

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
I.A. NO. 313 OF 2022  
IN  
ORIGINAL APPLICATION NO. 329 OF 2021**



**IN THE MATTER OF:-**

DEVANSHU BOSE

... APPLICANT

VERSUS

AGRA DEVELOPMENT AUTHORITY & ORS.

... RESPONDENTS

**ADDITIONAL AFFIDAVIT FILED ON BEHALF OF THE INTERVENER /APPLICANT  
NO.2 IN I.A. NO. 313 OF 2022**

I, Dori Lal Yadav, s/o Anokhey Lal Yadav, aged about 66 years, r/o 277 A, Nalanada Town colony, Shamshabad Road, Agra, Uttar Pradesh- 282001, do hereby solemnly affirm and declare on oath as under:

1. That I, the deponent am the Intervener /Applicant no. 2 in the above titled I.A. No. 313 of 2022. and conversant with the facts and circumstances of the case and competent to swear this Additional Affidavit.
2. That the Deponent craves liberty to raise additional submissions or file additional affidavit in case need arises during the course of arguments.
3. That the above titled Original Application was filed against the failure of the State authorities to prevent discharge of sewage on open land from 'Nalanda Town', a housing colony developed by a Builder at Shamshabad Road area of Agra, Uttar Pradesh, estimated to be 1.45 Lakh Litres per day. The Agra Development Authority (ADA) is primarily responsible for such failure.
4. That certain developments have occurred since the filing of the above-titled I.A. no. 313 of 2022 due to which the Deponent wishes to file additional documents and photographs and hence, wants to bring them on record through the present Additional Affidavit for the perusal of this Hon'ble Tribunal. Such additional



documents attached are necessary for proper adjudication of the above-mentioned Application. The Deponent hereby lists out the additional documents:

- i. That the Deponent wishes to attach additional photographs taken on 9.12.2022 illustrating the continuous flow of untreated waste outside the drains due to pipe burst and flowing on the roads making it unbearable for the residents of the Colony to reside there.

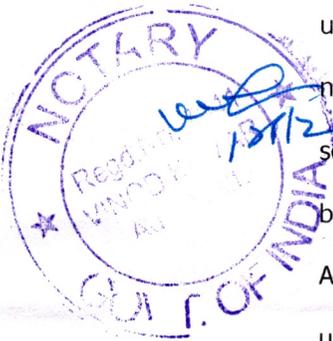
A copy of the photographs taken on 9.12.2022 is annexed herewith as **ANNEXURE A /16.**

- ii. That the Deponent hereby is also annexing an additional photograph taken on 9.12.2022 showcasing the STP so installed to be substandard as untreated water is spilling out of the STP tank itself. Hence, the ADA has not taken due care to monitor the progress of establishing a proper sewerage system and the connecting it to an appropriate STP as required by this Hon'ble Tribunal vide order dated 24.03.2022.

A copy of the photographs taken on 9.12.2022 showing STP tank leaking untreated water is annexed herewith as **ANNEXURE A/17.**

- iii. That the Deponent had sent an e-mail addressed to the Vice Chairman of the Agra Development Authority and RO, Uttar Pradesh State Pollution Control Board on 9.12.2022 informing them about the sub-standard establishment of the STP by the Builder and seeking action to be taken in the interest of the protection of the environment and residents of the colony titled "*Ground reality of STP, got constructed by Nalanda builders and developers Ltd. in Nalanda Town colony Shamshadabad road Agra in compliance with order of Hon'ble NGT New Delhi dated 24/03/2022 in OA 329/2021 & IA 52,53 & 54'*" and copied to Commissioner, Agra and Chief Secretary of Uttar Pradesh. A copy of the email sent on 9.12.2022 is annexed herewith as **ANNEXURE A/18.**

- iv. That the Deponent wishes to attach additional photographs taken on 12.12.2022 illustrating the continuous flow of untreated waste outside the

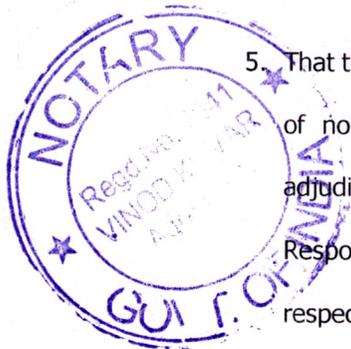


*Baca*

drains and on the roads. Also, the Deponent would like to attach photographs showing untreated waste water being used to water plants in the green area of the colony.

A copy of the photographs taken on 12.12.2022 is annexed herewith as

**ANNEXURE A/19.**



5. That the abovementioned documents are filed to show the current status and level of non-compliance done by the ADA and hence, are necessary for proper adjudication of the matter. It is submitted that no prejudice will be caused to the Respondents if these documents are placed on record. It is therefore most respectfully submitted that the Application may be allowed in the interest of justice.

