

Item No. 09

Court No. 1

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

(By Video Conferencing)

Original Application No. 59/2020

(With report dated 04.09.2020)

Dr. Ajay Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 11.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Pradeep Misra, Advocate for UPPCB
Mr. Rachit Mittal, Advocate for MDA

ORDER

1. Grievance in this application is that land reserved for park and open space as per Master Plan 2021 is sought to be encroached at Khaduli, Baghpat Road over Bridge and proposed Bus Stand at National Highway-58, Meerut, by-pass Modipuram by-pass to Khirwa Road and at Bhola Road, Village Sudpur alias Pathanpura, etc., adversely affecting the environment.

2. Vide order dated 05.03.2020, an action taken report was sought from the District Magistrate, Meerut, Meerut Development Authority (MDA), Municipal Commissioner, Meerut and Uttar Pradesh Pollution Control Board (UPPCB).

3. Accordingly, report dated 04.09.2020 has been filed. With regard to the allegation that land reserved for the open spaces in the Master Plan is being encroached, the report mentions as follows:

“M.D.A. has taken action against the un-authorized construction in different areas along with the areas proposed for Parks, Open Spaces and green belt in Meerut Master Plan-2021, in accordance with the relevant provision under the U.P. Urban Planning and Development Act, 1973 by issuing 255 notices. In accordance with the aforesaid provisions the proceedings for sealing and demolition of un-authorized illegal construction is in progress. Up till now 08 un-authorized constructions have been sealed and 50 un-authorized constructions demolition order have been passed in which demolition will be effected after the entering of the period prescribed in law.”

4. Let the MDA take further action for enforcing the law and complete the same preferably within three months and furnish its action taken report to the Oversight Committee constituted by this Tribunal,¹ headed by Justice SVS Rathore, former Judge, Allahabad High Court, stationed at Lucknow, by 31.12.2020 and thereafter the matter may be appropriately monitored at the level of the said Committee.

The application is disposed of.

A copy of this order be forwarded to the Meerut Development Authority and Justice SVS Rathore, former Judge of the Allahabad High Court at Lucknow by e-mail for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 11, 2020
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DV

¹ headed by Justice SVS Rathore, former Judge of the Allahabad High Court at Lucknow, vide order dated 16.03.2020 in OA 670/2018, Atul Singh Chauhan v. Ministry of Environment, Forests and Climate Change & Ors.