

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

**E.A No. 44 of 2024
IN
O. A. No. 143 of 2023**

IN THE MATTER OF:

SUNIL VAID & ANR ...APPLICANTS

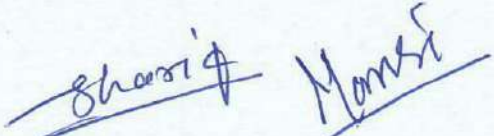
Versus

STATE OF U.P. & ORSRESPONDENTS

**OBJECTIONS TO THE COMPLIANCE REPORT
FILED BY COMMISISONER, MUNICIPAL
CORPORATION, GHAZIABAD DATED
27.01.2025**

(FOR INDEX: - Kindly See Inside)

**New Delhi
Dated...7.02.2025**


S.A ZAIDI & MANSI CHAHAL
ADVOCATES
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**New Delhi
Dated. 7.02.2025**

Filed By

Shasid
Mansi
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27.01.2025**

MOST RESPECTFULLY SHOWETH:

1. That the above captioned matter is pending for adjudication before this Honourable Tribunal.
2. The Honourable Tribunal vide order dated 17.12.2024 issued show cause notice to the Commissioner, Municipal Corporation, Ghaziabad directing him to file his compliance report in compliance of the order dated 25.07.2024 and

also to show cause as to why order for his prosecution for commission of offence punishable under section 26 of the NGT Act 2010 be not passed.

3. In compliance thereof, the Commissioner, Municipal Corporation, Ghaziabad filed his compliance report dated 27.01.2025. It is humbly submitted that the compliance report filed by the Commissioner, Municipal Corporation, Ghaziabad is lacking the material particulars. The report is a vague report which is prepared wherein the true facts have been concealed from the Honourable Tribunal thereof, in order to mislead the Honourable Tribunal.

4. PRELIMINARY SUBMISSIONS:-

4.1. The Applicants respectfully submits that the Municipal Commissioner's report is a misrepresentation of the current condition

of the parks. The report fails to capture the ongoing issues and concealed facts regarding the poor maintenance, presence of garbage, broken facilities, and incomplete repairs.

4.2. The Applicants have continuously raised concerns regarding the upkeep of the parks, but the Municipal Commissioner has failed to take substantial corrective measures despite numerous complaints. The discrepancies between the report and the actual condition on the ground suggest a deliberate attempt to conceal the true state of affairs.

5. The Applicants herein objects to the compliance report submitted by the Municipal Commissioner, Ghaziabad, which claims that all four parks namely Krishna Park, Podium Park, Ambedkar

Park and Chitragupta Park in Vaishali have been maintained and restored, with all encroachments removed, and the parks have been cleaned and are in a proper state. The applicants hereby object to the false and misleading statements made in the report, and respectfully submit that the following facts are not in compliance with the claims made by the Municipal Commissioner. The parks, till date, are non-maintained and non-managed and are in dilapidated condition.

The Photographs of the Krishna Park, Podium Park, Ambedkar Park and Chitragupta Park are annexed herewith and marked as ANNEXURE A/1.

6. The objections are as follows:-

6.1. The Municipal Commissioner's report claims that the parks are maintained and clean now. However, despite the claims of restoration, the parks still suffer from the

accumulation of garbage in several areas. This is a clear violation of the cleanliness and environmental standards that should be upheld by the Municipal Corporation.

6.2. It is specifically noted that the waste is left unattended for long periods, contributing to unhygienic conditions in the parks. The presence of litter not only impacts the aesthetics but also poses a health risk to the residents of Vaishali.

6.3. The boundary walls of the parks have not been repaired till date. Partial repair/ construction work of boundary wall has been done only in the Ambedkar Park, which is also not completed till date. In rest of the parks, no repairing work has been done. The remaining sections of the boundary walls in other parks are both

damaged or completely broken, exposing the park areas to unauthorized entry, further encroachments, and compromising the safety and security of the parks.

6.4. Despite the Municipal Commissioner's claim that all encroachments have been removed from the parks, there are still visible signs of encroachments in certain areas of the parks. These encroachments limit the free use of the parks by residents and children, depriving them of their rightful access to public green spaces.

6.5. The public urinals in the parks are broken, damaged, or non-functional in most of the parks. This creates severe inconvenience for park visitors, especially during peak hours, and is a matter of public health concern. The lack of functional sanitation facilities

indicates a clear failure in the municipal responsibilities and duties toward the residents.

7. The Applicants submit that the maintenance of parks, removal of encroachments, and provision of basic sanitation and cleanliness fall under the civic and environmental responsibilities of the Municipal Corporation, which the Ghaziabad Municipal Corporation has failed to discharge adequately. The current situation reflects negligence, and the status quo is detrimental to public health and environmental well-being.

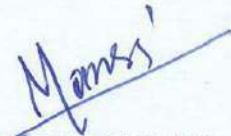
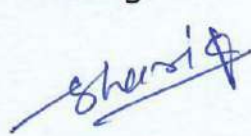
8. That the above objections raised by the applicants against the compliance report filed by the Municipal Corporation Ghaziabad shows that the compliance report is nothing but totally false and frivolous report, which is prepared with the

ulterior motives. The report has concealed important facts from this Honourable Tribunal.