*[Signature]*  
**DEPONENT**

**VERIFICATION**

Verified on this 12 day of 12, 2022 at Collectorate Agra that the contents of the above-mentioned Additional Affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

No. 16820/22  
Explained to Daxilal  
Read by yadav  
who understands the contents  
solemnly affirms and declares  
oath on 12/12/22  
at Collectorate Agra  
Identified by [Signature]  
who is personally known to me

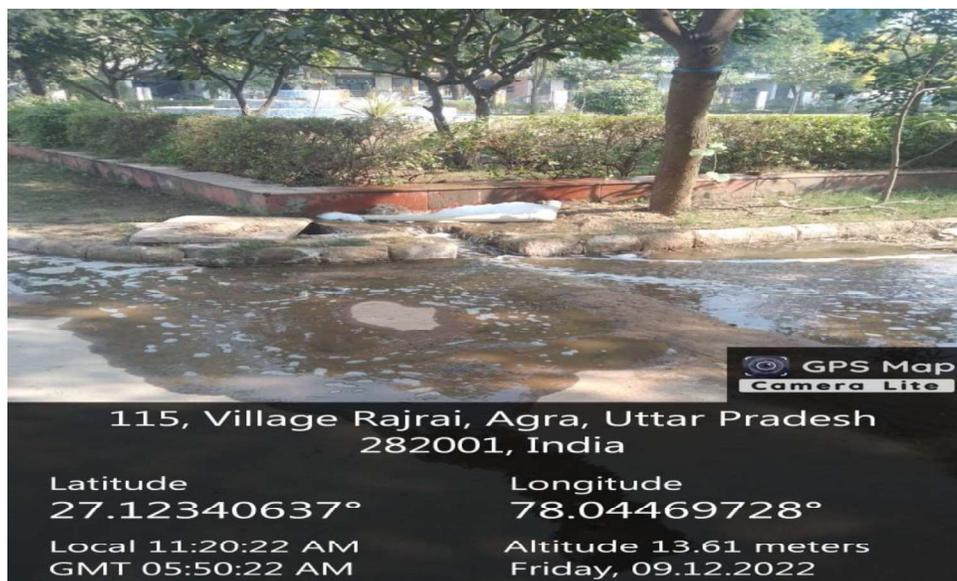
*[Signature]*  
**DEPONENT**

*[Signature]*  
VINOD KUMAR  
Distt. Notary, AGRA

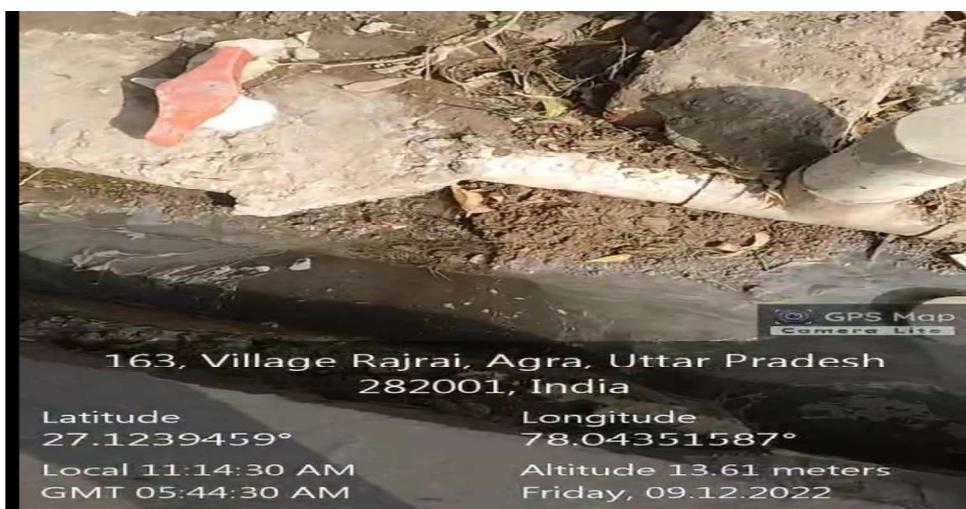
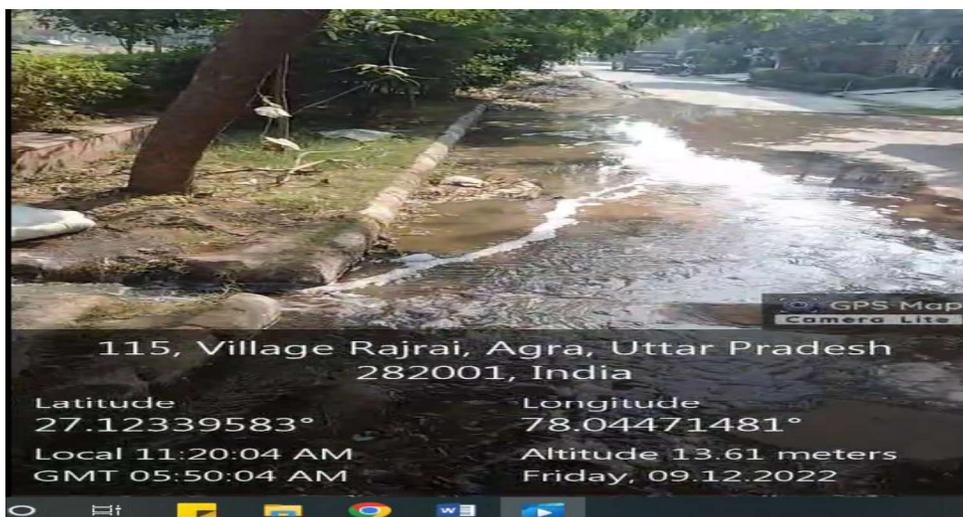
**ANNEXURE A/16**

