

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
AT NEW DELHI

ORIGINAL APPLICATION NO. 407 of 2019

IN THE MATTER OF:

Ved Prakash Aggrawal

... Applicant

-VERSUS-

Municipal Commissioner, Nagar Nigam
Ghaziabad & Ors.

... Respondents

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Through

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COMPLIANCE REPORT ON BEHALF OF THE
MUNICIPAL CORPORATION, GHAZIABAD

1. This report is being filed by the undersigned Posted as Prabhari Nagar Swasth Adhikari , Municipal Corporation, Ghaziabad, Uttar Pradesh in compliance of the order dated 26.04.2019 passed by this Hon'ble Tribunal wherein an application was filed against noise pollution and air pollution caused by the vehicles used by the Ghaziabad Municipal Corporation for collection of garbage. It was alleged that hooters were installed in the vehicles resultantly creating noise pollution. It was also claimed that the vehicles are not covered which results in air pollution from the garbage.

2. That in pursuance of the order dated 26.04.2019 passed by this Hon'ble Tribunal, it was held:

"To consider the matter further, we find it necessary to seek a factual and action taken in the matter from Municipal Commissioner, Nagar Nigam Ghaziabad which may be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com." (Annexure 1)

Hence, the *Nagar Nigam Ghaziabad* is providing the details of its compliance.

- ill-motivated.
4. The Municipal Corporation Ghaziabad is well within its rights and duties to collect garbage in Municipal Corporation areas on a door-to-door basis. The rule 15 of the Solid Waste Management Rule, 2016 clearly depicts that *'Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises from multi-storage buildings, large commercial complexes, malls, housing complexes, etc. This may be collected from the entry gate or any other designated location'*.
 5. That in pursuance to the Swachha Bharat Mission which is a visionary scheme of the Central Government as well as the State government for serving the national interest of maintaining cleanliness and hygienic living conditions in the country, that the Municipal Corporation Ghaziabad has been operating these vehicles to collect garbage.
 6. That it is most respectfully submitted that the messages announced by the garbage vehicles in question generate around 60 decibels of sound which is very well within the limit and does not constitute noise pollution as per the Noise Pollution (Regulation and Control) Rules, 2000.
 7. That the messages being announced by garbage vehicles are a part of the mass awareness program being run by the Swachha Bharat Mission. These messages guide the citizens to separate their garbage in a colour-coded manner (Blue for Dry Garbage and Green for wet garbage) based on the nature of the garbage, so as to enable an efficient disposal of the same. Hence it is incorrect and vicious to claim that such vehicles create noise pollution.

7. That it is pertinent to the mention that all the garbage vehicles assigned for this purpose are covered and relevant photographs for the perusal of this Hon'ble Tribunal have been provided herein. (Annexure-)
8. That it is respectfully submitted that environment and public health are of the prime concerns to the Corporation and it is working with utmost sincerity towards providing healthy environment to citizens in pursuance to the right to life as enshrined in Article 21 of the Constitution of India.
9. That it is respectfully submitted that through the Directive Principles of State Policy, the Constitution has imposed a duty on the State to create conditions to improve the general health level in the country and to improve environmental protection vide Art 39(b), Art 47, Art 48 and Art 49 so as to improve the general health level in the country and the Municipal Corporation Ghaziabad has been consistently working towards earnest execution of it's duty.
10. That it is submitted that the Corporation is fully aware of its social responsibility and committed to the cause of preservation of environment and shall take all necessary measures for the implementation of any order that may be passed by this Hon'ble Tribunal in letter and spirit.
11. That it is humbly prayed that this Compliance Report may kindly be taken on record.

Through

Yagyawalkya Singh
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Office-A-131 sector 46
Noida
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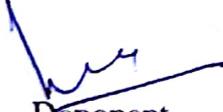
Municipal Commissioner, Nagar Nigam
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... Respondents

AFFIDAVIT

I, V.P.Sharma S/O Shri C.L. Sharma aged 58 years, presently posted Prabhari Nagar Swasth Adhikari , Municipal Corporation, Ghaziabad, Uttar Pradesh, do hereby solemnly affirm and declare as under:

1. That I am authorized to represent Municipal Corporation, Ghaziabad in the above-mentioned case and I am well conversant with the facts and circumstances of the case and as such competent to swear this affidavit in my official capacity.
2. That I have read and understood the contents of the present Affidavit and say that the contents are true and correct as per the official record available with my office and my belief.
3. That the contents of the Affidavit are drafted under my instructions and I have understood the same.


Deponent

VERIFICATION

I, the above-named deponent, verify that the contents of this affidavit are true and correct as per my belief and the official record available with my office, nothing material has been concealed there from.

Verified at New Delhi on this _____ day of _____, 2019.


Deponent

DL/IL
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गाजियाबाद
डोरट्रुडोर अपशिष्ट
गीला कूड़ा

नगर निगम
उठानेवालेवाहन
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