

Item No.2

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

**Original Application No. No.94/2023(CZ)
(O.A.No.916/2022 - PB)**

Hakimuddin Hussain

Applicant(s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of Hearing : 12.09.2023

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

For Applicant(s):

Applicant in Person

For Respondent(s):

Mr. Prashant M. Harne, Adv.
Mr. Kumar Purushottam, Adv.
Mr. M.R. Baghel, Adv.
Ms. Parul Bhadoria, Adv.
Mr. Mohit Buch, Adv.
Mr. P.K. Singh, PCCF

ORDER

1. Issue raised in this application is encroachment on the public land or the land reserved by the Government for plantation and substantial green cover in city of Ujjain. The grievance of the applicant is encroachment on the land reserved for plantation.
2. The matter was taken in cognizance by the Tribunal and a committee was constituted to submit the factual and action taken report. In compliance thereof a Joint Committee has submitted the report with the following facts :
 - (i) At sl. No. 4 Tehsil Ghattiya approximately 4.80 of the land is subject of encroachment.
 - (ii) Out of this 1.00 hectare land is encroached and is being used for residential purposes or *Gaushala* without any authority of the State.

- (iii) On .05 hectare of the land there are a construction of the School and on rest of the land agriculture work is being done by way of encroachment.
- (iv) At sl. No. 6 in Tehsil Nagda, there are encroachment of 2.120 hectare of the land and out of this .008 hectare Land was encroached by the School by way of boundary wall.

3. It is further submitted that the encroachment shall be removed immediately. The report was filed in the month of May, 2023 but no progress has been shown with regard to the removal of encroachments. Accordingly, District Magistrate/Collector, Ujjain (M.P.) is directed to ensure the removal of encroachment of the public land reserved for the plantation and the land should be handed over to the Forest Department for deep plantation and its maintenance. The Applicant appearing in person has submitted that it is Government School.

4. In view of the above, the District Collector is directed to allot other land of the State which will be two times of areas taken by School for plantation to be done by the Forest Department. The Joint Report by the DFO and the Collector be filed with regard to the compliance within 10 days.

5. List it on **3rd October, 2023**.

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

12th September, 2023
O.A No.94/2023(CZ)
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