

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

O.A. NO. 771 OF 2022

IN THE MATTER OF:

NISHANT BHARGAV

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...CORPORATE DEBTOR

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Through



Advocate
Advocate Shravan Chandrashekhar
E-2, Kailash Colony
New Delhi – 110 048
Phone: +91-9810 727 660
Email: filings.shravan29@gmail.com

Place: New Delhi
Date: 22.08.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 771 OF 2022

IN THE MATTER OF:

NISHANT BHARGAV

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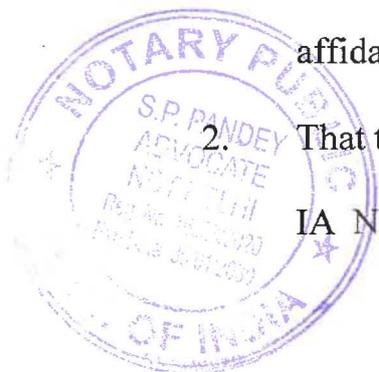
...CORPORATE DEBTOR

**ADDITIONAL AFFIDAVIT ON BEHALF OF APPLICANT FOR
BRINGING ON RECORD ADDITIONAL DOCUMENT AS PER
DIRECTIONS OF THIS HON'BLE TRIBUNAL VIDE ORDER
DATED 2.01.2025**

I, Nishant Bhargav, S/o Mr. Janardhan Sharma, aged about 40 years, R/o L-132, KP-1, Plot Jaypee Greens Wish Town, Sector 133, Noida, UP-201305, presently at New Delhi, do hereby solemnly affirm and state as under: -

1. That I am the Complainant in the above-mentioned Original Application before this Hon'ble Tribunal, and I am well conversant with the facts and circumstances of the case and therefore, I am competent to swear this affidavit.

2. That this Hon'ble Tribunal, vide order dated 2.01.2025, had allowed the IA No.699/2024 filed by the Respondent No.4/Jaypee Infratech Ltd.

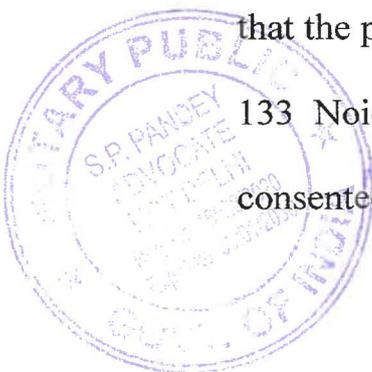


Nishant Bhargav

through its Implementation and Monitoring Committee wherein the Respondent No.4 had prayed for taking on record additional documents qua the Original Application filed by the Deponent before this Hon'ble Tribunal. It is submitted that this Hon'ble Tribunal, vide order dated 2.01.2025 allowed the said application of the Respondent No.4 and also granted opportunity to the deponent herein to place on record additional documents in rebuttal to the contentions of the Respondent No.4 raised in the said IA No.699/2024. A copy of the order dated 2.01.2025 passed by this Hon'ble Tribunal in OA No.771/2022, is annexed herewith and marked as **ANNEXURE A-1**.

3. That it is apposite to mention that Respondent No.4 had categorically submitted before this Hon'ble Tribunal through IA No.699/2024 that the consent to operate for the STP-2 which was set up by Respondent No.4 has been obtained on 23.10.2024 and accordingly, the said STP is now functional. Furthermore, the Respondent No.4 had also submitted that the said STP-2 had a capacity of 1850 KLD and had also annexed alleged photographs and videos of the same with the said application.

4. That in addition to the above, the Respondent No.4 had duly submitted that the present generation of average domestic waste in STP-2, Sector-133 Noida in a week was 0.80 MLD, which was well within the consented capacity of the STP-2, which is 1.85 MLD. Accordingly, the



S.P. Pandey

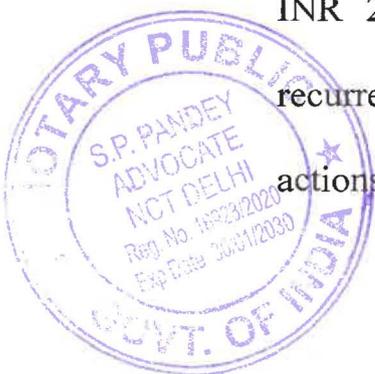
Respondent No.4 had requested disposing off the present Original Application in view of the aforementioned actions undertaken by the Respondent No.4.

