

Item No. 01

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

**Original Application No.46/2024(CZ)**

Balkrishna Yadav & Anr.

Applicant(s)

Vs

West Central Railways & Ors.

Respondent(s)

Date of Hearing: **06.03.2024**

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

For Applicant (s): Ms. Zubia Sajid, Adv.

For Respondent(s):

**ORDER**

1. The matter in this application pertains to storm water drain located at Ward No. 3 in Mangaj Zila of Damoh, which acts as the outlet for water flowing from Ward No. 1, 2 and 3 altogether, in the said area before finally mixing in Kopra Nadi, Damoh and that the Respondent no. 1 is polluting the drain by disposing off sewage in the Naala which hampers the free flow of water leading to flooding situation in the entire station area.
2. The part of this drain located at ward no. 3 near station area is being covered with concrete and a boundary wall is being erected on the drain by respondent no.1 as part of its operations under Amrit Bharat Station Yojana. That the area where the work is being carried out is a low lying area which gets water logged during the rainy season. The storm water drain is important to let off excess rain water to avoid flooding in the area.

3. It is contended that if the wall is erected, it will cause obstruction to the flow of water. The water which passes through the drain will get clogged up the area with no passage to exit and hence the entire area will be inundated during rains. The entire stretch of shops and houses including the railway station itself would be filled with water and unhygienic conditions will prevail which would lead to breeding of mosquitoes and other insects and manifold diseases.
4. A substantial issue of environmental has been raised. Issue notice to the respondents. Returnable within four weeks.
5. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
6. Respondents are directed to submit their reply/counter affidavit through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, before the next date of listing.
7. We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:
  - (i) One Representative from the Collector Damoh (M.P.)
  - (ii) One Representative from the West Central Railway, through General Manager, Jabalpur (M.P.)
  - (iii) One Representative from the Madhya Pradesh State Pollution Control Board, (M.P.)
8. The Committee is directed to submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
9. Applicant is directed to supply the required documents and copy of the application to the committee and the respondents within a week and after compliance of service, the Applicant has to submit an affidavit

that notices and copy of the application have been served upon the committee and respondents.

10. The report in the matter be filed by the Committee by 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 **8<sup>th</sup> April, 2024.**

**Sheo Kumar Singh, JM**

**Dr. A Senthil Vel, EM**

6<sup>th</sup> March, 2024  
O.A. No. 46/ 2024(CZ)  
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