

Item No. 01

Court No. 1

**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: 28.08.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Khurana, Advocate

Respondent: Mr. Indrajeet Singh, Municipal Commissioner, Lucknow Nagar Nigam
with Mr. Mukesh Verma & Mr. Namit Sharma, Advs.
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB
Ms. Priyanka Swami, Adv. for Urban Development, State of UP

ORDER

1. The issue raised in this Original Application is about violation of the environmental norms in shifting the dumping zone and garbage lying on the dumping site at Bandha Road, Faizzullaganj, Priyadarshini Colony, Sector D, Lucknow. In the previous order considering the other aspects the enlarge scope of the matter has been noticed.

2. While passing the order dated 27.07.2023, the Tribunal had given deeper consideration to the issue and taken note of the report which was placed on record and reached to the conclusion that no concrete information was furnished by the Municipal Corporation, Lucknow and also found that there was lack of sincerity and non-compliance of the orders. The Tribunal had also noted the conduct resulting in flagrant

violation of law and rules made by the State by the functionaries responsible for implementing the same. In this background, the Tribunal had directed the Municipal Commissioner, Municipal Corporation, Lucknow alongwith Principal Secretary, Urban Development, Govt. of Uttar Pradesh to remain present today with all records and factual reports concerning the issue noted in the order relating to planning of disposal of legacy waste and day-to-day disposal of the waste.

3. There was also a direction to file the action taken report which has been filed and perused by the Tribunal but not found to be satisfactory.

4. Mr. Indrajeet Singh, Municipal Commissioner, Municipal Corporation, Lucknow has informed that after taking over the charge as Commissioner of Municipal Corporation, Lucknow, he is making all possible efforts to solve the issue of collection and disposal of the waste within the limits of Municipal Corporation. He has further submitted that the contract which was awarded to the earlier contractor i.e. M/s. Eco Green Energy Private Limited has been terminated and steps are being taken to blacklist the said contractor. He has assured the Tribunal that he will bring about visible improvement within three months.

5. In view of above submissions, we direct the Municipal Commissioner, Municipal Corporation, Lucknow to file his affidavit within two weeks indicating the steps taken so far and also his future plan of action to bring about visible results within three months. He is also directed to file the action taken report on completion of three months i.e. on or before the next date of hearing.

6. We have been informed that the Principal Secretary, Urban Development, Govt. of UP is held-up in preparation of G-20 Conference and could not appear today. In view of this, his non-appearance is

condoned. The Municipal Commissioner, Municipal Corporation, Lucknow is directed to remain present in person before the Tribunal on the next date also with the relevant record to appraise the Tribunal about the steps taken by him.

7. List on 04.12.2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

August 28, 2023
Original Application No. 654/2022
DV