

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

**Original Application No. 135/2014 (CZ)**

**Dr. Subhash C. Pandey & 2 Ors. Vs. State of MP & 6 Ors.**

**CORAM : HON'BLE MR. JUSTICE U. D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT : Applicant in : Dr. Subhash C.Pandey  
Respondent 1, 3 & 4 : Shri Sachin K. Verma, Advocate  
Respondent No. 6 : Shri Ayush Dev Bajpai, Advocate  
Respondent No. 7 : Ms. Parul Bhadoria, Adv. for  
Shri Purushaindra Kaurav, Adv.  
Shri Updesh Sharma, OIC & Mr.  
Brajesh Sharma, AE**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 11  22<sup>nd</sup> July, 2014</b>	<p data-bbox="553 997 776 1032">Heard. Perused.</p> <p data-bbox="472 1096 1396 2085">This application has been moved to save Kaliasot river from being encroached upon by unscrupulous builders/developers. On 27<sup>th</sup> May, 2014 we had directed that the Respondents shall stop any construction activity reported to be going on either in the river bed or the flood plain area or 30/33 Mtr green belt area. We had also directed the Respondent No.4/Director, Town &amp; Country Planning, M.P. to submit a report on inspection of the premises as to whether any construction has been carried out in the 30/33 Mts. wide green-belt area required to be maintained along the river Kaliasot. However, there was no fruitful response from the Director, Town &amp; Country Planning to the said direction as on 11<sup>th</sup> July, 2014. Thus, warrants were issued vide order dated 11<sup>th</sup> July, 2014.</p> <p data-bbox="472 2147 1396 2421">On 16<sup>th</sup> July, 2014, the Respondent Nos. 1 and 4 placed on record their response. It was revealed that the Respondent No. 4 in order to assess the construction carried out within 30/33 Mtrs. abutting the river course of river Kaliasot had superimposed the</p>

Khasra Map upon the satellite imagery and identified the constructions which had come up on this No Construction Zone along the river site of river Kaliasote. It further revealed that show cause notices were issued to 18 developers/persons for carrying out construction on No Construction Zone along the Kaliasote river and asked for a cause why they should not be proceeded against for removal of those constructions in accordance with law. Today, it is reported that some of them have responded to the said notice and the process of hearing them is going on.

On 18.07.2014, Mr. Brajesh Sharma, Assistant Engineer, MPPCB was directed to inspect the places where the offending activity of construction was allegedly going on as pointed out by the Applicant along with photographs and to find out the factual situation existing at the said places. Accordingly, the site inspection was carried out on the same day and the report of such inspection has now been placed before us.

Perusal of the said report dated 18.07.2014 submitted by Mr. Brajesh Sharma, reveals that vestiges of fresh constructions in the river bed were found in the vicinity of the area developed by Sagar Premium Plaza and IBD(Indus Builders & Developers).

Considering this report, we feel that Sagar Premium Plaza, Indus Builders & Developers, are made party to the present petition to render complete and a effective justice to the parties. Let these builders/developers be impleaded as parties to the present application.

Let the amended memo of parties be filed by the Applicant within one week from today. On the amended memo of parties

being filed, notice be issued to the newly impleaded parties.

List on **20<sup>th</sup> August, 2014.**

**M.A. No. 355/2014**

This Application has been filed by the Applicant. Let notice of this M.A. be issued to the Respondent returnable on **20<sup>th</sup> August, 2014.**

.....JM  
(U. D. SALVI)

.....EM  
(P.S.RAO)