New Delhi
Dated. 7.02.2025

Applicants

Through



S.A. ZAIDI & MANSI CHAHAL
ADVOCATES

3. That the Contents of accompanying Objection be read as part and parcel of this affidavit as the same are not repeated herewith for the sake of brevity.


DEPONENT

VERIFICATION

Verified at Delhi on this day of , 2025 that the contents of my above Affidavit are true and correct to my knowledge and nothing material has been concealed there from.

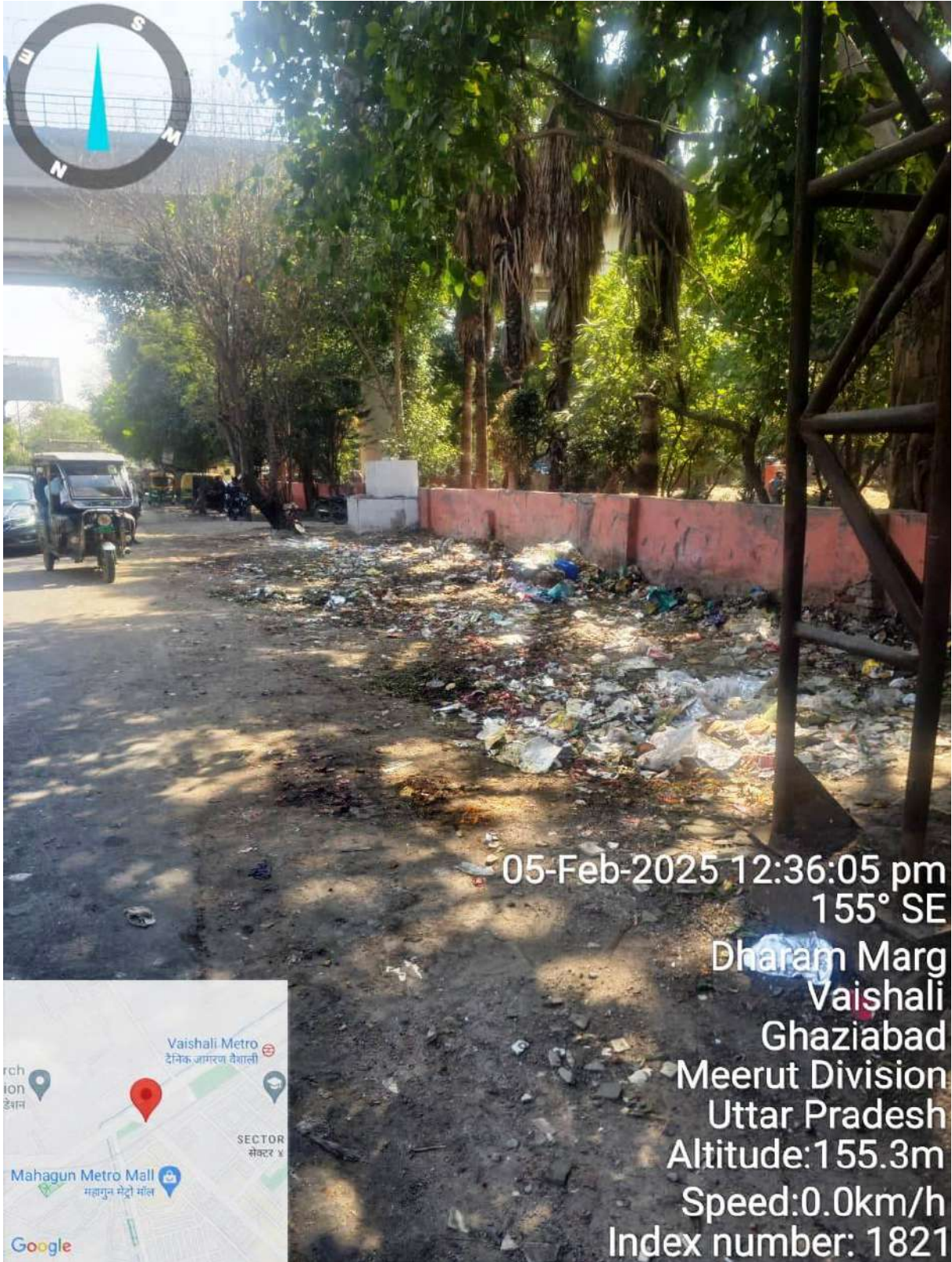

DEPONENT

ATTESTED

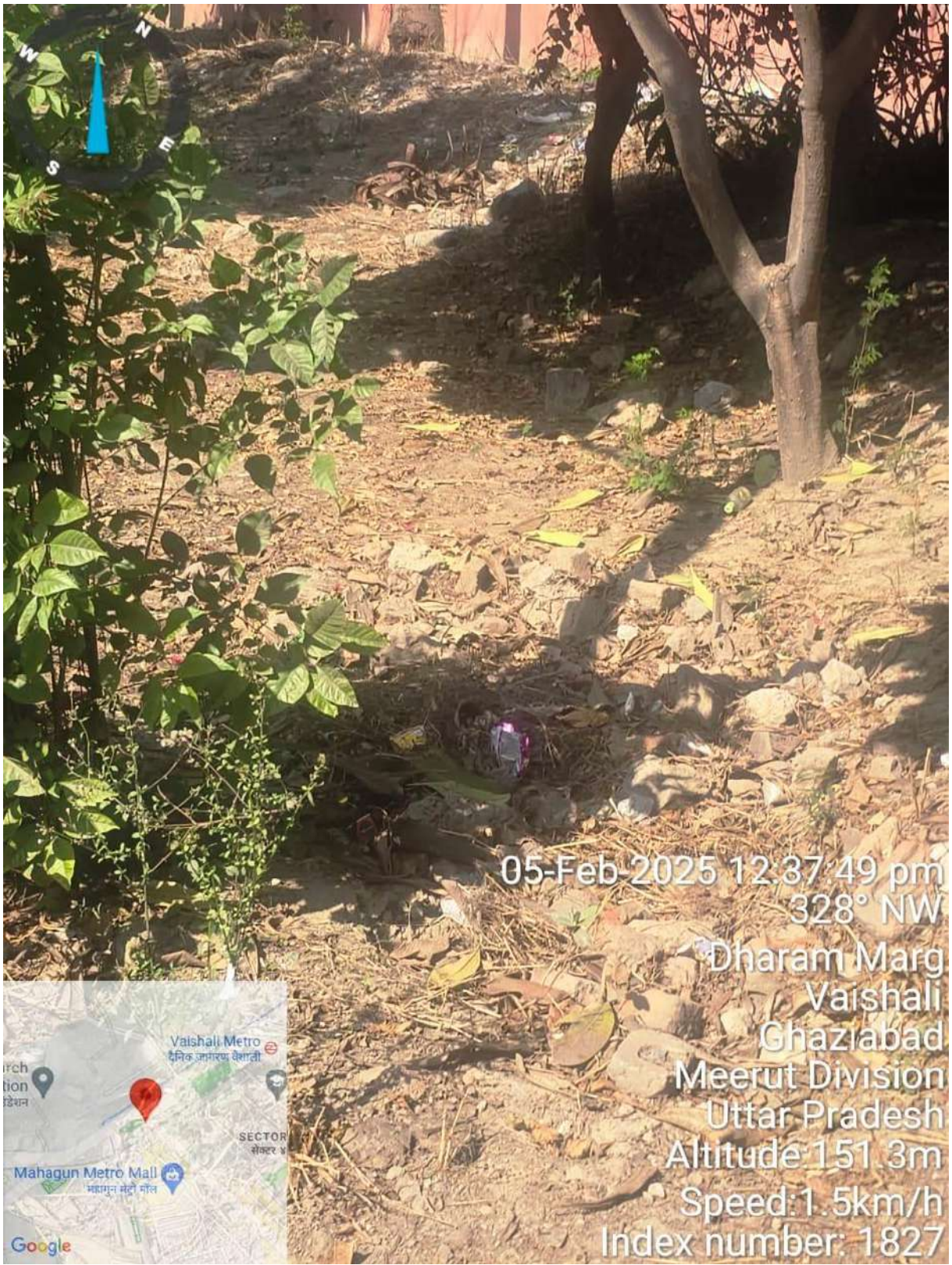
NOTARY
DELHI (INDIA)
07 FEB 2025



PHOTOGRAPHS OF CHITRAGUPT PARK















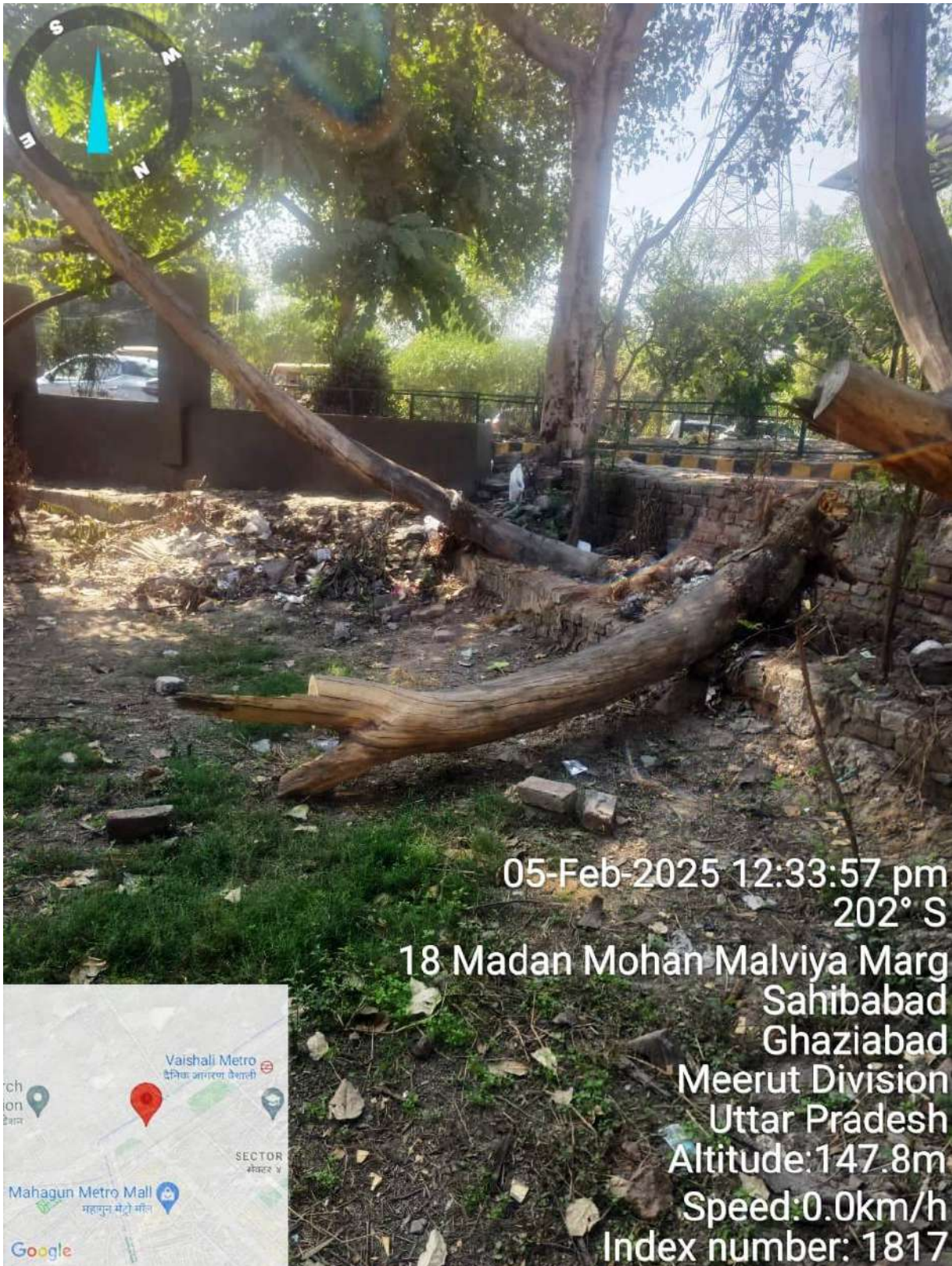
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Uttar Pradesh
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Index number: 1852



