

Item No. 01

Court No. 1

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

Original Application No. 806/2022

Akash Vashishtha

Applicant

Versus

Union of India &Ors.

Respondent(s)

Date of hearing: 21.11.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Akash Vashishtha, Applicant in Person

**ORDER**

1. Grievance in this application is against inadequacy of plantation and horticulture works by Development Authorities and Local Bodies in UP. Such works include development of parks, gardens, green belts, soil testing, grassing and development of City Forests, River-bank plantations or development of Biodiversity Parks.

2. According to the applicant, situation can be remedied by preparation/updation of Horticulture Policy of concerned Development Authority/Urban Local Bodies which may include having separate Horticulture Departments in such bodies and manning them by people with relevant qualification. This is the mandate of Section 36(1) of the Biological Diversity Act, 2002 and Article 243 W of the Constitution of India read with Twelfth Schedule.

3. According to the applicant, A.P. Greening and Beautification Corporation Ltd., Andhra Pradesh has been formed with following objectives;-

- *Adopting the best methods of greening to reduce climate change.*
- *To act as the premier, apex advisory and consultancy organization for extending green cover and climate change management services to municipal bodies and other needy organizations in the state.*
- *To act as an active nodal agency as a platform to serve the Government in achieving national/international cooperation for Corporate Social Responsibility in ecological matters.*

4. The above mechanism needs to be in U.P. also. The government of UP appointed a Committee on the subject which recommended as follows:-

*“it is necessary to establish a dedicated Horticulture Department in the development authority / municipal body to carry out beautiful garden and landscaping work in the urban areas of Uttar Pradesh and to reduce and control the increasing air pollution in the cities. Along with this, the formation of Uttar Pradesh Beautification and Landscaping Corporation is also very necessary to bring uniformity in the works of gardens, plantation, green belt, landscaping in all the public sector departments of the state.”*

5. However, further action on above recommendation is awaited.

6. In view of above, we consider it appropriate to direct the Chief Secretary, U.P, in coordination with Additional Chief Secretary/Principal Secretary, Urban Development, to look into the matter and take further action in accordance with law within three months from today.

7. We further direct that action on above lines may be considered in all States/UTs in the country.

The application is disposed of.

A copy of this order be forwarded to the Chief Secretaries of all States/UTs by email for compliance.

Adarsh Kumar Goel, CP

Arun Kumar Tyagi, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

November 21, 2022  
Original Application No. 806/2022  
AB