

Item No. 01

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

**Original Application No. 181/2023(CZ)**

Hari Mohan Mishra

Applicant(s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

**Date of Hearing : 14.12.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s):

Hari Mohan Mishra  
(Applicant in Person)

For Respondent(s):

None.

**ORDER**

1. Issue raised in this application is encroachment on the public land which is recorded as pond being Khasra No. 1323, 1324, 1325/1, area 29.78 hectare known as Puraniha Pond located in village Bedachh, Tehsil- Jawa, District- Rewa, Madhya Pradesh.
2. It is alleged that the area of the pond is being regularly subject of encroachment by different persons in the village and various applications have been moved before the competent authorities for taking action and removal of encroachment but nothing has been done and the land of the pond has been regularly subject of encroachment by the violators of law.
3. A recent application dated 11.04.2023 was addressed to the collector, Rewa with the copy of the application addressed to PMO but nothing has been done by the authorities concerned.

4. The pond is generally used for storage of water to be used for drinking purposes as well as for irrigation purposes to the local residents and the animals residing there.
5. Continuous encroachment in an unauthorized way by unauthorized persons creating disturbance in the ecology and recharge of the ground water creating water problem to the society. If the matter is not taken up in due course of time the existing generation and the coming generation may face serious water problem.
6. In view of the above it is the pious duty and responsibility of the local administration/Collector of the District to protect the public land and to protect the water bodies/pond and to ensure that there should not be any encroachment on the water bodies and any encroachment made in an unauthorized way they shall be immediately removed in due course of law.
7. A substantial question of the environment has been raised. Issue notice to the respondent returnable within four weeks. Applicant/Registry is directed to take necessary steps. Respondents are directed to submit their reply within six weeks.
8. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of :-
  - i. One representative from the District Magistrate, Rewa, M.P.
  - ii. One representative from the Municipal Commissioner, Rewa, M.P.
  - iii. One representative from the State Pollution Control Board, M.P.
9. The Committee is directed to visit the place, examine the records, identify and demarcate the pond, the demarcation must be done by way of fixing the poles around the pond and then to take necessary actions. The committee has to take necessary actions against the encroachment and to ensure that in case

of encroachment it must be removed according to rules. Factual and action taken report be submitted within four weeks. The State PCB will be the nodal agency for coordination and logistic support.

10. The report in the matter be filed by the Committee through email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **24<sup>th</sup> January, 2024.**

**Sheo Kumar Singh, JM**

**Dr. Afroz Ahmad, EM**

14<sup>th</sup> December, 2023.  
O.A No. 181/2023(CZ)  
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