

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

M.A.No. 16/2014 & 17/2014

in

Original Application No. 34/2013

Subhash C. Pandey Vs. Municipal Corporation Bhopal & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S. RAO, EXPERT MEMBER

PRESENT : **Applicant :** Dr. Subhash C.Pandey
Respondent No. 1 : Shri Asad Ullah Khan, Advocate
Shri Rakesh Nigam, Asst. Engineer
Respondent No. 2 to 6 : Shri Sachin K. Verma, Advocate
with Shri Ayush Dev Bajpai, Advocate
Shri A.K. Khare, CPA, SDO (Forest)
Dr. Sanjeev Sachdev
Respondent No. 7 : Shri Shivendu Joshi, Advocate for
Shri Purushaindra Kaurav, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 04 10th January, 2014	<p>In pursuance of our order dated 06.01.2014, the Superintendent Engineer, CPA, Bhopal was to appear today. Shri Sachin K.Verma has moved M.A.No. 16/2014 seeking exemption of personal appearance of the Superintendent Engineer on the ground that he is out of station. On his behalf, Shri A.K.Khare, SDO (Forest), CPA is present in person.</p> <p>Shri G.S. Saluja, City Engineer, BMC was also directed to remain present today. He is reported to be unwell. The Counsel for BMC has filed M.A.No. 17/2014 seeking exemption from personal appearance of Shri Saluja. However, Assistant Engineer of BMC is present on his behalf.</p> <p>Looking to the reasons mentioned in both the M.As. the personal appearance of the officials is exempted for today. The M.A.No. 16/2014 and 17/2014 stands disposed of.</p> <p>The Learned Counsel appearing for the BMC has filed a compliance report indicating that in pursuance of the directions of the Tribunal dated 06.01.2014, a meeting was held jointly by the officials of CPA and BMC and the CPA has agreed to provide necessary assistance for cleaning and</p>

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transportation of the solid waste accumulated in the Nalah in Ekant Park near Chuna Bhatti Road. In the compliance report, the steps which the municipality intends to take for cleaning the solid waste in and around the Panchsheel Nalah at the points near Manisha Market and Shahpura Chhanwni have also been mentioned. The Minutes of the meeting have also been annexed and the action plan with estimated cost of Rs. 38,750/- has also been given out. It is further stated that the work shall start on or before 13.01.2014.

The Assistant Engineer who is present through Counsel for the BMC, has stated that certain locations along the Panchsheel Nalah have been identified for fixation of wire mesh and works for installation of wire mesh to prevent the inflow of solid waste through the nalahs into the Shahpura Lake would also commence w.e.f. 13.01.2014.

However, as regard to our directions for fixing wire mesh in other nalahs entering into the Shahpura Lake and with regard to solid waste entering into the other lakes including the Upper Lake of Bhopal, nothing has been mentioned in the compliance report. The Counsel for the BMC is accordingly directed to submit an affidavit/compliance report in respect of other lakes including the Upper Lake in terms of our order dated 06.01.2014 on or before 16.01.2014.

For maintaining the quality of the water of lakes including preventing solid waste from entering into the lakes of Bhopal through nalahs which are both rainfed and sewage fed and mostly though waste generated domestically, awareness amongst the people residing not only near the lakes but also near the nalahs is essential. Counsel for the BMC is directed to file a list of the Municipal Corporators of the Wards lying in close proximity of the nalahs feeding various lakes of the city of Bhopal on the next date of hearing as the Tribunal feels that it is necessary to seek public assistance through the representatives of people and other prominent

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residents and citizens who can create awareness amongst the residents of the city with regard to management of solid waste as well as its ill effects on the environment and the pollution in the lakes in particular.

The applicant is also directed to submit a list of five responsible prominent citizens, with their consent to act as members of the Monitoring Committee in writing to ensure that the aforesaid work of removal of solid waste from the nalahs as well as at the mouth of the lake where nalah is entering the lake is done effectively and to the satisfaction. Such list shall include, as far as possible, prominent citizens of the area, preferably with engineering backgrounds, retired senior officials, media personnel and if possible a minimum of two women representatives, as the need to understand management of domestic solid waste can best be felt and realised by women who run the household.

Meanwhile, the BMC shall prepare action plan for the remaining lakes of Bhopal and proceed with the task of implementing the action plan in respect of the Shahpura Lake as per the action plan already submitted.

Shri Shashank S.Rai, student of the Tata Institute of Social Sciences, Guwahati has submitted certain suggestions stating that he is working on a project doing internship with the NGT, Central Zonal Bench, Bhopal on the steps that may be taken including Bioremediation for improving the quality of water in the lakes. The Counsel for MPPCB is directed to take note of the same and forward the same to the Regional Office of MPPCB, Bhopal for examining the feasibility of bioremediation of pollution of lakes in Bhopal City in accordance with the same.

The matter be listed for further orders on **16.01.2014**.

.....JM
(DALIP SINGH)

.....EM
(P.S. RAO)