

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH AT BHOPAL
ORIGINAL APPLICATION NO. 07/2018**

Applicant

M Y Chaudhary

Vs

Respondent

Bhopal Municipal Corporation & Ors.

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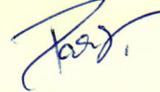
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Date:- 13.09.2021

Place:- Bhopal

Submitted by :-

M.P. Pollution Control Board



Through Counsel
Adv. Parul Bhadoria

(2)

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COMPLIANCE REPORT ON BEHALF OF MPPCB

1. The Hon'ble Tribunal, vide its order dated 15.07.2021 directed the answering respondent to submit the compliance report in furtherance to the factual and action report submitted on 14.07.2021, stating that show cause dated 23.06.2021 has been issued to the Bhopal Municipal Corporation for imposition of Environmental Compensation and their reply dated 06.07.2021 was received and was under consideration.
2. It is further stated that, the reply received from the Bhopal Municipal Corporation (dated 06.07.2021 and 14.07.2021) was not found to be conclusive, therefore, the amount of Environmental Compensation proposed by the joint committee of Central Pollution Control Board [CPCB] and Madhya Pradesh Pollution Control Board [MPPCB] has been imposed on the Bhopal Municipal Corporation vide letter dated 29.07.2021 directing them to deposit the amount of Environmental compensation within 15 days. The copy of letter dated 29.07.2021 has been enclosed herewith as **Annexure R-01.**
3. Further that, since the amount of environmental compensation has not yet been deposited by the Bhopal Municipal Corporation, a reminder letter dated 23.08.2021 has also been issue to Bhopal Municipal Corporation [BMC] for depositing the amount of environmental compensation and also submitting

the details of the remedial actions taken by the BMC to stop the discharge of untreated sewage and solid waste management around the lake. The copy of letter dated 23.08.2021 has been enclosed herewith as **Annexure R-02**.

4. Hon'ble Tribunal may kindly be pleased to take the above stated compliance report on record.

Date:- 13.09.2021

Place:- Bhopal

Submitted by :-

M.P. Pollution Control Board



Through Counsel
Adv. Parul Bhadoria



MADHYA PRADESH POLLUTION CONTROL BOARD

Paryawaran Parisar, E-5, Arera Colony, Bhopal-462016

Phone (0755)-2466191, 2464428, Fax (0755)-2463742, E-mail:it_mppcb@rediffmail.com

Annexure R-01
④

No. 1168 /HOPCB/2021

Bhopal, Date: 29 JUN 2021

To,

The Commissioner,
Bhopal Municipal Corporation
Distt.- Bhopal (M.P.)

Sub: Imposition of Environmental Compensation as per the directions passed by Hon'ble NGT in O.A. No. 07/2018 M.Y. Chaudhary Vs Bhopal Municipal Corporation & ors.

Ref: 1. Show Cause Notice dated 23.06.2021
2. Your reply (to the show cause notice) dated 06.07.2021

WHEREAS, MP Pollution Control Board (MPPCB) is a statutory body constituted under section 4 of the Water (Prevention & Control of Pollution) Act, 1974 and has been entrusted with the responsibilities of enforcement of the Environment Laws prevailing in the state.

WHEREAS, as per the report submitted by the joint committee constituted by the Hon'ble NGT in OA No. 07/2018, it is evident that you have failed to discharge your duties and untreated / partial treated sewage has been flowing in Nawab Siddique Hasan Khan Talab situated in the city of Bhopal and the solid waste management was also not found to be proper near the lake are.

AND WHEREAS, under the provisions of Solid Waste management Rules, 2016 and Water (Prevention & Control of Pollution) Act, 1974 it is your duty to ensure that there is no discharge of untreated / partially treated sewage into the lake and the solid waste management is properly done in the area near the lake.

