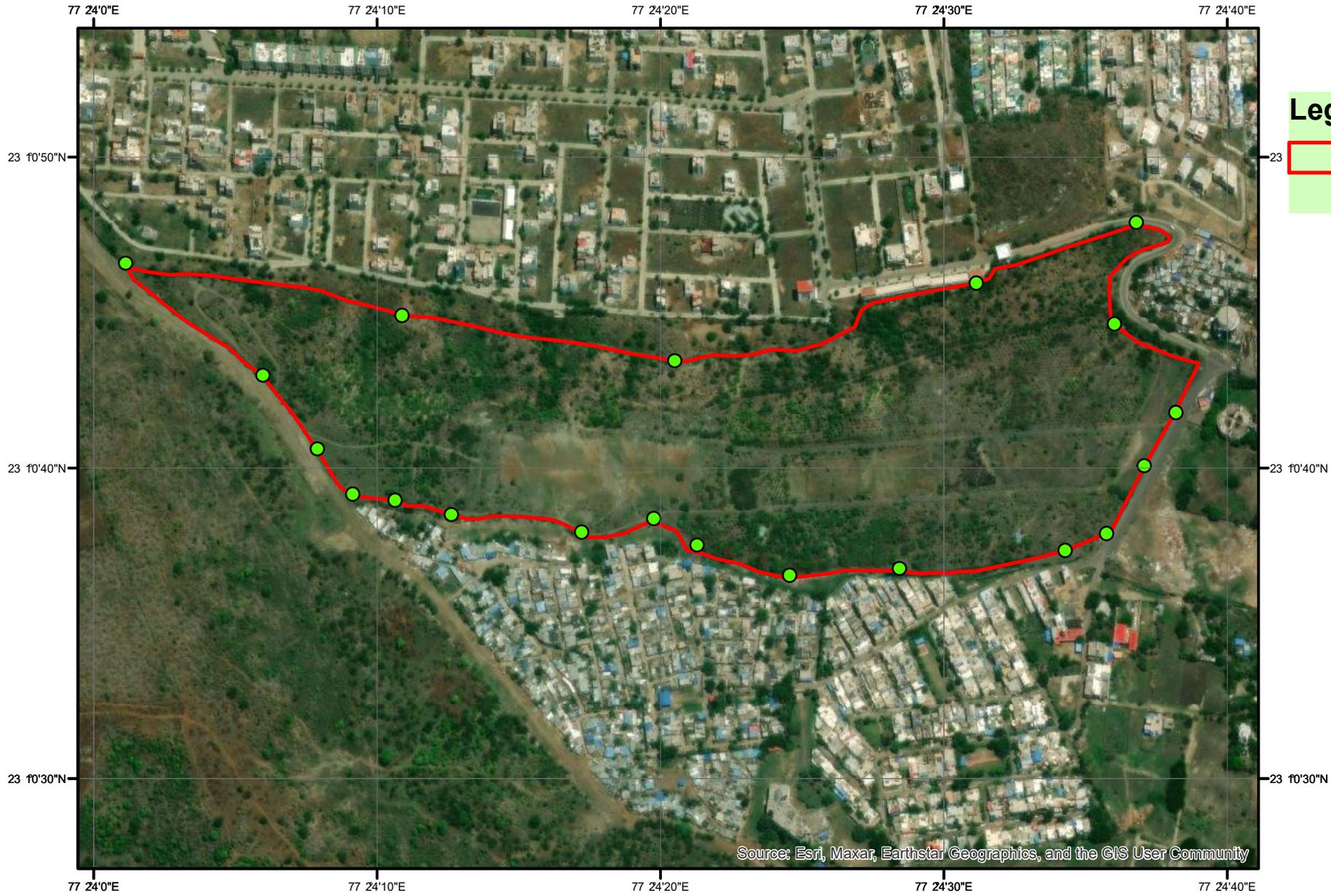
KANHA KUNJ NAGAR VAN MAP



1:6,000

Legend

-  AREA
-  World Imagery



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

VAKALATNAMA
[Rule 4(1) of the Rules framed under Advocates Act, 1961]
BEFORE THE NATIONAL GREEN TRIBUNAL
O.A. No. 171/2023
CENTRAL ZONE BENCH, BHOPAL

IN THE MATTER OF:

D.K. SINGH

...APPLICANT

Versus

STATE OF MP & ORS

....RESPONDENTS

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

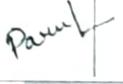
In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this 31st day of January 2024.

PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA

Name & Fathers Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature/Thumb
A.K. Bisen Executive Engineer MPPCB Regional Office Bhopal	E-5, Arera Colony, Paryavaran Parisar, Bhopal, Madhya Pradesh 462016	0755-2466392 romppcb_bpl@rediff.com 9827279270	Respondent	

Accepted

A. K. BISEN
Executive Engineer
Regional Office
M.P Pollution Control Board
Bhopal

Name & Enrollment. No.	Address (If any) E-Mail Add.	Telephone (If any)	Full Signature
PARUL BHADORIA 1587-2012	parul.bhadoria04@gmail.com	8085977111	
PRANJAL PANDEY MP 2881-2021	advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023	advshivamdwivedi20@gmail.com	8878471359	