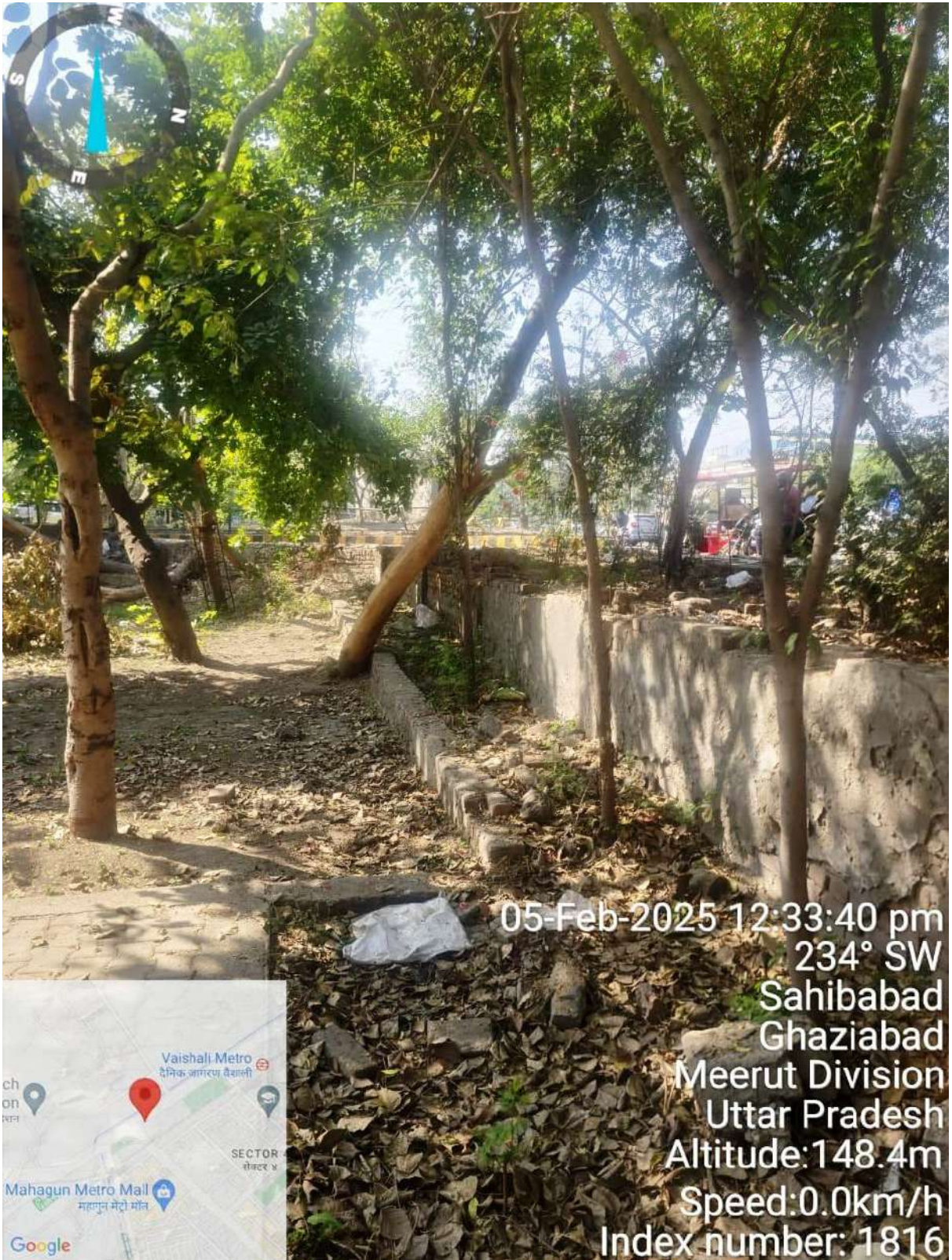


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Vaishali
Ghaziabad
Meerut Division
Uttar Pradesh
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Index number: 1851



