BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 401/2015 (M.A. No. 1058/2015)

Gole Park Nikat Niwasi Kalyan Vs. State of UP & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER

HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant(s) : Mr. SAchin Jangira, adv.

Respondent No. 1 : Ms. Savitri Pandey, Ms. Azma Parveen,

Advs.

Respondent No. 2 : Ms. Priyanka Swami, Adv. : Mr. Ravindra Kumar, Adv.

Respondent No. 4 : Mr. Raman yadav, Mr. Dalsher singh, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 03 December 15, 2015	H <mark>eard Perused</mark> Record.
	The Applicant i.e. Gole ParkNikat Niwasi Kalyan
	Sa <mark>miti makes a grie</mark> vance about maintenance,
1//	perseveration and protection of Gole Park, Sector 3,
	Rajender Nagar, Sahibabaad Ghaziabad, UP and seeks
T B	relief directing removal of the encroachment and
O O	restoration of the damaged Gole Park in the present
1 5	case. Instances of encroachment and filth around the
21/1/2	park have been portrayed before us in form of
	photographs at annexure A-3 & A-4- page nos. 14 to 19.
3	Learned Counsel appearing on behalf of Nagar
	Nigam, Ghaziabad which is in-charge of maintenance,
	perseveration and protection of Gole Park makes a
	statement that the encroachment which are shown in
	the photographs at annexure A-4, page 16 have been
	removed. This fact is admitted by the Applicant.
	As regards the filth around the Gole Park seen in
	the photographs at annexure A-4, page nos. 18-19, she
	makes a submission that the MSW found scattered
	along the boundary of the Gole Park shall be removed

within a week and care would be taken to avoid recurrence of scattering of MSW. We can see from the photographs that there are two containers kept at the place seen in the photographs and containers are filled with MSW to the brim and MSW scattered around.

It appears that the Nagar Nigam, Ghaziabad as well as citizens are responsible for the mess around. From the places shown in the photographs, one fact clearly emerges that the containers either are not sufficient to cope up with the amount of MSW or they are not being periodically emptied and the MSW removed to the dumping site. Both these things point out the lapses primarily on part of the Nagar Nigam as well.

We therefore, direct the Respondent No. 2 i.e. Nagar Nigam, Ghaziabad to place sufficient number of containers/dustbin to facilitate the citizens to place their MSW in such containers/dustbins at the said place and such other places and to empty containers on daily basis.

We direct the Respondent No. 2 i.e. Nagar Nigam, Ghaziabad to consider penalizing the citizens found indulging in throwing of MSW on the public street with an amount of Rs. 500/- for every incident of throwing. The Respondent No. 2 shall also keep Gole Park Pond in a clean and hygienic condition in order to check the menace of Mosquito breeding.

In view of the above directions Original Application No. 401 of 2015 Stands disposed of.

M. A. NO. 1058 of 2012

This application does not survive for consideration as
the main application itself stands disposed of.
,JM (U.D. Salvi)
,EM (Ranjan Chatterjee)

