

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Hybrid Mode)

Original Application No. 654/2022

Priyadarshini Colony D, residence
Welfare Society

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Khurana, Advocate

Respondents: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advocates for UPPCB
Mr. Ajay Singh, Advocate for Lucknow Municipal Corporation (R - 2)

ORDER

1. Grievance in this application is against violation of environmental norms in shifting the dumping zone and garbage lying on the dumping site i.e. Bandha Road, Faizzullaganj, Priyadarshini Colony, Sector-D, Lucknow. It is stated that such unscientific dumping of solid waste is resulting in foul and obnoxious smell in violation of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986. The applicant has annexed certificate dated 15.05.2022 issued by the Vardhaman Hospital, Lucknow that garbage site at Priyadarshini Colony was resulting in diseases. There is also a letter of Dr. Neeraj Bhora, MLA, UP Assembly dated 16.05.2022

addressed to Commissioner, Municipal Corporation, Lucknow forwarding the representation of the Welfare Association on the subject.

2. Considering the grievance this Tribunal sought a factual report and for that purpose constituted a Joint Committee comprising Municipal Corporation, Lucknow and UP State PCB. The report dated 06.01.2022 has been submitted by the Joint Committee filed before Tribunal on 07.01.2022.

3. Shri Ajay Singh, learned Counsel appearing for Nagar Nigam, Lucknow stated that since it has been found that dumping of garbage is by Nagar Nigam, Lucknow, he wants to give reply on behalf of Nagar Nigam. For this purpose, he prayed for and is allowed a weeks' time. The reply will be filed on behalf of Nagar Nigam, Lucknow after submitting a copy thereof upon the applicant as well as learned Counsel for UP State PCB. The reply may also give factual status in respect of setting up and operation of Material Recovery Facility and Transfer Stations in accordance with Solid Waste Management Rules, 2016.

4. List for further consideration on 20.01.2023.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 11, 2023
Original Application No. 654/2022
DV