PHOTOGRAPHS OF AMBEDKAR PARK





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Ghaziabad
Meerut Division
Uttar Pradesh
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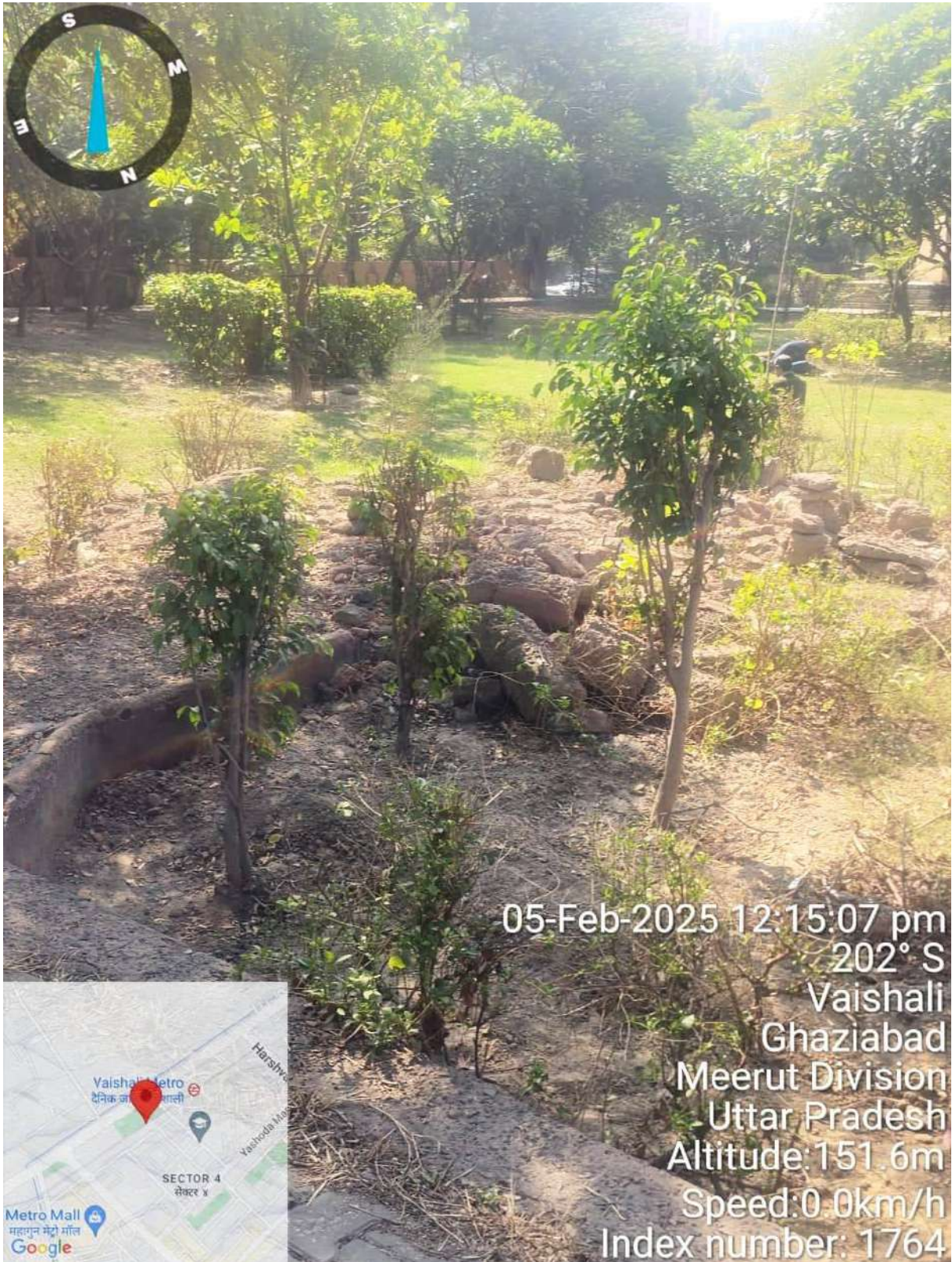
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Ghaziabad
Meerut Division
Uttar Pradesh
Altitude:150.7m
Speed:1.6km/h
Index number: 1810