5. That it is of utmost importance to note that the Respondent No.4 has given a false and unwarranted undertaking/submission before this Hon'ble Tribunal solely for misleading this Hon'ble Tribunal in passing favourable orders. It is apposite to mention that the Deponent has unearthed a letter dated 19.11.2024 issued by NOIDA to Respondent No.4. A copy of the letter dated 19.11.2024 issued by NOIDA to Respondent No.4 along with the translated copy of the said letter, are annexed herewith and marked as **ANNEXURE A-2 (COLLY.)**.
6. That vide letter dated 19.11.2024, NOIDA has apprised Respondent No.4 that the Chief Architect Planner along with the local RWA had conducted an on-site inspection in Wishtown Sector 133, Noida on 9.10.2024 and observed that the housing project was lacking the following requirements:
 - a. Boundary wall between the plot development and the group housing for controlling unauthorised entries and safety/security of the allottees living in the flats;
 - b. Clearance of the fire tender road of the group housing society;



S.P. Pandey

- c. Improper working of STP and the sewer water was being poured into the NOIDA Authority's sewer through a pipe at night, due to which the sewer line overflows and dirty water keeps spilling on the road;
- d. Soil not put around rainwater harvesting provision set-up by builder thereby leading to formation of pits at the spot.
- e. Non-covering of drain at one end of Wishtown Sector-133, Noida.
7. That from the bare perusal of the aforementioned observations of NOIDA vide letter dated 19.11.2024, it is evident that Respondent No.4 have made false and fabricated submission before this Hon'ble Tribunal in its IA No.699/2024 by stating that STP-2 is operational and working with complete capacity. It is apposite to mention that the claim of the Respondent No.4 that STP-2 situated at Sector-133, Noida has been functional since 23.10.2024 is evidently wrong as per the letter dated 19.11.2024 issued by NOIDA.
8. That subsequent to the aforementioned letter dated 19.11.2024, NOIDA has issued a letter dated 6.03.2025 to the Deponent wherein NOIDA has apprised the Complainant that the authority has imposed a penalty of INR 25,000/- against Respondent No.4 in order to prevent such recurrence at the site in future and further directed for taking necessary actions against the builder. A copy of the letters dated 6.03.2025 and



S.P. Pandey

04.03.2025 issued by NOIDA to Deponent along with a translated copy of the same, are annexed herewith and marked as ANNEXURE A-3 (COLLY.).

9. That the present affidavit is filed by the Deponent solely to bring on record the additional documents/communication issued by relevant authorities against the Respondent No.4 during the pendency of the Original Application thereby assisting this Hon'ble Tribunal in rejecting the false, frivolous and unwarranted undertakings and submissions of Respondent No.4 before this Hon'ble Tribunal and appropriate adjudication of the captioned original application pending before this Hon'ble Tribunal.

Debat Ghuge

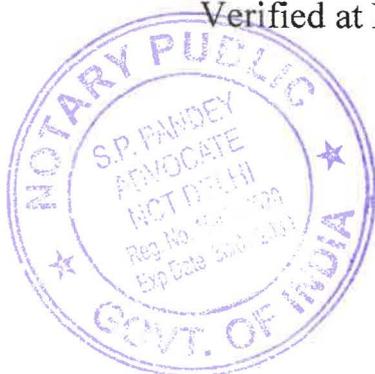
DEPONENT

I identify the deponent who has signed in my presence

VERIFICATION

I, the Deponent hereinabove, do hereby verify and state that the contents of the above paragraphs of the Affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this 22 day of August, 2025.



ATTESTED

Debat Ghuge
**NOTARY PUBLIC
DELHI (INDIA)**

Entry in Notary Register

No. 1237 *Debat Ghuge*

Date 22 AUG 2025

DEPONENT

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Original Application No. 771/2022
(I.A. No. 699/2024)

Nishant Bhargav

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 02.01.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant : Mr. Shravan Chandrashekhar, Adv. for Applicant

Respondent: Mr. Sanjay Upadhyay, Senior Advocate with Ms. Mansi Bachani & Ms.
Eisha Krishn, Advs. for R - 4
Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat & Ms.
Gargi Chaturvedi, Advs. for the State of UP
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB**ORDER**

1. Respondent no.4-Jaypee Infratech Ltd. has filed I.A. No. 699/2024 seeking to place on record additional documents.
2. Learned Counsel for applicant has not opposed this IA but has submitted that in response to the documents submitted by respondent no.4 he also wants to place on record the subsequent documents.
3. In the aforesaid circumstances, I.A. No. 699 2024 is allowed and applicant is granted three weeks' time to place on record additional documents in rebuttal.
4. List for hearing on 22.04.2025.

