

Item No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL**  
(Through Video Conferencing)

**Original Application No. No.17/2023(CZ)  
(I.A.No.50/2023)**

Dr. Subhash C. Pandey Applicant(s)

Versus

Bhopal Municipal Corporation & Ors. Respondent(s)

**Date of Hearing : 11.09.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. A SENTHIL VEL EXPERT MEMBER**

For Applicant(s):	Dr. Subhash C. Pandey, Applicant in Person
For Respondent(s):	Ms Parul Bhadoria, Adv. Ms. Gunjan Chowksey, Adv. Mr. Enosh George, Adv. Mr. Prashant M. Harne, Adv. Mr. Shireesh Shrivastav, Adv.

**ORDER**

**I.A.No.50/2023**

1. The Original Application was filed containing the facts that under the Capital Project Administration, plantation was done in the Bhopal city but the trees and plants are being cut or damaged and land under plantation has been diverted or continuously under encroachment by the unauthorised persons for personal and commercial purposes. The name of the persons against whom allegations were made were not shown in the list of Respondents. Thus, the applicant has moved this I.A. No. 50/2023 with the prayer that Respondent no. 4 to 10, mentioned in I.A. under consideration are necessary and proper parties and they should be impleaded in this application.

2. The perusal of the record reveals that Respondent nos. 4 & 5 have already filed the reply. Since the order or the proceedings in this application may effect the rights of the respondents. Thus I.A. No. 50/2023 for impleading the respondents as Respondent no. 4 to 10, was allowed vide order dated 28.07.2023.
3. During the course of hearing, Respondent No. 7 has filed the reply. Learend Counsel for the Respondent nos. 4, 5 & 7 have submitted that there are no specific allegations against the respondent with regard to the cutting of trees or encroachment of the land or violation of any environmental rules, without showing specific violation they have been unnecessarily arrayed as respondent
4. Newly added respondents, who have not filed the reply are directed to submit their reply within 15 days. The applicant is directed to submit the detail report with regard to violation against the respondent with the copy to the respondents and State Pollution Control Board and Municipal Corporation so that they will be able to submit the report/ reply. The specific contentions are that (i) Cutting of trees (ii) encroachment on the green belt area (iii) use of green belt area by the occupiers in violation of Environmental Rules.
5. To find out the truth and to verify the allegations, we constitute a committee consisting of (i) Divisional Forest Officer, Bhopal (ii) Representative of the Commissioner, Municipal Corporation, Bhopal. (iii) Representative of State Pollution Control Board, Bhopal and direct them to submit the factual and action taken report. The committee have to specifically examine the contention of the applicant as

alleged in I.A. No. 50/2023 and violation of Environmental Rules.

6. List it on **29<sup>th</sup> September, 2023** for further proceedings after submission of the report/ reply. The report by the State Pollution Control Board / Municipal Corporation must be filed before the next date of hearing.

**Sheo Kumar Singh, JM**

**Dr. A Senthil Vel, EM**

11<sup>th</sup> September, 2023  
O.A No.17/2023(CZ)  
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