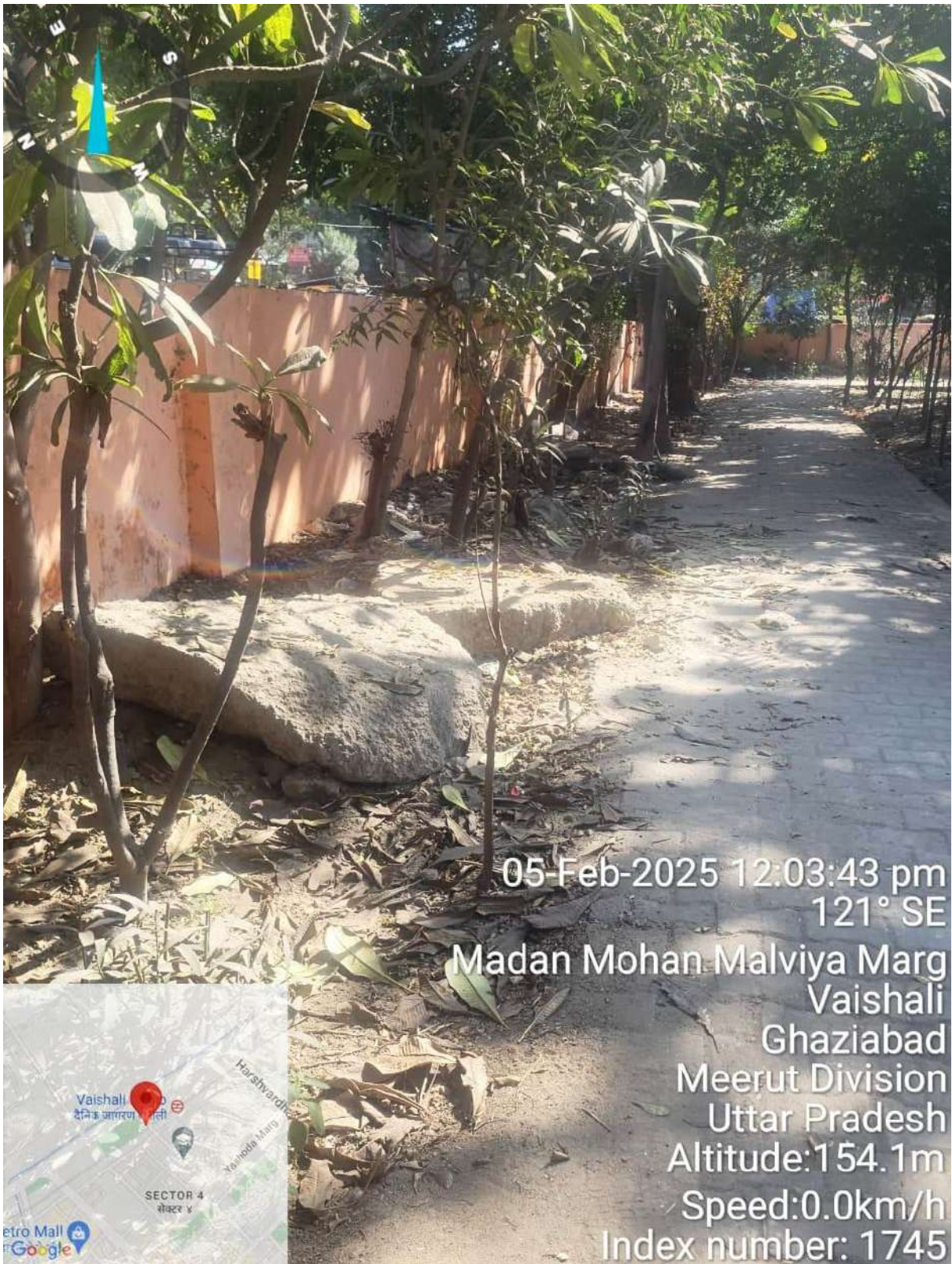
PHOTOGRAPHS OF KRISHNA PARK



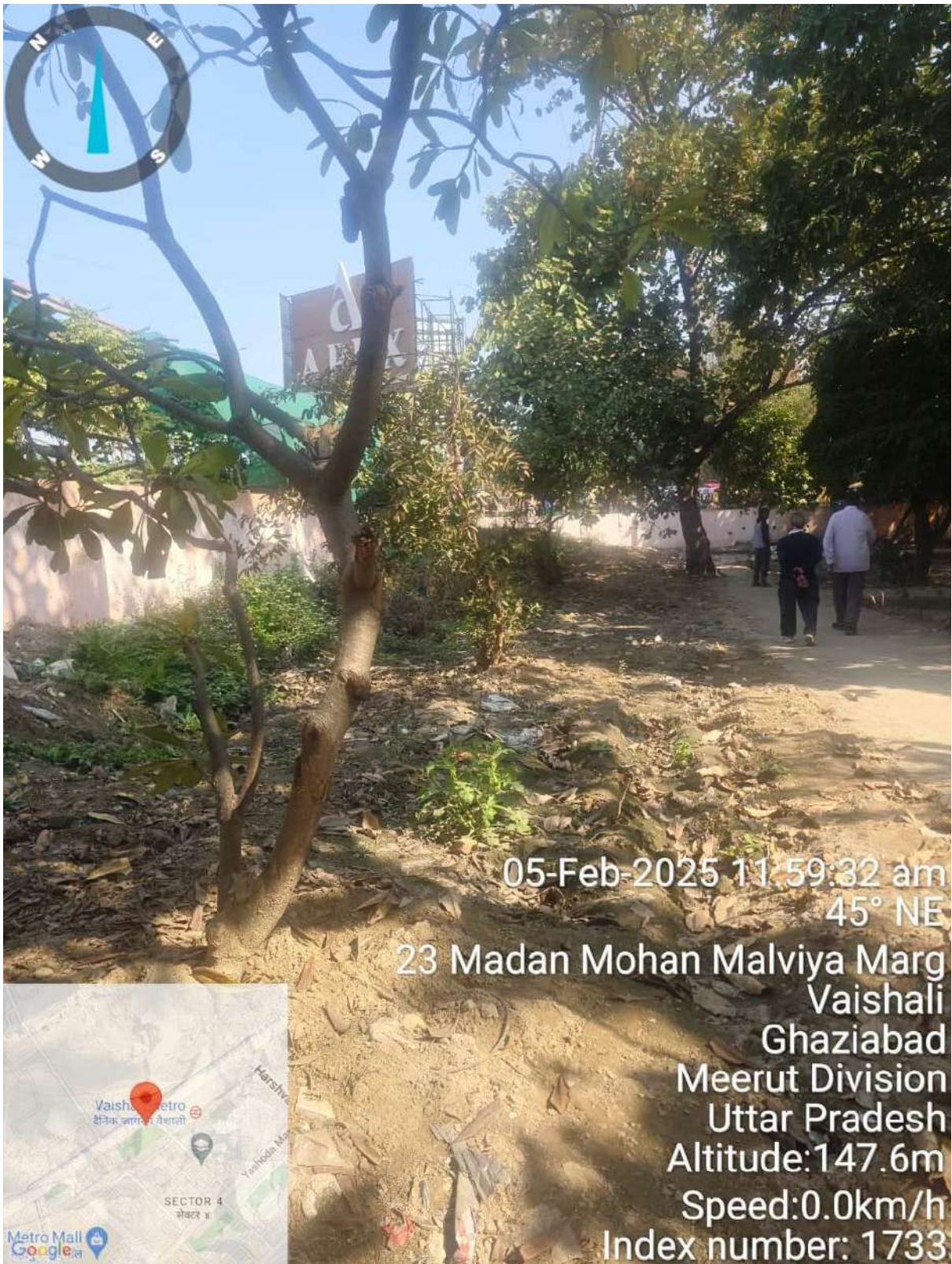
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