

Item No.02

(Bhopal Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(Through Video Conferencing)

Original Application No.25/2023(CZ)

Sachin Dave

...Applicant

Versus

Union of India & Ors.

...Respondent(s)

Date of hearing: 13.07.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant: Mr. Sachin Dave, Applicant in Person

For Respondent: Mr. Sachin Kumar Verma, Adv. Standing
Counsel State of M.P.
Ms. Parul Bhadoria, Adv, MPPCB

ORDER

1. Mr. Sachin K. Verma, Learned Counsel for the State of Madhya Pradesh is present and stated that some further time is required by the Committee for submitting report but reason for seeking further time could not be explained. The conduct of Committee, we find very unsatisfactory and cannot be appreciated. This kind of lackadaisical attitude on the part of Committee Members has to be deprecated and they have to be warned to be careful in future so as not to compel this Tribunal to pass stringent orders against them.

2. Let the requisite report as directed vide order dated 20.04.2023 be submitted within one month.

3. We may also point out that in the report to be submitted by the Committee, it shall also give details of flood plain zone of River Kshipra, programme for rejuvenation, the Action Taken Plan in respect of removal

of encroachment and whether any funds have been provided by National Mission for Clean Ganga since River Kshipra is a tributary of River Ganga and is governed by Provisions of River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 and if such fund has been provided, in what manner, such fund has been utilised.

4. We also direct District Magistrates Ujjain, Indore, Dewas and Ratlam to submit separate reports with regard to the status of River Kshipra in their respective Districts which will include encroachment status, discharge of industrial effluents, municipal and domestic sewage and the measures of treatment of such discharge undertaken by respective bodies, agencies or individuals, as the case may be.

5. It shall be open to concerned District Magistrate to include and take assistance of any other expert or authority or agency for the purpose of submitting the above directed report, including civil societies.

6. We also direct that on the next date Additional Chief Secretary, Water Resource Department, State of Madhya Pradesh and Member Secretary, MPPCB shall also appear in person before this Tribunal.

7. List this matter on 16.08.2023.

8. A copy of this order be forwarded to Additional Chief Secretary, Water Resource Department, State of Madhya Pradesh and Member Secretary, MPPCB, District Magistrates of Ujjain, Indore, Dewas and Ratlam and Members of the Joint Committee by e-mail for requisite compliance.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 13, 2023
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