

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 117/2014 (CZ)
Dr. Subhash C. Pandey Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

PRESENT : Applicant : In person
**Respondent No. 5 & 7 : Shri Sachin Verma, Advocate
Dr. Asha Upwanshi Wasewar**
**Respondent No. 8 : Ms Parul Bhadoria Advocate, Adv for
Shri Purushaindra Kaurav, Adv.**
Respondent No. 2 : Shri Yadvendra Yadav, Adv.
Respondent/MoEF : Shri Om Shankar Shrivastav, Adv.
**Respondent/MoUD : Shri Om Shankar Shrivastav, Adv. for
Shri Sunil Shrivastav, Adv.**

Date and Remarks	Orders of the Tribunal
Item No. 10 21st July,2015	<p>The project report prepared by the Horticulture Department has been placed for our perusal. It has been explained that by way of the Pilot Project areas measuring approximately 750 hcs. have been identified in and around 4 major town of Madhya Pradesh where farming through irrigation from sewage water was being carried out and which under the orders of this Tribunal has been prohibited, particularly, growing of vegetables which can lead to entry of heavy metals and other pollutants in the food chain and hence considered to be not conducive. It is submitted that this area of 750 hcs., has been identified in 4 major towns namely Bhopal, Indore, Ujjain & Jabalpur. The total number of farmers who are affected and are proposed to be covered under the Pilot Project over 750 hcs. have also been identified.</p> <p>The Horticulture Department proposes to bring the aforesaid area to be cultivated by farmers with 3 types of flowers namely, loose flower, cut flowers and bulbous flowers. It was</p>

submitted by the Asst. Director, Horticulture Department who is present in the Tribunal today that a market survey has also been carried out for the aforesaid types of flowers and it is proposed to have a proper Mandi which is likely to be developed and in the first instance a Mandi for flower would be developed at Bhopal. While it was submitted that the project would take off from the winter season the intermediate time which is available now would be utilised for creating awareness and providing technical know, including knowledge about the floriculture as also various schemes that are available for which the farmers can take the maximum benefit. It was being submitted that efforts are on to import the bulbs etc. that may be required for the flowers to be cultivated. To mitigate the expenditure to be incurred, the farmer would also be provided financial assistance by the parties.

The issue with regard to cultivation of flowers in place of vegetables which had been banned and ordered to be destroyed in the sewage farming areas is one of the issue which has been raised and requires attention. The aforesaid issue of floriculture was to mitigate the hardship to the farmers as a result of the ban imposed on vegetables cultivation which was normal practice being followed and to ensure that such contaminated vegetables are removed from the food chain which may adversely affect the human health on being consumed.

However, the main issue with regard to the untreated sewage being discharged as also the possibility of underground water having been contaminated as a result of long and continuous discharge of untreated sewage also requires to be appraised.

We would accordingly direct the Respondents to submit their response on the aforesaid two issues and submit the report with regard to identification of the source of untreated sewage particularly in the 4 metropolitan areas which have been identified in the first instance, namely Ujjain, Gwalior, Indore & Jabalpur and what steps are being put into place by the local authorities of 4 cities and by the State Government for ensuring that untreated sewage does not come into the Nallah.

The State Government shall also in the meanwhile, with the assistance of the Central Ground Water Authority take the samples of the water from various tube wells and other wells in the area of 750 hcs. and around it to test the potability of the water and also if any other contaminants or pollutants, particularly, chemicals etc. are found in the same. In the event of such pollutants being found these tube wells/wells and water source need to be marked and identified by prominently displaying as water not being conducive for human consumption. It was submitted that in the month of August, the District Administration with the help of Horticulture Department will carry out the training programme for the benefit of the affected individuals including 452 farmers.

The steps taken by the Respondents with regard to the issues as mentioned above shall be reported back to the Tribunal by the next date of hearing.

Let the matter be listed on **6th October, 2015**.

.....,JM
(DALIP SINGH)

.....EM
(BIKRAM SINGH SAJWAN)