Ghaziabad
Meerut Division
Uttar Pradesh
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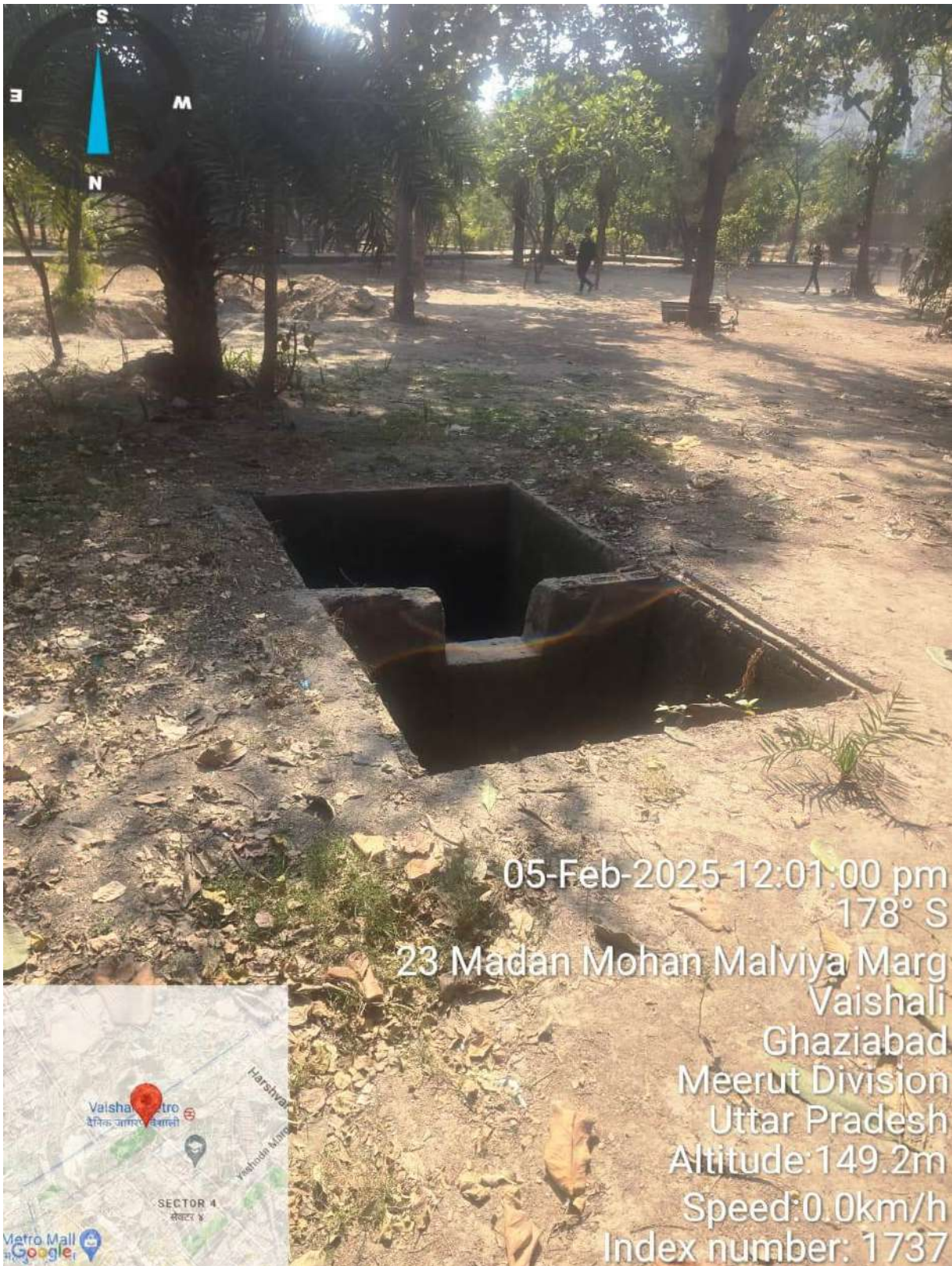






