

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**CENTRAL BENCH, BHOPAL**

**Original Application No. 24/2022**

**(CZ)**

**Manish Sharma & Anr.**

**VS**

**State of Madhya Pradesh & Ors**

**Date of Inspection :-** 26/03/2022

**Committee members :-**

- 1- Ms Shweta Bhamhore, Nayab Tahsildar Gadarwada Dist-Narsinghpur
- 2- Shri Alok Kumar Jain, Regional Officer M.P. Pollution Control Board Jabalpur

**Action Taken Report in compliance of order dated 11/03/2022 issued by  
Hon'ble National Green Tribunal in the matter of O.A No. 24/2022 (CZ)  
(Manish Sharma & Anr Vs State of Madhya Pradesh)**

Hon'ble National Green Tribunal, Central Bench, Bhopal has issued the following direction vide order dated 11/03/2022 in the O.A No. 24/2022 (CZ) Manish Sharma & Anr Vs State of Madhya Pradesh & ors :-

- 1- *The issue in this application is encroachment on the water body/pond situated at Gram Panchayat Lilwani Halka Number 121 Bandobast 414, Khasra Number 111/1, 111/2, 111/3, 112, 113, 114 Total Rakba (Bhumi) 3.658 hectare Bhumi Talab (Pond) Tehsil-Gadarwara District Narsinghpur, the land uses in mentioned as Bhujal Shashiya in record.*
- 2- *The applicant has also raised the contention of discharge of untreated water into the water body and encroachment in contravention of the order passed by the Hon'ble Supreme Court of India in the case of Hinchalal Tiwari & ors. And the directions of court not to encroach any water body or land of ponds, tanks and lakes and further direction that long period of encroachment is no defence and does not give any equity.*
- 3- *A substantial issue of environment has been raised. Issue notice to the respondents. Returnable within four weeks.*
- 4- *Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email*
- 5- *Respondents are directed to submit their reply within six weeks through e-filing portal,*

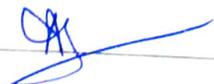
*We deem it just and proper to call report on the matter in issue in present application from a joint Committee consisting of:*

1. *District Collector, Narsinghpur Madhya Pradesh (M.P.)*
2. *One representative of Madhya Pradesh Pollution Control Board*

*The Committee is directed submit the factual and action taken report in the matter by email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in).*

*In compliance of the Hon'ble NGT order a committee of following officers visited the site located at Village-Lalwani Tehsil-Gadarwada Dist-Narsinghpur on 26/03/2022:*

- i. *Ms Shweta Bhamhore, Nayab Tahsildar Gadawada Dist-Narsinghpur*
- ii. *Shri Alok Kumar Jain, Regional Officer M.P. Pollution Control Board Jabalpur*

*MS* 

iii. Dr. S.K. Khare, Scientist, M.P. Pollution Control Board Jabalpur

### **FIELD OBSERVATIONS:**

- It is a true that the Gram Panchayat Lilwani Halka Number 121 Bandobast 414, Khasra Number 111/1, 111/2, 111/3, 112, 113, 114 Total Rakba (Bhumi) 3.658 hectare is recorded as a Bhujal Land as per revenue records.
- During inspection it is found that most of land (Lalwani Talab) is plane and about 2 acar of land is found low laying area. There is no water stored in the said land.
- About 07 acar land is almost found plane and Government has constructed A Gram Panchayat Bhawan (Size about 50x60 feet), A-High School (Area about 100x100 feet) and Village Market (Bazar) is about 100x100 feet is constructed. All of these constructed by Jila Panchyat Narsinghpur as per information given during inspection by Revenue officer/Patwari.
- Presently there is no water is found in said land. There is no domestic effluent is meets to the land. About 2 acar of land is found low laying area. There is no water stored in the said land. Presently there is shrubs is found in the premises. During inspection nearby villager has informed that during rainy season this 02 acar land is filled with the rainy water. Depth of land is about Approx 2 feet. Remaining land is almost flat.
- There is one hand-pump is situated in the nearby school in above land. A water sample of hand-pump is taken in the presence of team member. The water quality of hand-pump water is found normal. (Monitoring report is Attached with **Annexure-1**)
- As per point raised by application the lalwani talab is encroachment by the nearby farmer. During the inspection revenue employee has been directed to submit the



details report regarding encroachment by nearby farmers/villager in this regard. As per the Revenue officer report encroachments if found by local villager/farmers. Panchnama made by Revenue officer is enclosed in **Annexure-II**

