

Joint Committee Inspection Report

In the Matter of

Original Application No. 08/2021
'Krishna Gopal Bairagi Vs State of Madhya Pradesh & Ors'

w.r.to

Hon'ble National Green Tribunal Central Bench Bhopal
order dated 12.1.2022

Date of Visit: 31 January, 2022

Location: Sehore, MP

Joint Committee Inspection Report in the matter of 'Krishna Gopal Bairagi Vs State of Madhya Pradesh & Ors'

Hon'ble NGT (CZ), Bhopal vide its order dated 12 January, 2022 in OA no. 8/20212 'Krishna Gopal Bairagi Vs State of Madhya Pradesh & Ors'' directed under Para 3 as :-

Accordingly with the concurrence of all participating parties/respondents, we constitute a committee consisting of following :

- 1. Representative of Collector (Sehore) dealing with the matter of revenue*
- 2. Director or representative of Director Town and Country Planning (Sehore)*
- 3. Representative of Central Pollution Control Board*
- 4. Representative of State Pollution Control Board.*

In the light of the objections raised by the applicant, the area must be surveyed, measured and demarcated and a Joint Committee report shall be submitted with regard to the encroachments with a clear opinion as to whether the colony which has been mentioned in the application is in violation of environmental norms or in violation of Master Plan or within the limits which has been mentioned as "No Development Zone" in the Master Plan. The committee is further directed to take and suggest the remedial measures as required.

In view of the above direction the area under question has been visited by the joint committee on 31st January, 2022 to assess the factual status of allegation made in petition, the joint committee comprised of the following officers:

1. Sh. Sunil Nath, Joint Director, T&CP Bhopal
2. Sh. A. K. Bisen, EE, MPPCB, RO Bhopal
3. Sh. Hariom Maheshwari, Assistant Director, T&CP Bhopal
4. Dr. Amit Singh, Tehsildar, Sehore district
5. Dr. Ranu C Verma Scientist 'B' Regional Directorate, CPCB, Bhopal
6. Dr. Anoop Chaturvedi, Scientist 'B' Regional Directorate, CPCB, Bhopal

Other officials present during the inspection were Shri Ramesh Verma, Executive Engineer, Sehore Municipal Corporation, Shri Navneet Chourasia, Patwari Sehore and Shri Manohar Daryani, TNCP Bhopal.

The present petitioner Sh. Krishna Gopal Bairagi and his representatives along with Sh. Vinay Ruthia petitioner of OA 16/2019(CZ) were also present at the time of inspection.

As per the discussion held with petitioner Sh. Krishna Gopal Bairagi and Sh. Vinay Ruthiya, only effective implementation of direction dated 09.09.2021 given by the Hon'ble NGT in the same matter Vinay Ruthia Vs State of MP & Ors (OA no.16/2019) is demanded.

However, the said judgment has been challenged by the Respondents in the Hon'ble Supreme Court by civil appeal diary no.26338/2020 and matter is pending before the court.

The observations of the Committee during the site visit are as follows:-

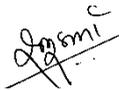
1. The Tehsildar of the Sehore district has constituted a four member committee vide office order dated 01.02.2022 for survey, measure and demarcation of the area (**Annexure – 1**). The demarcation report is awaited.
2. As per officials of T&CP, the colonizer of Vijasan Dham Colony, Sehore has not obtained any permission from Town and Country Planning department. The current master plan of 2016 for the city of Sehore mandates minimum of 30 meters of forest/ park/ recreation/ plantation from the boundary of main river Seewan and a minimum 15 meters plantation from the tributaries of river Seewan (**Annexure – 2**). The violation of master plan could be validated after the demarcation report.
3. As per Executive Engineer, Municipal Corporation, Sehore, the colonizer has not obtained any permission from Municipal Corporation, Sehore before development of colony.
4. The treatment of sewage of the colony is being done through septic tank and soak pit. During inspection no sewage discharge into river Seewan was observed.
5. Several brick kilns were found established on the bank of river Seewan.

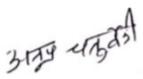
Recommendations:

1. The colonizer must obtain all the necessary permissions from the concerned departments.
2. Suitable action must be taken by the state/local authority for illegal development after demarcation of site.
3. Plantation should be carried out in the buffer zone of river Seewan to stop further encroachment activity by concerned department.
4. Sewage line of Vijasan Dham shall be connected to sewer network connecting to Juniyawadi STP, Sehore developed under AMRUT project.

Attachments:

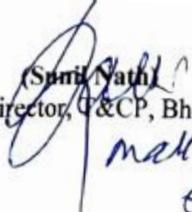
1. Letter no. 599 dated 01/02/2022 issued by Tehsildar, Sehore for demarcation.
2. T&CP master plan 2016 mandate for Seewan river and its tributaries.
3. Photographs of inspection dated 31/01/2022.
4. Google map of the site.


(Dr Ranu C Verma)
Scientist-B, CPCB,
RD Bhopal


(Dr Anoop Chaturvedi)
Scientist-B, CPCB,
RD Bhopal


(Dr Amit Singh)
Tehsildar, Sehore


(A K Bisen)
EE, MPPCB Bhopal


(Smit Nath)
Dy Director, T&CP, Bhopal
matter is not
examined.

Photograph of visit



Joint committee during inspection dated 31/01/2022



Joint committee along with petitioner during inspection dated 31/01/2022



Houses and temple constructed near bank of river Seewan



Brick Kilns established on the bank of river Seewan in its buffer zone

Google Map of Vijasan Dhaam Colony, Sehore

