

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)
Original Application No. 58/2022(CZ)

Milind Thakre

Applicant(s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of hearing: **26.07.2022**

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

For Applicant (s): Mr. Dharamvir Sharma, Adv.

For Respondent(s): None.

ORDER

1. Issues raised in this application are :-

- i. Illegal operation of Stone Crusher Unit by respondent no. 6 at village – Dahedi, Tehsil- Kirnapur, District- Balaghat (MP), without following the due process of law.
- ii. Illegal encroachment in forest land Khasra No. 465 admeasuring about 13.2940 Hectares.
- iii. Use of crusher unit, storage of excavated earth, transformer and weighing – bridge by installing in the Khasra No. 465 which is recorded as forest land.
- iv. The stone crushers unit is flouting the set norms, rules and guidelines issued by the State Pollution Control Board and also having established in forest land. There is uncontrolled emission and dust is clearly visible at alleged site having substantial issue related with environment, and there is irreparable damage caused to the forest and its ecology.

2. The contention as raised has been supported by the document at Annexure-A-4 where the Khasra No. 465 has been recorded as a forest land.

3. A substantial issue of environment has been raised.

4. Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within Six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
6. 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. Collector, Balaghat, (M.P.).
 - ii. Deputy Conservator of Forest, Balaghat, (M.P.).
 - iii. One representative from Madhya Pradesh Pollution Control Board
7. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
8. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).
9. The report in the matter be filed by the Committee through email at 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 **29th August, 2022.**

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

26th July, 2022
O.A. No. 58/2022(CZ)
PN