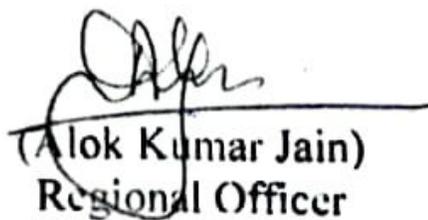
- Photographs along with coordinate is recorded in GPS Camera during inspection is enclosed as **Annexure-III**

**Recommendations:-**

1. Illegal Encroachments of the pond area shall be removed by local authorities
2. District authority shall resolve the cases of identified encroachment as per the law if any.
3. Presently about 07 acars of pond land is already filled in due course of time by the natural process which is converted into flat land. Out of 07 acar land remaining 02 acar land shall be restored as a pond by making arrangements of stop dam and cleaning by local authorities.
4. The Jila Panchyat has constructed A Gram Panchayat Bhawan (Size about 50x60 feet), A High School (Area about 100x100 feet) and Village Market (Bazar) is about 100x100 feet which work done for public purpose. Permission of construction of above works is not submitted. Jila Panchayat Narsinghpur shall be submit the government approval for construction work done.
5. There is no problem of water pollution is found in said area.



(Dr. S.K. Khare )  
Scientist  
Regional Office  
M.P. Pollution Control  
Board Jabalpur



(Alok Kumar Jain)  
Regional Officer  
M.P. Pollution Control  
Board Jabalpur



( Shweta Bhamhore )  
Nayab Tahsildar  
Gadarwada  
Dist-Narsinghpur

न्यायालय तहसीलदार बी...

**REGIONAL OFFICE**  
**M.P. POLLUTION CONTROL BOARD**  
 Plot No. : 455, 456,, Vijay Nagar, Jabalpur ( M.P. )  
**LIQUID SAMPLE ANALYSIS REPORT**

Sample from :- Ground water at village Lilwani, Teh. Gadarwara, Dist- Narsingpur (M.P.)

Sample Details :- Hand pump water sample near high school

Date of Collection :- 26/03/2022

Date of Receipt :- 26/03/2022

Date of Analysis :- 27 /03/ 2022

Analysis Done by :- V.K.Baghel  
Scientist

Analysis No 126/322

Bill No.

Sample collected by:-Dr.S, K.Khare, Scientist

S NO	Parameters	Unit	Result I	Result II	Result III	Result IV
<b>A – PHYSICAL PARAMETERS</b>						
1	Temperature	<sup>0</sup> C				
2	Turbidity	N.T.U.				
3	Colour	-	Colourless			
4	Odour	-	Odourless			
5	Specific Conductivity	µmho/cm				
<b>B - CHEMICAL PARAMETERS</b>						
6	pH	-	7.34			
7	Total Alkalinity	mg / l	40.0			
8	Total Hardness ( as CaCO <sub>3</sub> )	mg / l	165.0			
9	Calcium Hardness ( as CaCO <sub>3</sub> )	mg / l	140.0			
10	Magnesium Hardness (as CaCO <sub>3</sub> )	mg / l	25.0			
11	Chloride	mg / l	19.98			
12	Total Solids	mg / l				
13	Dissolved Solids	mg / l	386.0			
14	Suspended Solids	mg / l				
15	Ammonical Nitrogen ( as N )	mg / l				
16	Nitrite Nitrogen ( as NO <sub>2</sub> )	mg / l	0.16			
17	Nitrate Nitrogen ( NH <sub>3</sub> )	mg / l				
18	Total Kjeldahl Nitrogen ( as N )	mg / l				
19	Fluoride	mg / l	0.10			
20	Dissolved Oxygen	mg / l				
21	B.O.D. ( 3 days, 27 <sup>0</sup> C )	mg / l				
22	C.O.D.	mg / l				
23	Oil & Grease	mg / l				
24	Phosphate ( as P )	mg / l				
25	Sulphate ( as SO <sub>4</sub> )	mg / l	4.4			
26	Chromium ( Cr <sup>+6</sup> )	mg / l				
27	Copper ( Cu )	mg / l				
28	Zinc ( Zn )	mg / l				
29	Iron ( Fe )	mg / l	0.52			
30	Boron ( B )	mg / l				
31	Sodium	Ppm				
32	Potassium	ppm				
<b>C - BIOLOGICAL PARAMETERS</b>						
33	Total Coliform	MPN/100ml	1.8			
34	Feacal Coliform	MPN/100ml	<1.8			

**INDICATION : PARAMETER DOES NOT CONFIRM TO :-**

- Standard prescribed by M.P.P.C.B.in M.P.Gazette notification, dated 25/03/1988
- IS: 10500-1991 ( Specification for Drinking Water )
- Standard prescribed in Bio-Medical Waste ( Management & Handling ) Rules 1988

GENERAL MARKS:-

NOTE: - No statutory liability accepted for samples not collected by M.P.P.C.B.

