

Item No. 5

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 477/2022

Rajender Gangsari

...Applicant

Versus

State of Uttarakhand & Ors.

...Respondents

Date of hearing: 23.01.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Mr. Rajender Gangsari, in person

Respondent: Mr. Rahul Verma, AAG for State of Uttarakhand,
Municipal Commissioner, District Magistrate.
Ms. Sonika, District Magistrate, Dehradun, Mr. Manuj
Goyal, Commissioner, Municipal Corporation
Dehradun and Dr. R.K. Chaturvedi, RO, UKPCB
(through VC).
Mr. Mukesh Verma, Advocate for UKPCB (through VC).

Application is registered based on a letter petition received by Post.

ORDER

1. The grievance in the present original application is about illegal establishment of waste processing unit by Nagar Nigam Dehradun, at Shishambada Selakui Deranadoon which is polluting river Aasan, contaminating ground water and causing air pollution in the area posing serious health hazards to the residents of the locality and severely damaging the environment.

2. Vide order dated 02.08.2022, this Tribunal constituted a Joint Committee and directed the same to submit factual and action taken report within two months.

3. In compliance of order dated 20.10.2022, report of the Joint Committee has been submitted vide email dated 13.12.2022.

4. Ms. Sonika, District Magistrate, Dehradun, Mr. Manuj Goyal, Commissioner, Municipal Corporation Dehradun and Dr. R.K. Chaturvedi, RO, UKPCB have also appeared before this Tribunal through VC. We have interacted with them and they have apprised us about the measures which are being taken for compliance with the environmental rules/norms.

5. In view of the averments made in the application and observations made in the report, we consider it appropriate to have response of (1) the State of Uttarakhand, through Chief Secretary, Government of Uttarakhand; (2) the Principal Secretary, Urban Development, Government of Uttarakhand; (3) the Principal Chief Conservator of Forests (HoFF), Government of Uttarakhand; (4) the Commissioner, Municipal Corporation, Dehradun; (5) the Vice Chairman, Mussoorie Dehradun Development Authority; (6) the Member Secretary, Uttarakhand Pollution Control Board (UKPCB) and (7) the District Magistrate, Dehradun, who stand impleaded as respondents No. 1 to 7. The Registry is directed to prepare and attach memo of parties to the application and issue notices to the respondents requiring them to file their reply/response **within two months** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

6. Mr. Rahul Verma, Additional Advocate General, who is already appearing for the State of Uttarakhand before this Tribunal accepts notice on behalf of Respondents No. 1 to 5 and 7.

7. Mr. Mukesh Verma, Advocate, who is also appearing for the UKPCB before this Tribunal accepts notice on behalf of Respondent No. 6.
8. Reply/response on behalf of Respondents No. 1 to 7 be filed **within two months** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.
9. List for further consideration on 25.04.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 23, 2023
AVT