

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

Original Application No. 641/2019

(With Report dated 19.09.2019)

Anil

Applicant(s)

Versus

State of Madhya Pradesh

Respondent(s)

Date of hearing: 26.11.2019

CORAM:

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

ORDER

1. A report was sought from the Madhya Pradesh Pollution Control Board (MPPCB) with regard to the allegation of illegal cutting of trees and encroachment by a colonizer on the Government land and Saraswati River at A.B. Road, village Bijalpur, District Indore, Madhya Pradesh.
2. Accordingly, a report has been filed on 19.09.2019 acknowledging that trees have been cut without proper permission. Channelization of drain was being done by the colonizer without prior permission from the Irrigation Department of the State. The report concludes as follows:

“Thus, from the above observations, it is evident that the colonizer has constructed road & culverts with the necessary permissions of the Collector Indore. Also the tree cutting complaint has not been found to be correct in the

light of letter submitted here in above, by SDM, Rau & Zonal Officer Nagar Nigam.

The permission related to channelization of Nalla has not been submitted by any of the authority and even by the colonizer. Hence, the colonizer M/s Shri Shristi Construction Pvt. Ltd., Khasra No. 374/4 Bijalpur A.B. Road, Indore 452012, may be instructed to obtain necessary permission of nalla channelization as per rule from competent authorities. It is humbly submitted that the complaint matter is related to Collector Indore & Nagar Nigam Indore and not related to MPPCB.”

3. Let the District Magistrate, Indore take further appropriate action in accordance with law.

A copy of this order be sent to the District Magistrate, Indore by e-mail.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

Saibal Dasgupta, EM

November 26, 2019
Original Application No. 641/2019
DV