Prakash Shrivastava, CP


TRUE COPY

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

January 02, 2025
Original Application No. 771/2022
JG..


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नवीन ओखला औद्योगिक विकास प्राधिकरण

मुख्य प्रशासनिक भवन, सेक्टर-08, नौएडा

8

पत्र संख्या: नौएडा/मु0वा0नि0/2024/4412

दिनांक: 19-11-2024

मैसर्स जे.पी. इन्फ्राटेक लिमिटेड
सेक्टर-128, नौएडा।

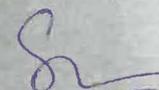
विषय:- जे.पी. विशटाउन सेक्टर-133 के.पी.-3 एवं 4 में अघोहस्ताक्षरी तथा मुख्य वास्तुविद
नियोजक द्वारा स्थानीय आर.डब्ल्यू.ए. के साथ किये गये निरीक्षण के सम्बन्ध कार्यवाही
किये जाने हेतु।

दिनांक 09.10.2024 को विशटाउन सेक्टर-133 के.पी.-3 एवं 4 में मुख्य वास्तुविद
नियोजक द्वारा स्थानीय आर.डब्ल्यू.ए. के साथ मौके पर निरीक्षण किया गया। निरीक्षण के
उपरान्त आर.डब्ल्यू.ए. द्वारा निम्नलिखित बिन्दुओं पर उचित कार्यवाही किये जाने हेतु अनुरोध
किया गया :-

- ग्रुप हाउसिंग योजना में भू-खण्डीय विकास के अन्तर्गत आने वाले भूखण्डों में निर्मित भवनों के मिलने वाले व्यक्ति अनाधिकृत रूप से प्रवेश करते हैं, जिससे प्लैट्स में रहने वाले आवंटियों की सुरक्षा पर विपरीत प्रभाव पड़ता है। अतः ऐसी स्थिति में भू-खण्डीय विकास तथा ग्रुप हाउसिंग के मध्य बाउन्ड्रीवाल का निर्माण कराया जाना अति आवश्यक है।
- विशटाउन सेक्टर-133 में स्थित ग्रुप हाउसिंग के फायर टैंडर रोड को पूरी तरह क्लीयर कराकर बिल्डर संस्था से बाउन्ड्रीवाल करायी जाय, जिससे भूखण्ड आवंटी सुरक्षित रह सकें।
- एस.टी.पी. सुचारु रूप से कार्य नहीं कर रहा है तथा सीवर के पानी को रात में खुले पाइप के माध्यम से प्राधिकरण के सीवर के अन्दर डाला जा रहा है, जिससे सीवर लाईन ओवर फ्लो होकर सड़क पर गन्दा पानी बिखरा रहता है।
- बिल्डर द्वारा पार्क में रेन वाटर हार्वेस्टिंग की व्यवस्था की गयी है किन्तु निर्माण के उपरान्त रेन वाटर हार्वेस्टिंग के चारों ओर मिट्टी नहीं डाली गयी, जिसके फलस्वरूप मौके पर गड़ढे हो गये हैं।
- विशटाउन सेक्टर-133 के एक छोर पर नाले को ढका नहीं गया है। उक्त नाले को ढकने का आग्रह किया गया है।

कृपया उपरोक्तानुसार तत्काल कार्यवाही करते हुए प्राधिकरण को अवगत कराना सुनिश्चित करें।


वरि.प्रबन्धक(नियोजन)
नौएडा


TRUE COPY

New Okhla Industrial Development Authority
Main Administrative Building, Sector-06, Noida

Letter No. NOIDA/M.V.NI/2024/4412

Dated 19-11-2024

M/s J.P. Infratech Limited

Sector-128, Noida.

Subject: - Regarding taking action on the inspection done by the undersigned and Chief Architect Planner with the local RWA in J.P. Wish town Sector-133 K.P.-3 & 4.