WHEREAS, show cause notice dated 23.06.2021 was issued to you for imposition of environmental compensation as per the recommendation of the joint committee. Your reply dated 06.07.2021 to the show-cause notice does not mention any reasonable ground for not imposing Environment Compensation. As per the joint committee report, there is violation of Solid Waste Management Rules, 2016 (improper solid waste management) and Water Act, 1974 (Discharge of untreated / partially treated sewage) and not that of Bio-Medical Waste Rules as mentioned in your reply.

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

पर्यावरण परिसर, ई-५, अरेय कालोनी, भोपाल

(0755) 2464428, 2466191 Fax: (0755) 2463742 e-mail: it.mppcb@rediffmail.com

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कमांक 1366 विधि/NGT(CZ)/प्रनिबो/21 भोपाल, दिनांक 23 AUG 2021
प्रति

कमिश्नर,
नगर निगम,
भोपाल ।

विषय :- माननीय राष्ट्रीय हरित अधिकरण, भोपाल द्वारा प्रकरण कमांक 7/18 द्वारा दिनांक 14.06.20 को पारित आदेश के अनुपालन बावत् ।

संदर्भ :-1. Show Cause Notice Dated 23-06-2021 ।
2. HOPCB Latter Date 29-07-2021

उपरोक्त विषयान्तर्गत कृपया माननीय राष्ट्रीय हरित अधिकरण, भोपाल द्वारा प्रकरण कमांक 07/2018 (एम.वाई.चौधरी विरुद्ध भोपाल नगर निगम व अन्य) में पारित आदेश दिनांक 14.06.2020 का कृपया अवलोकन हो, जिसमें भोपाल के नवाब सिद्धिकी हसन खान तालाब में प्रदूषण के दोषी नगर निगम भोपाल पर लगाई गई पर्यावरणीय क्षतिपूर्ति राशि रुपये 155.55 लाख नगरीय सीवेज तथा रुपये 111.11 लाख नगरीय ठोस अपशिष्ट की बसूली के निर्देश दिये गये है ।

2/- माननीय एनजीटी के आदेश के अनुपालन में बोर्ड द्वारा पत्र दिनांक 29/7/21 द्वारा नगर निगम भोपाल को पर्यावरण क्षतिपूर्ति राशि 15 दिवस में जमा कराने का अनुरोध किया गया है, किन्तु उक्त राशि आज दिनांक तक जमा नहीं की गई है ।

3/- माननीय एनजीटी द्वारा दिनांक 15.07.2021 को पारित आदेश के परिपेक्ष्य में बोर्ड की ओर से नगर निगम द्वारा अनुचारित सीवेज को मिलने से रोकने एवं ठोस अपशिष्ट के अपवहन हेतु की गई व्यवस्था, अधिरोपित पर्यावरणीय क्षतिपूर्ति राशि जमा होने संबंधी एक्शन टेकन रिपोर्ट आगामी सुनवाई दिनांक 16/09/21 के पूर्व प्रस्तुत की जानी है ।

अतः अनुरोध है कि कृपया माननीय एनजीटी द्वारा पारित आदेश के अनुपालन में नगर निगम भोपाल द्वारा की गई कार्यवाही संबंधी जानकारी, फोटोग्राफ एवं पर्यावरणीय क्षतिपूर्ति राशि जमा करने का कष्ट करें, ताकि बोर्ड द्वारा प्रस्तुत की एक्शन टेकन रिपोर्ट में उक्त तथ्यों का समावेश किया जा सकें ।

(ए० ए० मिश्रा)

सदस्य सचिव

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प्रतिलिपि :-

- 1 अपर मुख्य सचिव, मध्यप्रदेश शासन, पर्यावरण विभाग, मंत्रालय, भोपाल ।
- 2 प्रमुख सचिव, नगरीय विकास एवं आवास विभाग, मंत्रालय भोपाल ।
- 3 आयुक्त, भोपाल संभाग, भोपाल ।
- 4 आयुक्त, नगरीय प्रशासन एवं विकास विभाग, भोपाल ।
- 5 कलेक्टर, भोपाल ।
- 6 क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।