

Item No. 03

Court No. 1

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

Original Application No. 713/2023

Ashiyana Residents Association

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 05.12.2023

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

Applicant: Mr. Rohit Sharma, Adv. (Through VC)

ORDER

1. In this original application, Applicant has raised an issue that there is a water body namely Quila Mohammadi Nallah which is flowing near the Aashiyana Colony developed by Lucknow Development Authority. Not only there is unrestricted encroachment on the Nallah but since colony is in low lying area, water logging takes place and that removal of garbage is not done regularly and Solid Waste Management Rules, 2016 is violated. The sewage of major portion of the city of Lucknow flows through Quila Mohammadi Nallah ultimately reaching to River Sai. Sai River finally joins Gomti River at Jonpur District.

2. It is also alleged that there is discharge of liquid waste and untreated sewage water in Gomti River and other open lands which also results in contamination of the ground water. The water quality of River Gomti is Category -D at upstream of Lucknow and Category-E in downstream of Lucknow city.

3. In the application, Applicant has raised the following specific grievances:

- “(1) Water Logging/ Flooding in Aashiyana Colony every Monsoon Season*
- (2) Encroachment over Mohammadi Nallah.*
- (3) Removal of garbage from an area beneath the Railway Line.*
- (4) Development of Vrindavan Park in accordance with the approved Lay Out.*
- (5) Violation of Solid Waste Management Rules, 2016.*
- (6) Discharge of liquid waste, more particularly discharge of untreated sewage water in Gomti River and other open lands*
- (7) Contamination of underground water*
- (8) Repairing of all the nallies and ensuring their proper connectivity with the main nallah*
- (9) Inaction on the part of Municipal Bodies and District Administration*
- (10) Plantation and protection of green belt.”*

4. Learned Counsel for the Applicant has pointed out that the Applicants have already raised the grievance before the Mayor of Lucknow Municipal Corporation by submitting the representation dated 09.08.2023, but no action has been taken on the said representation. In the present OA the Commissioner, Lucknow Municipal Corporation has been impleaded as Respondent No. 5 and the issue which has been raised by the present Applicant mainly needs to be looked into by the Respondent No. 5.

5. Hence, we dispose of the present OA directing Respondent No. 5 to duly consider the grievance of the Applicant as noted above and take remedial action in accordance with law, preferably within a period of three months from the date of receipt of a copy of this order. The action taken report will be submitted by Respondent No. 5 before the Registrar

General of the Tribunal by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If found necessary, the matter will be listed before the Bench for consideration.

6. A copy of this order be forwarded to Respondent No. 5 by e-mail for compliance.

7. The OA is accordingly disposed of.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 05, 2023
Original Application No. 713/2023
DV