On 09.10.2024, the Chief Architect Planner along with the local RWA conducted an on-site inspection at Wish town Sector-133 KP-3 and 4. After the inspection, the RWA requested to take appropriate action on the following points-

- Unauthorized individuals from buildings on plots under plot parcel development illegally enter the premises of a group housing scheme, which adversely affects the security of the allottees living in the flats. Therefore, in such a situation, it is extremely necessary to construct a boundary wall between the land subdivision and the group housing.
- The fire tender road of the group housing located in Wish town sector 133 should be completely cleared and the builder organization should construct a boundary wall so that the plot allottees can remain safe.
- The STP is not working properly and the sewer water is being poured into the Authority's sewer through a pipe at night, due to which the sewer line overflows and dirty water keeps spilling on the road.
- The builder has made provision for rain water harvesting in the park, but after construction, soil was not put around the rain water harvesting, as a result of which pits have formed at the spot.
- The drain at one end of Wish town Sector-133 has not been covered. A request has been made to cover the said drain.

Please take immediate action as above and ensure to inform the authority.


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नौएडा नवीन औखला औद्योगिक विकास प्राधिकरण
कार्यालय वरिष्ठ प्रबन्धक
वर्क सर्किल-9, सैक्टर-39, नौएडा

10

पत्र सं० नौएडा/व०प्र०-व०स०-9/2025/ 378
 दिनांक

6/3/25

श्री निशांत भार्गव,
 पता-के०पी०-1, जे०पी० विश टाउन,
 सैक्टर-133, नौएडा,
 जिला-गौतमबुद्ध नगर, उ०प्र०।
 मो० 7291966266

विषय :- IGRS पोर्टल पर प्राप्त शिकायतों के निस्तारण के सम्बन्ध में।
सन्दर्भ :- शिकायत संख्या :- 40014125006209

कृपया IGRS पोर्टल पर आपके द्वारा के०पी०-1, जे०पी० विशटाउन, सैक्टर-133, नौएडा में बिल्डर्स द्वारा ग्रीन एरिया में बनाये गये लेबर हट के सीवर का पानी प्राधिकरण के नाले में प्रवाहित किये जाने की शिकायत की गयी है तथा बिल्डर्स द्वारा मा० एन०जी०टी० के द्वारा पारित आदेशों का उल्लंघन किये जाने की भी शिकायत की गयी है। इस सम्बन्ध में अवगत कराना है कि सैक्टर-133 स्थित विशटाउन में बिल्डर्स द्वारा मै० जे०पी० इन्फ्राटैक लि० के अन्तर्गत निर्माण कार्य कराया जा रहा है। प्राधिकरण द्वारा उक्त बिल्डर्स के विरुद्ध रु० 25000.00 का अर्थदण्ड लगाते हुए मै० जे०पी० इन्फ्राटैक लि० को बिल्डर्स से उक्त अर्थदण्ड की धनराशि वसूलने तथा भविष्य में स्थल पर इस प्रकार की पुनरावृत्ति न हो, इस सम्बन्ध में भी आबंटी/बिल्डर्स को अपने स्तर से निर्देश देने हेतु नोटिस जारी किया गया है, जिसकी छायाप्रति संलग्न है।

उक्त पत्र उप महाप्रबन्धक-(सिविल) महोदय से अनुमोदनोपरांत जारी किया जा रहा है।

संलग्नक : उपरोक्तानुसार।

वरिष्ठ प्रबन्धक
 वर्क सर्किल-9, नौएडा

प्रतिलिपि :-

1. अपर मुख्य कार्यपालक अधिकारी-(एस०के०) महोदय के सादर सूचनार्थ।
2. उप महाप्रबन्धक-(सिविल) महोदय को सादर सूचनार्थ।
3. प्रभारी (IGRS Cell) को उक्त शिकायत को वर्क सर्किल-9 के स्तर पर निक्षेपित किये जाने हेतु।
4. प्रबन्धक-(आर)/श्री हरेन्द्र मलिक, अवर अभियन्ता को उनकी आख्या के क्रम में।

वरिष्ठ प्रबन्धक
 वर्क सर्किल-9, नौएडा

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Noida New Okhla Industrial Development Authority

Office of Senior Manager

Work Circle-9, Sector-39, Noida

Letter No. NOIDA/WP-WC-9/2025/378

Dated 6/3/25

Shri Nishant Bhargava,

Address- KP-1, JP Wish Town,

Sector-133, Noida,

District- Gautam Buddha Nagar, Uttar Pradesh.

