

IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

WP No. 48095 of 2025

*(IN RE SUO MOTO PIL VID ORDER DTD. 08/12/2025 VS STATE OF MP THROUGH CHIEF SECRETARY AND OTHERS)***Dated : 12-01-2026**

Shri Amit Agrawal, Senior Advocate with Shri Arjun Agrawal[amicus Curiae].

Shri Sudeep Bhargava Dy.AG for respondent/State.

Ms. Parul Bhadaria and Shri Rishabh Singh Chauhan, counsel for respondent No.4/M.P. Pollution Control Board.

This suo motu PIL is filed on 8.12.2025 on the basis of a news published in local newspaper in Indore stating that 5961 industries are being run without valid permission of M.P. Pollution Control Board. As per Annual Audit report submitted for the year 2024-25, we have issued the notices to the Chief Secretary of State of M.P., Principal Secretary, Housing and Environment, Principal Secretary, Industries Department and also M.P. Pollution Control Board through its Secretary. In response to the said notice, only respondent No.4 filed response. Along with reply, they have filed Anxx.R-4/5 which give the data showing the majority number of units having expired consents which are healthcare units (including hospitals/clinics) and mines and crushers which are mostly in red or orange category. It is further stated that some of the mines/crusher units are closed due to not having valid environmental clearance expired mining lease etc. and therefore the data of the XGN portal is required to be updated. It is further stated in para 15 of the report that Board has taken various action on

these 4877 units. The action taken includes issuance of 4256 notices for obtaining the renewal of the consent through letters and emails, 2556 closure notices under the Water Act, 1974 and the Air Pollution Act, 1981, 390 closure orders against the repeated defaulter units under the provisions of section 33A of the Water Act and section 31A of the Air Pollution Act and filing of 45 court cases for non-compliance by the defaulter units under the provisions of Water Pollution Act and Air Pollution Act. It is further stated in para 16 that number of units having expired consent has been reduced to 4877 as compared to the number given in the Audit Report i.e. 5961. As on 9.1.2026, it has come to notice after verification by Regional Officers that many units were found to be closed, however the data is to be updated on the portal. Therefore, 4877 number of remaining units are in operation without valid renewal of CTO/CCA as on 9.01.2026 as per XGN portal, however the verification is under process and same shall be completed within 8 weeks.

Counsel for the State submits that so far the report of M.P. Pollution Control Board has not been supplied to him and therefore he is not in a position to make his submission.

Let a copy of reply/report be supplied to Shri Sudeep Bhargava, Dy.A.G..

We expect that State will submit a prompt response to such a serious matter which involves the issue of running of industries in violation of statutory provision of M.P. Water Pollution Act and Air Pollution Act. Since there may be involvement of number of departments to make corrective measures, therefore Chief Secretary of State of Madhya Pradesh will ensure

prompt action in the matter by co-ordinating with all the concerned departments on the report of Pollution Control Board taken on the next date. The Senior Officer of the Government shall be appointed as OIC of the case.

List on 9.02.2026.

It is made clear that if the response is not filed before this Court on the next date of hearing, this Court may direct for personal appearance of concerned Senior Officer of the Government.

(VIJAY KUMAR SHUKLA)
JUDGE

(ALOK AWASTHI)
JUDGE

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