

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

Original Application No. 15/2014 (CZ)

CORAM:

**Hon'ble Mr. Justice Dalip Singh
(Judicial Member)**

**Hon'ble Mr. P.S. Rao
(Expert Member)**

BETWEEN:

Ajay Pandey @ Baba,
S/o Late Shri Paras Pandey,
R/o Akta Colony, Bara Patthar, Seoni (MP).

..... Applicant

Versus

1. State of MP
Through Secretary
Department of Environment,
Vallabh Bhawan, Bhopal.
2. The Commissioner,
Jabalpur Division, Jabalpur.
3. The District Collector,
Seoni (MP).
4. Chief Municipal Officer,
Municipal Council,
District Seoni, MP
5. Regional Officer
State Pollution Control Board,
Scheme No. 5, Plot No, 455/456
Vijay Nagar, Jabalpur (MP).

.....Respondents

Counsel for Respondent No. 1,2&3 : Shri Sachin K. Verma, Advocate

Counsel for Respondent No. 5:

**Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.**

Delivered in Open Court by
Hon'ble Mr. Justice Dalip Singh, Judicial Member

1. This application has been filed by the Applicant raising a grievance with regard to the construction of *Sulab Shouchalay* by the Seoni Municipality, on the banks of Dal Sagar lake in Seoni alleging that untreated waste is being allowed to flow from the said *Shouchalay* into the Dal Sagar lake and thereby polluting the lake.
2. Vide order dated 09.07.2014, this Tribunal directed impleadment of Regional Officer of the MPPCB, Jabalpur as party with further direction to carry out inspection of the disputed site and submit a report before this Tribunal. It was also directed that the Respondent shall also inform the Tribunal whether the Respondent No. 4 Municipal Council, Seoni has made any plans or there is any sewage treatment plant existing for the city of Seoni.
3. Today, the response on behalf of Respondent No. 5 MPPCB has been submitted. The same is ordered to be taken on record.
4. So far as the disputed *Shouchalay* on the banks of the Dal Sagar lake in Seoni is concerned, it is given out that untreated sewage from the *Shouchalay* is not being allowed to flow into the Dal Sagar lake and instead a separate septic tank has been constructed for treatment and discharge of sewage generated in the *Shouchalay* near the banks of the lake, though, it is submitted that the effluents from the said septic tank over flows into the nallah on the opposite side of the lake. It is categorically stated that no untreated sewage is allowed to pollute the water of the lake. However, in the inspection report, in conclusion (Para 2) it has been stated by Respondent No. 5 that at present in the city of Seoni, no Sewage Treatment Plant is existing for treatment of the sewage and the same is

allowed to flow into the nallah which ultimately joins the *Wainganga* river. Through the Respondent No. 1, we would like to emphasise that the requirement of having sewage treatment plant to be established and operated by the local municipality, Respondent No. 4 Municipal Council in this case, has to be ensured by Respondent No. 1 by taking up the issue with Urban Administration and Development Department.

5. We would accordingly therefore direct the Respondent No. 1 to ensure that the Respondent No.4 Municipal Council, Seoni immediately sends a proposal with a plan and estimate for establishment of sewage treatment plant for the city of Seoni if already not yet initiated the process so as to ensure that no untreated sewage is allowed to pollute the river *Wainganga*.
6. We have also noted from the reports of the water analysis submitted by the MPPCB Respondent No. 5 at page 12 of their reply that the quality of water in the Dal Sagar lake is a matter of concern particularly with regard to COD levels. This obviously goes to show that the cause of pollution in the Dal Sagar lake has to be identified and rectified. The Municipal Council Respondent No.4 in consultation with Respondent No. 5 Regional Officer of the MPPCB to carry out the task of identifying such source of pollution and also take necessary steps for ensuring that the quality of water of Dal Sagar lake is maintained as per the prescribed norms.
7. We would accordingly grant three months time to the Respondent No. 1 and 4 for carrying out the task of preparation of a project report and for ensuring starting of the work for the establishment of STP at Seoni. We would also direct that the task of identifying the source of contamination and pollution of the water in Dal Sagar lake by Respondent No. 4 in consultation with Respondent No. 5 be carried out and short term rectification measures shall be initiated within three months. The compliance report with regard to the same

and the steps taken by the Respondent No. 1, 4 and 5 shall be reported to this Tribunal.

8. Accordingly, with the aforesaid direction, this application stands disposed of. Copy of this order may be sent by post to the Applicant alongwith copy to Respondent No. 4 as the Respondent No. 4 has not appeared during the course of hearing today. Counsel for Respondent No. 1 and 5 shall intimate their respective clients for carrying out the compliance.
9. Matter be listed on **4th December, 2014** for compliance.

(Mr. Justice Dalip Singh)
Judicial Member

(Mr. P.S.Rao)
Expert Member

Bhopal:
August 22nd, 2014

NGT