Mob No.- 7291966266

Subject:- Regarding disposal of complaints received on IGRS portal.

Reference: Complaint Number: 40014125006209

Please, on the IGRS portal, you have complained about the sewer water of the labour hut built by the builders in the green area at KP-1, JP Wish town, Sector-133, Noida being released into the drain of the Authority and also complained about the builders violating the orders passed by Hon'ble NGT. In this regard, it is to be informed that the builders are getting the construction work done under New JP Infratech Ltd. in Wish town located in Sector-133. The Authority has imposed a penalty of Rs. 25000.00 against the said builders and has directed M/s JP Infratech Ltd. to recover the said penalty amount from the builders and in order to prevent such recurrence at the site in future, the allottee/builder has also been asked to take necessary action against the builders. A notice has been issued to give instructions from the level, a photocopy


TRUE COPY

of which is enclosed. The said letter is being issued after approval from the Deputy General Manager (Civil).

Attachments as above.

Senior Manager

Work Circle-9, Noida

Copy :-

1. Information of Additional Chief Executive Officer-(SK) Sir.
2. Information to the Deputy General Manager (Civil).
3. Incharge (IGRS Cell) for depositing the said complaint at the level of Work Circle-9.
4. Manager (R) / Shri Harendra Malik, Junior Engineer in respect of his report.

Senior Manager

Work Circle-9, Noida


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नौरडा नवीन औखला औद्योगिक विकास प्राधिकरण

कार्यालय वरिष्ठ प्रबन्धक
वर्क सर्किल-9, सेक्टर-39, नौरडापत्र सं० नौरडा/4090-8080-9/2025/352
दिनांक 4/3/25M/s J.P. Infratech Ltd.,
Sector-128, Noida
Distt. G.B. Nagar, U.P.

विषय - माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा application सं० - 618/2016 के अन्तर्गत पारित आदेशों के अनुपालन के सम्बन्ध में।

कृपया अवगत कराना है कि सेक्टर-133 में केनसिंगटोन पार्क-1, जे0पी0 विशटाउन में बिल्डर द्वारा ग्रीन एरिया में बनाये गये लेबर हट के सीवर का पानी प्राधिकरण के नाले में प्रवाहित किया जा रहा है। उक्त के अतिरिक्त बिल्डर्स के द्वारा स्थल पर निर्धारित मानकों से ज्यादा वायु प्रदूषण उत्सर्जित किया जा रहा है, जो मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेशों का उल्लंघन है। इस सम्बन्ध में प्राधिकरण में आई0जी0आर0एस0 सं० 40014125006209 के माध्यम से शिकायत प्राप्त हुई है।

उल्लेखनीय है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित विभिन्न आदेशों में पर्यावरणीय नियमों का उल्लंघन पाये जाने पर समय-समय पर अर्थदण्ड आरोपित किये जाने के प्रावधान किये गये हैं।

उक्त कार्यस्थल पर वायु प्रदूषण के निर्धारित मानकों का अनुपालन न किये जाने के कारण आपके उक्त आबंटी/बिल्डर्स पर सं० 25 000 00 (समय पच्चीस हजार मात्र) का अर्थदण्ड लगाया जाता है। अर्थदण्ड की धनराशि का नौरडा के 28 में जारी डिमांड ड्राफ्ट के माध्यम से कैनरा बैंक की सेक्टर-6 स्थित शाखा में प्राधिकरण के खाते सं० SB A/c No. 2817101101931 में जमा कराया जाना है।

अतः आपसे अपेक्षा की जाती है कि उपरोक्तानुसार अर्थदण्ड की धनराशि को प्राधिकरण के उपरोक्त वर्णित बैंक खाते में सम्बन्धित आबंटी/बिल्डर्स से एक सप्ताह के भीतर जमा करवाकर इसकी सूचना इस वर्क सर्किल को उपलब्ध कराये तथा भविष्य में स्थल पर इस प्रकार की पुनरावृत्ति न हो इस सम्बन्ध में भी आबंटी/बिल्डर्स को अपने स्तर से निर्देश देने का कष्ट करें।