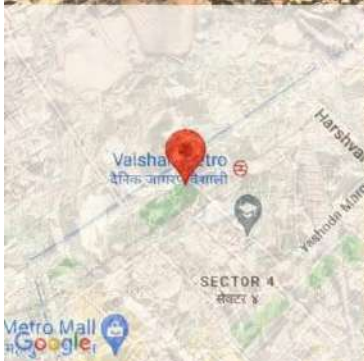






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178° S

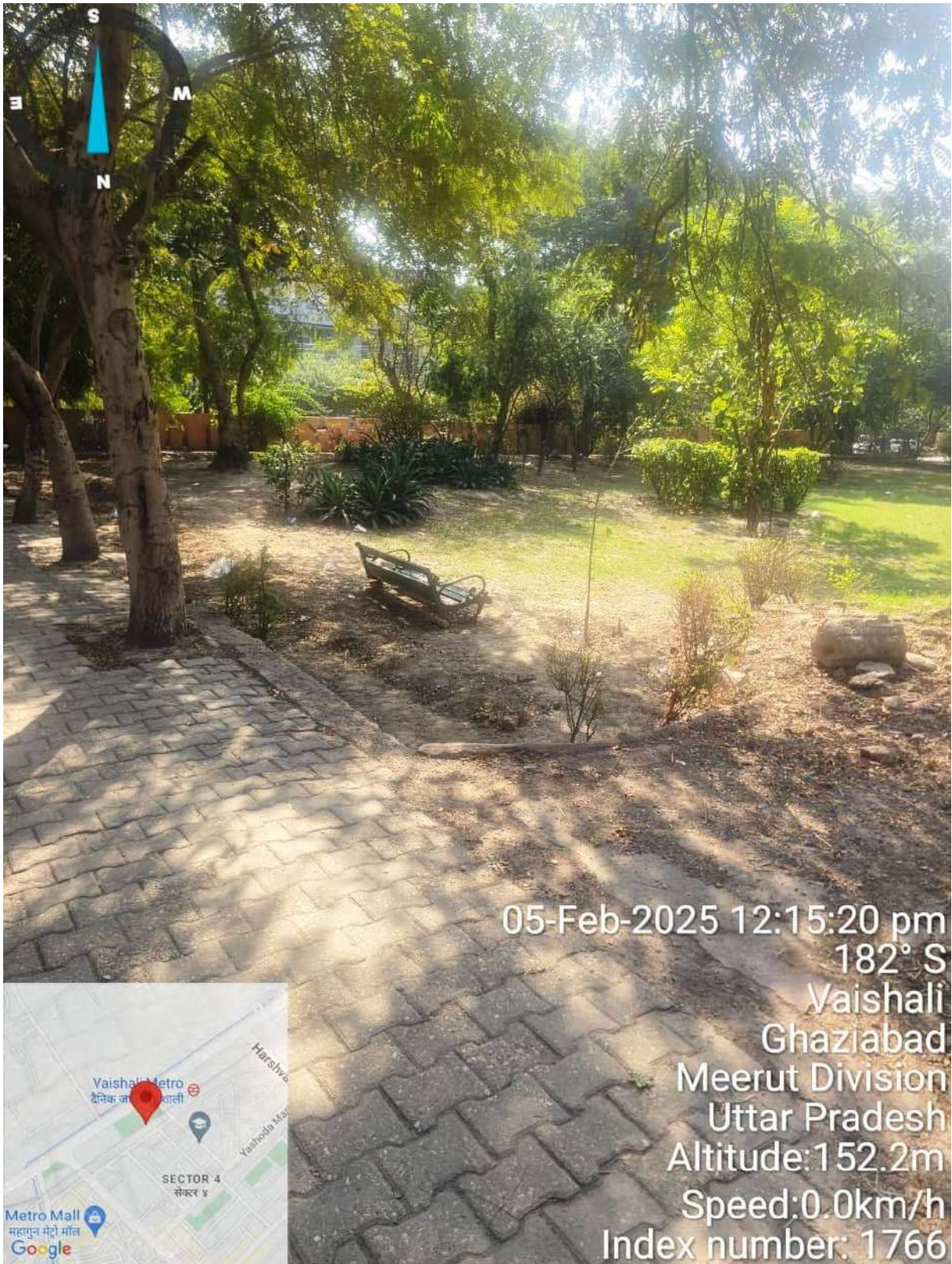
23 Madan Mohan Malviya Marg
Vaishali
Ghaziabad
Meerut Division
Uttar Pradesh
Altitude: 149.2m
Speed: 0.0km/h
Index number: 1737







PHOTOGRAPHS OF PODIUM PARK





05-Feb-2025 12:15:15 pm
223° SW
Vaishali
Ghaziabad
Meerut Division
Uttar Pradesh
Altitude:151.9m
Speed:0.0km/h
Index number: 1765