Item No.10

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No. 198/2026(CZ)

Suo Moto Titled Haryali Par Kulhadi
Appear in Dainik Bhaskar Newspaper
Dated 21st August 2026 *Suo Moto*

Vs.

State of Madhya Pradesh & Ors Respondent(s)

Date of Hearing: 03.11.2026

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER

For Applicant(s): *Suo Moto*

For Respondents (s): Mr. Mehul Bharadwaj, Adv. for State of MP
Mr. Vijay Assudani, Adv. for R-5
Ms. Parul Bhadoria, Adv. for MPPCB

ORDER

1. The matter has been taken on the basis of a news reporting in Dainik Bhaskr, dated 29th August, 2026 titled as *"Haryali Par Kulhadi Appear in Dainik Bhaskar."*
2. The facts are narrated as hundreds of trees have been cut down for the construction of a colony in Khandwa's Omkareshwar Road Kothi area. Machines are now continuously excavating the hillside, damaging the natural beauty of this pilgrimage site.
3. A board has been erected at the site where the excavation is being carried out, bearing the name *"Om Meadows Prestige Residency, Omkareshwar Road Kothi."*
4. It is further reported that, without any necessary permission from the RERA (Real Estate Regulatory Authority), environmental clearance, and the terms & conditions or the permission from the competent authority

under the Municipality, the construction has been raised in violation of environmental rules, cutting the trees and damaging the hillside and natural ecology of the pilgrim site.

5. The matter was taken up by this Tribunal and vide Order dated 9th September, 2026, a committee was constituted with direction to submit the Factual and Action Taken Report as follows:-

> *"9. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-*
>
> *i. One representative from the Collector Khandwa, Madhya Pradesh.*
>
> *ii. One representative from DFO, Khandwa, Madhya Pradesh.*
>
> *iii. One representative from the State Pollution Control Board.*
>
> *10. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support."*

6. The members of the Committee visited the site and submitted the report as follows:-

i. The Joint Committee has inspected the site Om Meadows Phase-1,2, Omkareshwar Road Kothi, Tehsil-Punasa, Dist. Khandwa (M.P.) on dated 02.10.2026. Punchnama is Attached as Annexure-1.

ii. The Joint Committee observed that soil excavation was being carried out at the project site for levelling purposes. It was further observed that the name of the colony mentioned in the case was recorded as "Om Meadows Prestige Residency", whereas the actual name of the project was found to be "Om Meadows

Phase-I and Phase-II". The Google Map showing the project location and photographs of the site are enclosed herewith as Annexures-2 and 3, respectively.

iii. As per the reply submitted by the Forest Divisional Officer, Punasa, District Khandwa, vide Letter No. 16888, dated 07-10-2026, a copy of letter is enclosed herewith as Annexure-4, stated that the notification published in the Madhya Pradesh Gazette dated 13 January 2023, in exercise of the powers conferred under Section 258(1) and Section 258(2), Clause (Sixty-One), read with Section 240, and Section 258(2), Clause (Sixty-Two), read with Section 241 of the Madhya Pradesh Land Revenue Code, 1959, the State Government hereby amended the Madhya Pradesh Land Revenue Code (Miscellaneous) Rules, 2020, which had previously been published in the Madhya Pradesh Gazette dated 10 June 2022.As a result of the aforesaid amendment, the concerned Gram Panchayat was empowered to grant permission for cutting trees standing on private land on the basis of the report of the concerned Patwari. Accordingly, in the aforesaid cases, Gram Panchayat Kothi, Tehsil Punasa, Dist.-Khandwa granted permission to the concerned landowners for cutting the total no. 605 trees recorded in their respective Khasra records, and after duly carrying out the felling, the resultant timber was transported to Sanawad Depo as per the

applicable rules. The details pertaining to the felling of trees are as follows:-

Details Pertaining to the Felling of Trees

S. No.	Applicant Name	Khasra No. & Area (In hectare)	Neem	Sagaon	Babool	Others	Total
1	Smt. Punam W/o Nilesh Agrawal Resident Barwaha, Dist Khargone	1/1/1/1/3/ 1/1 (S) & 0.810	00	60	00	29	89
2	Shri Abhishek S/o Santosh Vajpai Resident Barwaha, Dist Khargone	1/1/1/1/1/ 2 (S) & 0.810	15	59	10	00	84
3	Shri Amit S/o Babulal Katiyar Resident Barwaha, Dist Khargone	1/1/1/1/3/ 1/2 (S) & 0.610	00	19	00	38	57
4	Shri Sarthak S/o Pradeep Resident Barwaha, Dist Khargone	1/1/1/1/2 (S) & 0.810	00	12	00	21	33
5	Smt. Seema Bai W/o Sureshchandra Agrawal Resident Barwaha, Dist Khargone	1/1/1/1/1/ 1/2 (S) & 1.620	00	04	00	12	16
6	Smt. Seema Bai W/o Sureshchandra Agrawal Resident Barwaha, Dist Khargone	1/1/1/1/1/ 2 (S) & 0.810	00	16	00	08	24
7	Shri Jagdish S/o Nathulal Agrawal Resident Barwaha, Dist Khargone	1/1/1/1/3/ 2 (S) & 0.810	00	106	00	196	302
	Total		**15**	**276**	**10**	**304**	**605**

iv. The Project Proponent submitted an online application for registration of the Om Meadows Phase-I and Phase-II project under the RERA Act through the Madhya Pradesh RERA e-system on 20.06.2019. A

copy of the said online application is enclosed herewith as Annexure-5,6 for record and reference.

v. The Town and Country Planning Department, Khandwa, granted permission for the development of residential colony, Om Meadows Phase-I and Phase-II Residential Area vide Letter Nos. KHAOLP17022624415 dated 05.03.2026 and KHAOLP17022649421, dated 05.03.2026.

7. Learned counsel for the Project Proponent has put in appearance and submitted that all necessary permissions have been taken by the competent authorities and the application of the consent conditions is pending before the State PCB.

8. Learned counsel for the State PCB has submitted that the Board will decide the application in accordance with the law within the short time.

9. We have examined the report submitted by the Joint Committee and it is found that provisions contained in Madhya Pradesh Land Revenue Court,1959 has been complied with and necessary permission for cutting of trees has been taken from the competent authority and further that the matter relates to the trees of private individuals, necessary permission from the RERA and the town and country planning has been taken.

10. Thus, the application is finally disposed of with the direction that the Project Proponent have to take necessary consent conditions under the Water (Prevention and Control of Pollution) Act and the Air (Prevention and Control of Pollution) Act according to law. The State PCB is directed to proceed with the application and dispose of the application within a time limit say within 30 days.

11. With these observations the **Original Application No.198/2026(CZ)** stands **disposed of.**

Sheo Kumar Singh, JM

Sudhir Kumar Chaturvedi, EM

3rd November, 2026,
Original Application No.198/2026(CZ)
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