

ACTION TAKEN REPORT

Sub: Action taken report in compliance to Hon'ble NGT order dated 10/10/2022 in the matter of OA 74/2022 (CZ) of Rashid Noor Khan vs Nagar Nigam Bhopal & Ors.

Hon'ble NGT on dated 10/10/2022 issued following instructions in the matter of OA 74/2022 (Rashid Noor Khan v/s Nagar Nigam Bhopal &Ors):

"10. We deem it just and proper to constitute a committee consisting of:-

- i. Chairperson/representative of State Wetland Authority, Bhopal (M.P.).*
- ii. Secretary/Representative, Department of Environment, State of M.P.*
- iii. One representative from District Wetland Conservation Committee, Bhopal.*
- iv. One representative from Environmental Planning & Coordination Organization (EPCO).*
- v. One representative from Madhya Pradesh Pollution Control Board.*

4. 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 of Hon'ble NGT, a joint committee of following officials of the concerned departments have organised a meeting on 31/10/2022 and discussed the issue related to the OA. The joint committee conducted site inspection on dated 10/11/2022 and 11/11/2022. During the inspection following officials were present:

1. Shri Ritutaj, Chief executive officer, Zila Panchayat, Bhopal – Representing DWCC
2. Shri Lokendra Thakkar, officer Incharge, MP State Wetland Authority, EPCO, Bhopal – Representing MPSWA
3. Shri Brajesh Sharma, Regional officer, MPPCB, Bhopal – Representative PCB
4. Shri Manohar Patil, Executive Engineer, EPCO, Bhopal – Representative EPCO
5. Shri Umrao Sing, Section Officer, Env Deptt, GoMP, Mantralaya, Bhopal – Representing Dept. of Env. GoMP.



Shri Ritesh Sharma, Assistant Engineer, Smart city, Bhopal and Shri Manoj Vishwakarma, Assistant Scientific officer, MP State Wetland Authority, EPCO, Bhopal were also present at the time of inspection to assist the committee. The photographs are attached as **Annexure-1**, for kind perusal please.

During the inspection GPS location of site visited by joint committee has been recorded using the mobile based GPS system. GPS coordinates of construction site is 23.2412271°N, 77.3756833°E. The Google map of construction site is enclosed as **Annexure-2**.

The observations of joint committee during the inspection are as under:-

1. The project site is situated adjacent to Bhopal musical fountain gallery, which is currently non-functional, and approx 600 meter away from the main gate of Van Vihar.
2. The demarcated site is having approx 19000 square feet area.
3. The site is located within 50 meters of FTL, between the road and the retaining wall of Upper lake.
4. At the time of inspection no construction activity was observed and no machinery / materials etc. were found near or at the site.
5. The site is temporarily enclosed by using metal sheets and a gate is provided for the entry into the area.
6. There are approx. 22 nos. of column footings observed. Some of them are raised up to and above ground level and rest are not started.
7. The area is having good green cover. The plants / trees currently available within the premises include Palm trees and some local species.
8. Committee have also observed cutting remains of the plants / trees at the project site. As per the information provided by District Administration, the cutting remains of the plants / trees includes approx 03 nos. of tress & 20 nos of wild shrubs.
9. The topography of the area remains same as the slope and gradient of the site has not been changed. The activities carried out in the area are found at its primary level.



10. As per the information provided by M. P. State Wetland Authority, a letter was sent on dated 20/09/2022 to the Managing Director, MP Tourism Development Corporation, Bhopal and Commissioner, BMC, Bhopal, in reference to the letters / representations received and news items published in local newspapers. Copy of letter of Member Secretary, MPSWA is enclosed as **Annexure-3**.
11. Committee has not found any adverse impact of the activity, as of now, on the water quality of lake and nearby areas as the activity is confined and at a distance from retaining wall of lake.
12. At present the construction activity has been completely halted.

Recommendations:-

1. The project proponent should obtain prior building permission from the concerned department as per the prevailing rules, regulations and procedure.
2. Concerned department / project proponent should be asked to carry out restoration work of the site by planting native plant species at the site.
3. Sign boards and caution boards should be installed at suitable place regarding restricted zone.



