

Item No. 02

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 19/2021 (WZ)

Tanaji Ruikar

Applicant

Versus

State of Maharashtra & Ors.

Respondent(s)

Date of hearing: 10.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Omkar Wangikar, Advocate

**ORDER**

1. Grievance in this application is against proposed toy train activity in Amrai garden at Sangli, Maharashtra. Case of the applicant is that the garden was earlier owned by Mr. Srimant Appasaheb Patvardhan. It has 200 varieties of different trees, plants and shrubs of medicinal value - tamarind, coconut, almond, deodar, casurina, mangos and many other varieties. It is also home to rare birds and small animals. In 1975, the garden management was transferred to the Municipal Corporation Sangli under a Memorandum of Understanding (MoU) stipulating that the garden will remain only a garden and no structure will be installed therein without approval of the Collector. However, the Municipal Corporation vide resolutions dated 20.12.2019 and 01.01.2021 decided to set up toy train for the children on contract basis in spite of opposition by the citizens. Tender Notice dated 31.01.2021 has been issued without any safeguards against degradation of environment.

2. We have heard the learned counsel for the applicant. From the application it is difficult to hold that by setting up of the toy train the garden will not remain garden so as to require permission of the Collector. We have no reason to doubt that necessary safeguards will not be adopted for maintaining the environment in the garden if toy train is set up.

3. Thus, we do not find any ground to interfere beyond directing that the Collector, Sangli may look into the matter and ensure that necessary safeguards are adopted in setting up of the toy train project and the garden is duly maintained consistent with the concern for the environment.

4. Since we have not found it necessary to issue notice having regard to the nature of the order, we give liberty to the respondents to move this Tribunal in case they are aggrieved.

The application is disposed of.

A copy of this order be forwarded to the Collector, Sangli by email to facilitate the compliance of the above order.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 10, 2021  
Original Application No. 19/2021 (WZ)  
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