

**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 : Applicant in person
Respondent 1, 3 & 4 : Shri Sachin Verma, Advocate
Respondent No. 6 : Shri Ayush Dev Bajpai, Advocate
Respondent No. 7 : Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.
Shri Brajesh Sharma, OIC**

| Date and Remarks | Orders of the Tribunal |
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| Item No. 5 11th July, 2014 | <p><u>M.A.No. 334/2014</u></p> <p>Today the applicant has moved M.A.No. 334/2014 seeking action against the concerned officials of the respondents for breach of the order dated 27.05.2014.</p> <p>Order dated 27.05.2014 required the Respondent No. 4, Director, Town and Country Planning, Madhya Pradesh to submit a report on inspection of the premises of the builders/developers at item No. 1 to 20 of annexure 6 of the application answering the question as to whether any construction has been carried out in 30/33 meters distance in the green belt area required to be maintained from river Kaliasote. The order further required if the record is not placed before us, the Director, Town and Country Planning to remain present in the Court to explain the facts concerning the course of river Kaliasote, its flood plain zone and green belt as also the encroachments and constructions raised therein.</p> <p>Sadly, neither the record is placed before us nor the Director, T&CP is present in person. The photographs annexed with the</p> |

application clearly suggests that the course of river Kaliasote is being fettered with embankment of the height exceeding 15 feet on both sides and soil debris is being dumped to fill the depression on the banks of river Kaliasote may be for levelling the site and raise further constructions. These construction activities do suggest that the flood plain zone and the green belt abutting the river on both sides are being filled in. Such activities are an invitation to the disaster that may occur during rainfall as a result of the wiping out the flood plain zone. There is no one to apprise us about the action taken by the concerned authorities in that regard.

Consequently, we issue bailable warrants to Respondent No. 2, Officer In-charge, Madhya Pradesh State Disaster Management Authority, Bhopal; Respondent No. 4, Director, Town and Country Planning Department; Respondent No. 6, Chief Executive Officer, Municipal Council Kolar, Bhopal in the sum of Rs. 10,000/- to the satisfaction of the arresting officer, in exercise of our powers and in terms of the provision of Section 19(4)(a) of the NGT Act, 2010 read with order XVI Rule 10(3) and Section 151 of CPC, 1908 for their appearance in person before the Tribunal as their presence is necessary to adjudicate the matter in the issue before us. Warrants returnable on 18.07.2014.

List on **18th July, 2014.**

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

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

