

**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  
Respondent No. 8 : Ms Parul Bhadoria Advocate, Adv for  
Shri Purushaindra Kaurav, Adv.  
Respondent No. 2 : Shri Yadvendra Yadav, Adv.  
Respondent/MoEF&CC : Shri Om Shankar Shrivastav, Adv.  
Intervener : Shri R.K.Shukla**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 3 6<sup>th</sup> October, 2015</b>	<p>In response to our order of 21.07.2015, the MPPCB has filed a reply along with the reports of water sample testing in four point at Bhopal, Sagar, Mandasaur and Shivpuri Region. As per the submission of the Learned Counsel for the MPPCB, the samples which have been tested are found fit for agriculture purposes as per the BIS standards laid down for tolerance limits for Inland Surface Water Class-E. We however, find that in the Table 5 giving the standards for tolerance limits for Inland Surface Water Class-E, there is no mention with regard to coliform levels, fecal coliform levels and also with respect to heavy metals as well as pesticides, etc. We therefore, direct that MPPCB shall file a fresh affidavit stating whether such standards have been prescribed. If so, under what provisions. At the same time, we also direct the State Government as well as the PCB to get in touch with the Food Safety and Standards Authority of India (FSSAI) for finding out specific provisions in this behalf both in terms of the water which may be permissible to be used for irrigation as well as the quality of vegetable, etc.</p>

that may be sold in market, etc. as fit. We further direct the State Government that keeping in view our directions of last order of 21.07.2015, information with regard to four cities namely, Ujjain, Gwalior, Indore and Jabalpur pertaining to sewage farming as directed be placed on record.

As had been directed on 21.07.2015, the State Government has so far not placed before us the reports received from the Central Ground Water Authority of the water testing having been done as directed earlier. The State Government will file the affidavit of the steps taken by it and also file the reports that may have been received by the State Government from the CGWA.

Some of the farmers who claim to be adversely affected as a result of our order of prohibiting sewage farming of vegetables in Bhopal Region have filed their application / affidavits contending that the Public Health Engineering Department has stopped the water to their fields despite the fact that instead of vegetable farming they had taken recourse to the alternate option under the Government policy of the Horticulture Department for Floriculture on their land. We accordingly direct the Learned Counsel for the State to take up the matter immediately with the Public Health Engineering Department in this behalf and to ensure that no person is subjected to any harassment in the garb of our order keeping in view the Government policy of permitting floriculture in the sewage farm in place of vegetable farming which alone has been prohibited by our orders and the Government itself has come up with the said policy for mitigating the hardship of the farmers in

this behalf.

For seeking the response of the Government on the hardship of the farmer in Bhopal Region as a result of the alleged action on part of the PHE Department, let the matter be listed on **13<sup>th</sup> October, 2015**. As far as the compliances by the MPPCB and the State Government of the other directions contained in our order of 21.07.2015, let the matter be listed on **16<sup>th</sup> November, 2015**, as prayed.

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**(DALIP SINGH)**

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**(BIKRAM SINGH SAJWAN)**