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

M.A.No. 14/2015, 13/2015, 690/2014 & 696/2014

and

Original Application No. 135/2014 (CZ)

Dr. Subhash C. Pandey & 2 Ors. Vs. State of MP & 6 Ors.

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

**PRESENT : Applicant: Dr. Subhash C.Pandey
Respondents 1, 3 & 4: Shri Sachin K. Verma, Advocate
Shri C.M.Shukla, Addl. Comm.
Shri V.P.Kulshrestha, JD, T&CP**

**Respondent No. 7 : Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.
Shri Brajesh Sharma, OIC
Shri Neel Choudhary, Adv. for
Shri Vijay Choudhary, Adv.
Shri Rajendra Babbar, Adv.
Shri Amit Gajbhiya, OIC**

Date and Remarks	Orders of the Tribunal
<p>Item No. 6</p> <p>12th January, 2015</p>	<p style="text-align: center;"><u>M.A.No. 14/2015</u></p> <p>One, Shri Shivraj Singh has moved this M.A. through Shri Shrey Raj Saxena, Advocate. However, he prays that he may be</p>

permitted to withdraw the application with liberty to move a fresh application, if a need so arises.

Accordingly, M.A.No. 14/2015 stands disposed of.

M.A.No. 13/2015

Shri Sachin K.Verma appearing for the State has filed this application indicating the progress made so far for identifying the river course of River Kaliasote, demarcation of the 33 meter No Construction Zone and the green belt required to be maintained in pursuance of the existing provisions of law. It is submitted that a total stretch on either side of the river cumulatively for a length of 40 kms. has been so far identified and demarcated and the remaining is required to be still carried out. It has further been stated that the fixation of the boundary pillars for about 6 kms. length has also been carried out at the distance of 33 meters from the boundary of the River Kaliasote and the remaining work is required to be done. It is submitted that the aforesaid work has been done up to 10.01.2015.

In para 3 of the M.A, it has been submitted that the District Administration is now required to depute the staff involved in the aforesaid work, for the ensuing elections to the Municipal Corporation, Bhopal as they are being entrusted with election duties which are likely to be held in February, 2015. As such a prayer has been for extending a period of three months for

completion of the demarcation work.

We have considered the request made in the M.A.

The judgement in the present O.A. was delivered on 20.08.2014 with the direction to carry out the task of identification of the course of Kaliasote river and the 33 meter ~~±~~No Construction Zone on either side of the river bank within 3 months. The matter was ordered to be listed for noting compliance on 24.11.2014. On 24.11.2014 when the matter was listed, the Tribunal noted the fact that no headway has been made for carrying out the aforesaid task of demarcation despite the said period having elapsed. It was, in these circumstances, that the Tribunal was constrained to take strict view of the matter directing the respondents to start with the aforesaid work immediately and the prayer made by the Respondents for grant of time was deferred.

We would like the Learned Counsel for the State who has moved the M.A., to first seek instructions for exemption of officers and staff who were constituted as teams for carrying out the aforesaid task, from election duties by discussing the matter with the Chief Secretary, GoMP, State Election Commission and the District Administration and for enlisting additional staff for election duties from the adjacent Districts where elections have already been held and to apprise this Tribunal about the

feasibility of such a move. The matter shall be listed on 14.01.2015 for the aforesaid purpose.

The BMC through Shri Ayush Dev Bajpai, Counsel has submitted a compliance report giving identical information as has been provided by Shri Sachin K.Verma, Counsel for the State Government. The report is ordered to be taken on record.

M.A.Nos. 690/2014 and 696/2014

The Principal Secretary, Urban Development & Environment, Government of Madhya Pradesh and Commissioner, BMC were directed to appear before this Tribunal on the last date of hearing on 08.12.2012. Their Misc. Applications Nos. 690/2014 and 696/2014, respectively, seeking exemption from personal appearance on 08.12.2014 are allowed and till further orders their presence is exempted.

List the matter on **14th January, 2015.**

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(DALIP SINGH)

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(P.S.RAO)