Analyst

(Dr. S. K. Khare)  
 Scientist  
 Regional Office  
 M.P. Lab In-charge  
 Jabalpur, M.P. 481005

कार्यालय राजस्व निरीक्षक कोहानी तह. गाडवारा  
 क्रमांक/७/रा.वि.लोहानी/२०२२ कोहानी दिनांक ३१/०३/२०२२  
 प्रति,

ANNEXURE II

श्रीमान् ठानुविगाणीय अधिकारी महोदय  
 (राजस्व गाडवारा)

विषय :- मौजा - खिलवाली स्थित शासकीय लालाब  
 लका सीमांकन प्रतिवेदन ।  
 संदर्भ :- न्याया. / अ.वि.अ. महोदय पत्र क्र. ७३६३/प्रवाचक्र/७/  
 अ. वि. अ. /२०२२ गाडवारा दिनांक २९/०३/२०२२

उपरोक्त विषयांतर्गत निवेदन

है, कि ग्राम - खिलवाली, पं. हवनं - १२१, राजस्व निरीक्षक  
 मण्डल - कोहानी, तह. - गाडवारा जिला - नरसिंहपुर स्थित  
 भूमि खण्ड. १११/१ - १११/२ - १११/३ - ११२ - ११३ - ११४ - ११५ इत्यादि  
 कुल ३.६५८ हे. मक पानी (लालाब) म.प्र. शासन का  
 सीमांकन न्याया. अ.वि.अ. महोदय गाडवारा के पत्र क्र. ७३६३/प्रवाचक्र/७/  
 गठित कल रा.वि. कोहानी, रा.वि. चीचली ई.टी.एम.  
 मशीन चालक बालभुवुंद मेहरा पटवारी, हनुका पटवारी  
 दानश्याम सिंगरोले, राहुल पटेल पटवारी मनकवारा  
 ग्राम कोहवारों एवं ग्रामवासियों की उपस्थिति में एड  
 मशीन से किया गया। सीमांकन में पाया गया कि  
 निम्नलिखित अतिक्रमणकर्तवियों द्वारा उक्त खण्ड में  
 अतिक्रमण किए गए हैं। जो निम्नानुसार हैं :-

To  
 दिनांक  
 ५/५/२०२२

क्र.	अतिक्रमणकर्ता का नाम/पिता/पति का नाम	अतिक्रमण का प्रकार	अतिक्रमित रकबा
①	रोशन / ज्ञानी नौरिया	झोपड़ी बनाकर	१२x२० फुट
②	गुड्ड / मल्हू नौरिया	झोपड़ी बनाकर	१०x२० फुट
③	दोब / भोजराज नौरिया	झोपड़ी बनाकर	१३x१८ फुट
④	जगदीश / मूलचंद नौरिया	झोपड़ी बनाकर	१५x२२ फुट

5	चंदन / मूलचंदन नौरिया	जोषी बनाकर	12x20 फुट
6	चंदन / भोजराज नौरिया	जोषी बनाकर	13x20 फुट
7	दीपाक / कुंजीलाल कोरव	बाडी लगाकर	10x12 फुट
8	जालम / चालुगुज कोरव	बाडी लगाकर	10x13 फुट
9	दीपाक / चालुगुज कोरव	बाडी लगाकर	12x10 फुट
10	लक्ष्मणलाल / श्यामलाल कोरव	बाडी लगाकर	12x12 फुट
11	मनोज / स्वामिनारायण कोरव	बाडी लगाकर	10x12 फुट
12	मुळदाबाई / कुंजबिहारी कोरव	हीनशेड बनाकर	12x15 फुट
13	पुजार सिंह / मोहन सिंह कोरव	गंगना फल्ल लगाकर	0.250 हे.
14	ग्राम पंचायत मंदल	शासकीय	50x60 फुट
15	शासकीय हाई स्कूल	शासकीय	100x100 फुट
16	हाट बाजार	शासकीय	100x100 फुट

