

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

**Original Application No. 56/2015
(M. A. No. 887/2015 & M. A. No. 173/2016)**

Shailesh Singh V/s. District Magistrate, Ghaziabad & Ors.

CORAM: HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant(s) :Mr. Sudeep dey, Adv. along with Mr. Shailesh Singh
Respondent No. 1, 3 & 6 :Mr. Raman Yadav and Mr. Dalsher Singh, Adv.
Respondent No. 2 :Mr. Sudhir Kulshreshtra

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 03 February 25, 2016 ss</p>	<p><u>M.A No. 173/2016</u></p> <p>This is an application filed by the respondent no. 2 – Ghaziabad Nagar Nagar to modify or to review the order dated 18th February, 2016. By that order the Nagar Nigam was directed to file affidavit of the Commissioner and the Health Officer on the construction of 143 Public toilets and also disclosing the identified places for construction of these toilets. This direction was passed based on the submission made on behalf of the learned counsel appearing for the Nagar Nigam that 143 public toilets would be constructed within six weeks. We find no reason either to modify or to review the order as sought for. The Status Report filed along with the application itself is most ambiguous. The report shows that “143 places are identified for public toilets in preliminary phase”. Thereafter the report says “53 places are identified for construction of the community toilets’. It is not explained what is the difference between public toilets and the community toilets.</p> <p>The affidavit filed in M.A No. 173/2016 is that “13</p>

places are identified and for construction of public toilets the same does not go hand-in-hand with the Status Report. The application can only be dismissed.

M.A No. 173 of 2016 is dismissed.

Original Application No.56/2015

The affidavit as directed is not filed. The learned counsel appearing for the Nagar Nigam submits that the Commissioner has gone for training and therefore he is not available. But even in the absence of the Commissioner, there would be some officer who is in-charge of the Commissioner. The affidavit should have been filed by the Commissioner who is in-charge. We are unhappy with the conduct of respondent no.2 - Nagar Nigam.

Let the affidavit be filed within one week from today.

List this matter on 04th March, 2016.

.....,JM
(M.S. Nambiar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Prof. A.R Yousuf)

.....,EM
(Ranjan Chatterjee)