

Original Application No. 139/2013 (CZ)

Akhil Bhartiya Vidyarthi Parishad & Anr. v. Union of India & Ors.

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

PRESENT : Applicant : Shri Sachin Dave
Respondent No. 1 : Shri Vivek Choudhary, Adv. for
Shri Vijay Choudhary, Adv.
Respondent No.2, 5 to 14, 15,16, 19, : Shri Sachin K. Verma, Adv.
24 to 38 & 41
Respondent No.18 & 20 : Shri Shinvendu Joshi, Adv.
for Shri Purushaindra Kaurav, Adv.
Respondent No. 39 : Shri S.K. Dubey, Adv.
Shri B.B. Dubey, Adv.
Respondent No. 40,42,,43 & 45 : Mr. E.A. Qureshi, Adv.
Respondent No. 4 : Mr. Yadvendra Yadav, Adv.

Date and Remarks	Orders of the Tribunal
Order no. 2 24th February, 2014	<p>Shri Sachin K. Verma appearing for the Respondent Nos. 2 to 38 except the Respondent Nos. 3, 4, 18 & 20 to 23 submits that in pursuance of our previous order passed by the tribunal, he would be submitting the response on behalf of the State Government stating whether it would be feasible to constitute a single agency/authority for looking into the problems which have been highlighted particularly the environmental pollution in the River Narmada and Narmada Valley. He further submits that a meeting between Chief Secretary, Govt. Of Madhya Pradesh and Principal Secretary, Urban Administration & Development Department (UADD), Govt. of Madhya Pradesh is to be held shortly to look into the issues raised by us.</p> <p>In the meanwhile, the Respondents are directed to submit their replies and each Respondent shall submit a specific affidavit with regard to the issues which have been raised against the particular Respondent as regards generation and source of pollution in their</p>

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respective jurisdiction and what steps have been taken pursuant to the filing of this petition for checking the same. We find that the Respondents No. 40 to 48 except No. 40, 42, 43 & 45 which are the Municipalities of various towns located along the course of the River Narmada have chosen not to appear.

The Principal Secretary, UADD is directed to instruct the CEOs of Respondent Nos. 44, 46, 47 and 48.

Respondent Nos. 40, 42, 43 and 45 have submitted their replies. Copy of the same be taken on record. Another copy of the reply be furnished to the learned counsel appearing for the Madhya Pradesh Pollution Control Board. Respondent No. 39 has also filed the reply. They are also directed to supply copy of their reply to the learned counsel appearing for the Madhya Pradesh Pollution Control Board who shall direct the officer of the MP Pollution Control Board to examine each case individually and verify the same and submit the position before the Tribunal. In the meanwhile, Shri Sachin K Verma is directed to submit reply with the specific affidavits of the District Collector arrayed as party within two days from today as also the outcome of the meeting of the Chief Secretary and Principal Secretary, UADD.

The Applicant has pointed out that the situation at Hoshangabad, particularly at Sethani Ghat deserves immediate attention. He has placed for the perusal of the Tribunal a video showing how untreated waste from the sewage at Sethani Ghat for which he has filed the photocopy at page 167 of the paper-book is allowed to be directly entered into the river without any treatment. While the Respondent will submit their reply within two weeks, we direct that the matter be listed tomorrow. The Registry shall send fax message/email to the District Collector, Hoshangabad as well as CEO of the Municipal Council, Hoshangabad i.e Respondent No. 30

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& 46 respectively to remain personally present tomorrow and submit their affidavit with regard to the factual position prevailing at Sethani Ghat on the banks of Narmada River and what immediate steps the Administration and Municipal Corporation intend to take.

List on **25th February, 2014.**

.....,JM
(DALIP SINGH)

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