वरिष्ठ प्रबन्धक

वर्क सर्किल-9, नौरडा

प्रतिलिपि :-

1. जिलाधिकारी, गौतमबुद्ध नगर (नोडल अधिकारी) महोदय को सादर सूचनार्थ।
2. महाप्रबन्धक-नियोजन को सूचनार्थ।
3. महाप्रबन्धक-(जन स्वा0) महोदय को सादर सूचनार्थ।
4. उप महाप्रबन्धक-(सिविल) महोदय को सादर सूचनार्थ।
5. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण बोर्ड, सेक्टर-1, नौरडा सूचनार्थ।
6. प्रबन्धक को आवश्यक कार्यवाही हेतु।
7. श्री हरेन्द्र सिंह मलिक, अवर अभियन्ता को इस निर्देश के साथ कि पत्र की प्रति मौके पर कम्पनी के प्रतिनिधि को उपलब्ध कराना सुनिश्चित करें।

वरिष्ठ प्रबन्धक

वर्क सर्किल-9, नौरडा

TRUE COPY

Noida New Okhla Industrial Development Authority

Office of Senior Manager

Work Circle-9, Sector-39, Noida

Letter No. NOIDA/WP-WS-9/2025/352

Dated 4/3/25

M/s J.P. Infratech Ltd.

Sector-128, Noida

Distt. G.B. Nagar, U.P.

Subject: Regarding compliance with the orders issued under application no. 618/2016 by the Honourable National Green Tribunal, New Delhi.

Please be informed that wastewater from the labour hut built by the builder in the green area at Kensington Park-1, JP Wish town, is being discharged into the Authority's drain. Additionally, the builders are emitting more air pollution on-site than the stipulated standards, which is a violation of the orders issued by the Honourable National Green Tribunal, New Delhi. A complaint in this regard has been received through I.G.R.S. no. 40014125006209.

It is noteworthy that various orders issued by the Hon'ble National Green Tribunal, New Delhi provide for the imposition of fines from time to time if violations of environmental regulations are found.

Due to non-compliance with the prescribed standards for air pollution at your mentioned work site, a fine of ₹25,000 (Twenty-Five Thousand Only) is imposed on you. The amount of the fine is to be deposited through a demand draft in the bank account of the authority at Canara Bank, Sector-6, with account number SB A/c No. 2817101101931.

Therefore, you are expected to deposit the aforementioned fine amount into the specified bank account of the authority through the concerned allottee/builders within one week and inform this work circle accordingly. Furthermore, please ensure that the allottee/builders are instructed at your level to prevent such incidents from occurring at the site in the future.


TRUE COPY

Senior Officer

Work Circle-9, Noida

Copy to :-

1. District Magistrate, Gautam Buddha Nagar (Nodal Officer) for information.
2. General Manager Planning for information.
3. General Manager (Public Health) for information
4. Deputy General Manager (Civil) for information.
5. Regional Officer, Uttar Pradesh Pollution Board, Sector-1. Noida Province.
6. Manager for necessary action.
7. Shri Harendra Singh Malik, Junior Engineer, with the instruction to ensure that a copy of the letter is made available to the company representative on the spot.

Senior Officer

Work Circle-9, Noida


TRUE COPY



539

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Shravan Shekhar <filings.shravan28@gmail.com>

ADDITIONAL AFFIDAVIT ON BEHALF OF THE ORIGINAL COMPLAINANT IN OA No. 771/2022 titled Nishant Bhargav v. State of Uttar Pradesh & Ors.

Shravan Shekhar <filings.shravan28@gmail.com>

22 August 2025 at 13:06

To: ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

Cc: Judicial-ngt@gov.in, nishant@basilroots.com, bhanwar jadon <bhanwar09jadon@gmail.com>, pradeepmisra@yahoo.com

Sir

Please find attached additional affidavit on behalf of the Original Complainant in OA No. 771/2022 titled Nishant Bhargav v. State of Uttar Pradesh & Ors.

You are requested to acknowledge the receipt of the same.

Thanking You

Regards

Shravan Chandrashekhar
Advocate Delhi High Court
Mob No.- 91-7838955819

**Nishat Bhargav Additional Affidavit.pdf**

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