Umrao Singh
Section Officer, GoMP,
Env. Deptt, Mantralaya
Bhopal



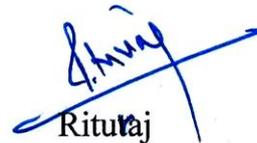
Manohar Patil
Executive Engineer
EPCO



Brajesh Sharma
Regional Officer
MPPCB Bhopal



Lokendra Thakkar
Officer Incharge
MP State Wetland Authority
EPCO



Rituraj
Chief executive officer,
Zila Panchayat, Bhopal

**Photographs taken during the Joint committee visit on dated 10/11/2022
and 11/11/2022**



Joint committee inspection of the site



Joint committee inspection at the site adjacent to the musical fountain



Footings at the site upto ground level



Retaining wall and existing Palm trees within premises



Current Status of the Site



Current Status of the Site

Annexure-II





म. प्र. राज्य वेटलैण्ड प्राधिकरण
(पर्यावरण विभाग, म. प्र. शासन)
पर्यावरण नियोजन एवं समन्वय संगठन
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी,
भोपाल - 462016
फोन : (0755)2464318, 2466970
Email - mpswa.epco.gov@gmail.com
पत्र क्र. 3872 / MPSWA/2022
दिनांक: 20/9/22

प्रति

प्रबंध संचालक

म. प्र. पर्यटन विकास निगम
भोपाल (म. प्र.)

आयुक्त

नगर पालिक निगम
भोपाल (म. प्र.)

विषय - बड़ा तालाब के किनारे क्रूज रेस्टोरेंट के निर्माण बावत् ।

संदर्भ- समाचार पत्र पत्रिका दिनांक 17.09.2022 में प्रकाशित खबर (छायाप्रति संलग्न) ।

विषयांतर्गत संदर्भित बड़े तालाब के किनारे क्रूज रेस्टोरेंट निर्माण से संबंधित प्रकाशित समाचार का कृपया अवलोकन करने का कष्ट करें ।

भारत सरकार द्वारा पर्यावरण संरक्षण अधिनियम 1986 के अंतर्गत वेटलैण्ड संरक्षण हेतु वेटलैण्ड (संरक्षण एवं प्रबंधन) नियम 2017 जारी किए गए हैं । ये वेटलैण्ड नियम सभी रामसर साइट्स पर स्वतः ही लागू होते हैं। इस संबंध में वेटलैण्ड नियम 2017 के पालन हेतु पर्यावरण विभाग, म. प्र. शासन द्वारा दिनांक 16.03.2022 को आदेश जारी किये गये हैं जिसमें प्रतिबंधित एवं विनियमित एवं अनुज्ञात गतिविधियों की सूची निहित है । उक्त आदेश की छायाप्रति म. प्र. पर्यटन विकास निगम एवं नगर निगम, भोपाल व अन्य संबंधित विभागों को अनुपालन हेतु पूर्व में प्रेषित की जा चुकी है । सुलभ संदर्भ हेतु पुनः संलग्न है ।

अतः उपरोक्त के संबंध में आपसे निवेदन है कि उक्त प्रकरण में अविलम्ब आवश्यक कार्यवाही करते हुए स्थल निरीक्षण आधारित तथ्यात्मक वस्तुस्थिति एवं की गई कार्यवाही से राज्य वेटलैण्ड प्राधिकरण, एपको को अवगत कराने का कष्ट करें ।

(श्रीमन् शुक्ला)

कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण

पत्र क्र. 3873 / MPSWA दिनांक 1 / 2022 20/9/22 0/c
प्रतिलिपि - ।

1. प्रमुख सचिव, पर्यावरण विभाग, म. प्र. शासन, मंत्रालय को कृपया सूचनार्थ ।
2. प्रमुख सचिव, नगरीय विकास एवं आवास विभाग, म. प्र. शासन, मंत्रालय को कृपया सूचनार्थ ।
3. आयुक्त, नगरीय प्रशासन एवं विकास संचालनालय को सूचनार्थ ।
4. कलेक्टर, जिला भोपाल को सूचनार्थ ।

कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण