

Item No. 15

Court No. 1

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

Original Application No. 67/2025

Nipun Bhushan

Applicant

Versus

Government of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 24.02.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Nipun Bhushan, Applicant in Person

Respondent: Mr. Amit Shukla, Advocate for UPPCB

ORDER

1. In this original application, the Applicant has raised a grievance against the alleged open defecation during Maha Kumbh in Prayagraj. The allegation of the Applicant is that open defecation is due to lack of functional or clean bio-toilets.
2. The Tribunal by order dated 14.02.2025 had issued notice in the OA and directed the Applicant to file affidavit of service.
3. The Applicant has filed affidavit of service, but enclosure thereto reflects that though the notices to the respondents have been sent by speed post, but there is no track report indicating service of notice.
4. Only the Respondent No. 3, Uttar Pradesh Pollution Control Board (UPPCB) is represented today.

5. In support of the allegation made in the OA, Applicant has not filed any other material, except enclosing two video footages in a pendrive. These video footages do not have the geo-coordinates.

6. Counsel for the UPPCB submits that though the notice through e-mail has been served upon it, but the pendrive containing the video recording have not been supplied.

7. The Applicant does not dispute that alongwith the e-mail the videos on which he is relying upon have not been served upon UPPCB.

8. During the course of hearing, Applicant has also referred to the two reports published in the Times of India and Down To Earth which have not been placed on record so far.

9. The OA raises an issue which is time sensitive. Hence, some competent authority must examine the truthfulness of the allegations made by the Applicant by ascertaining the correct factual position at the ground level.

10. Learned Counsel for the UPPCB has submitted that if all the relevant material is supplied by the Applicant, the UPPCB will duly consider the grievance of the Applicant and will ensure the remedial action.

11. Hence, we dispose of the OA permitting the Applicant to submit all the material in support of the allegation made in the OA to the Respondent No. 3, Member Secretary, UPPCB, who on receipt of the same will immediately ascertain the correctness of the allegation by carrying out the spot inspection. If the allegation is found to be correct, he will take immediate remedial action and submit an action taken report before

the Registrar General of the Tribunal within four weeks. If it is found necessary, the matter will be listed for consideration before the Bench.

12. OA is accordingly disposed of.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 24, 2025
Original Application No. 67/2025
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