उपरोक्तानुसार अतिक्रमण एस मशीन

से चिह्नित किए गए। जो अतिक्रमण कार्यवाही हेतु श्रीमानजी की ओर सादर प्रस्तुत है।

*(Signature)*  
31/03/2022

*(Signature)*  
R.P. Bohari  
31/03/2022

स्मल पंचनामा

काज दिनांक 31/03/2022 को ग्राम-लिलवानी, प.ह.न.121, रा.नि.म. बोधनी  
वह. गाडरवार, पिल. नरसिंहपुर, स्थित भूमि अंक नं 111/1, 2-3  
112, 113, 114, 115 अका कुल 3.658 है. मर पानी (नालाब) मंत्रालय  
का सीमांकन न्यायालय अ. कि. का. महोदय के पत्र अंक 7363/प्रकाशक-2/  
अ. कि. का/2022 गाडरवार दिनांक 29/03/2022 के परिणाम में जिन  
हल राज्यस्व विरीलु बोधनी, रा. नि. चिचली अंड खेगालु बालमुंडे देहरा  
परवारी, धनश्याम सिंगरोले परवारी, राहुल परल परवारी, रामकोरवारो एवं  
ग्राम के लोगो की उपस्थिति में अंड मतीन से किमा गमा एवं -  
अविमणकुलाओ की सूची अंकले तैयार की गई।

मौठे पर पंचनामा तैयार किमा गमा 2934 स्थित  
लोगो के हलानर लिखल।

*(Signature)*  
29/03/2022

*(Signature)*  
R. I. Bohari  
31/03/2022

31/03/2022

*(Signature)*  
31/03/2022

अधीकरण  
नादमाला  
अधीकरण  
अधीकरण  
अधीकरण  
अधीकरण  
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अधीकरण

NO  
मौजान-दिल्लवदीनी

प.हा.क. - 121  
राष्ट्रिक.सं. - लोहानी  
ल.ह. - गाडवारा  
जिला - बरकतपुर

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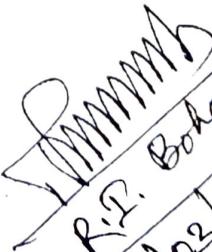


मौजान  
Gimp  
June 21

# आतिक्रमणकर्ताओं की सूची

क्र.	आतिक्रमणकर्ता का नाम / पता / पति	आतिक्रमण का प्रकार	आतिक्रमण रकम
1	रोशन / लाली नौरिया	जोड़ी बनाकर	12x20 फुट
2	गुड्डू / मन्धू नौरिया	जोड़ी बनाकर	10x20 फुट
3	चोद्दू / भोजराज नौरिया	जोड़ी बनाकर	13x18 फुट
4	जगदीश / मूलचंद नौरिया	जोड़ी बनाकर	15x22 फुट
5	चंदन / मूलचंद नौरिया	जोड़ी बनाकर	12x20 फुट
6	चंदन / भोजराज नौरिया	जोड़ी बनाकर	13x20 फुट
7	दीपाक / लुंजीलाल कौरव	बाड़ी लगाकर	10x12 फुट
8	जालम / चतुर्गुज कौरव	बाड़ी लगाकर	10x13 फुट
9	दीपाक / चतुर्गुज कौरव	बाड़ी लगाकर	12x10 फुट
10	लच्छूलाल / रामलाल कौरव	बाड़ी लगाकर	12x12 फुट
11	मनोज / रामनारायण कौरव	बाड़ी लगाकर	10x12 फुट
12	मुकलसिंह / कुंजविहारी कौरव	बाड़ी लगाकर	12x15 फुट
13	जुआर सिंह / मोहन सिंह कौरव	गंगा फल्ल लगाकर	0.250 हे.
14	ग्राम पंचायत भवन	शासकीय	50x60 फुट
15	शासकीय हाई स्कूल	शासकीय	100x100 फुट
16	हाथ बाजार	शासकीय	100x100 फुट

31/03/2022

  
 R.P. Bohari  
 31/03/2022

Photograph taken During Inspection of Village-Lalwani Tehsil-Gadarwada Dist-Narsinghpur on dated 26/03/2022 in the matter of Hon'ble NGT Bhopal O.A No. 24/2022