(9.12.2022)

**Photographs illustrating untreated waste water flowing openly on roads in different locations inside the Colony:**



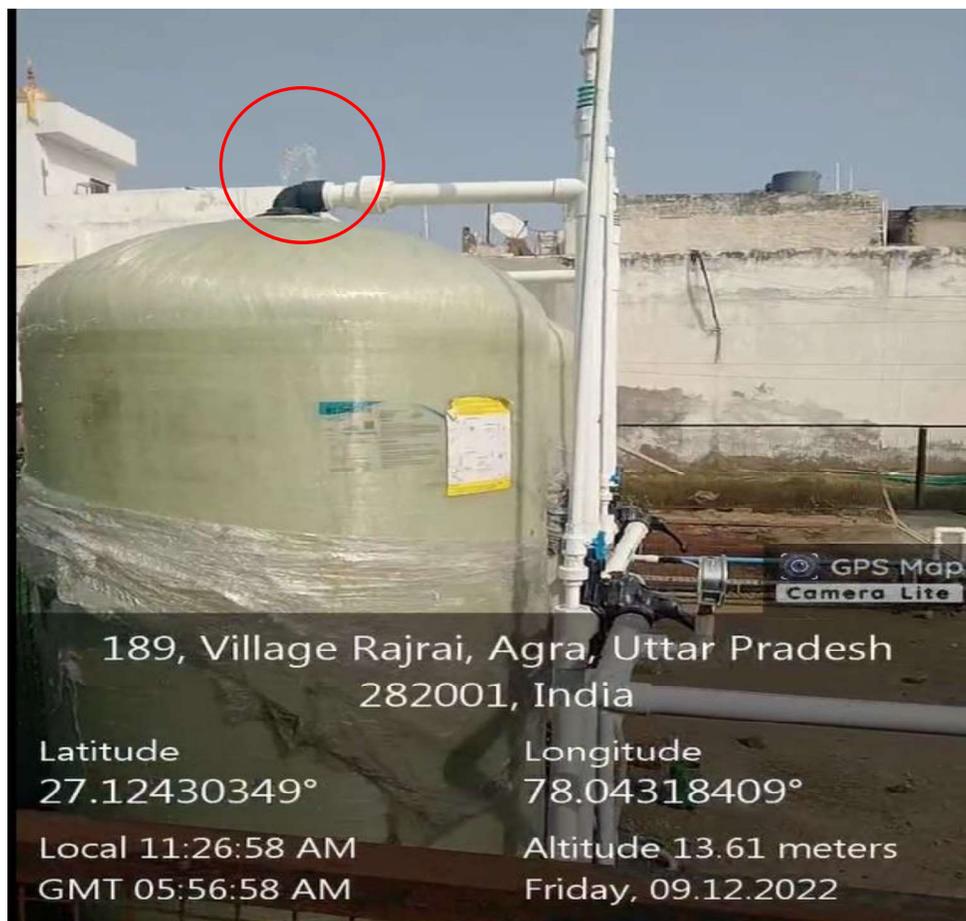
*(Above photograph shows that the pipe has burst open and untreated water is flowing on the road)*



**ANNEXURE A/17**

(9.12.2022)

**Photographs depicting the STP tank leaking waste water proving the quality of the STP established is sub-standard**



**Fw: Ground reality of STP, got constructed by Nalanda builders and developers ( I) Ltd in Nalanda Town colony Shamsabad road Agra in compliance with order of Hon'ble NGT New Delhi dated 24/03/22 in OA 329/20211& IA 52,53& 54**

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----- Forwarded message -----

From: **Dori Lal Yadav** <[dlyadavconcor@gmail.com](mailto:dlyadavconcor@gmail.com)>

Date: Fri, Dec 9, 2022, 10:03 PM

Subject: Fwd: Ground reality of STP, got constructed by Nalanda builders and developers ( I) Ltd in Nalanda Town colony Shamsabad road Agra in compliance with order of Hon'ble NGT New Delhi dated 24/03/22 in OA 329/20211& IA 52,53& 54

To: <[vcada@rediffmail.com](mailto:vcada@rediffmail.com)>, <[vcadaagra@gmail.com](mailto:vcadaagra@gmail.com)>, RO Agra <[roagra@uppcb.com](mailto:roagra@uppcb.com)>

Cc: <[commagr@nic.in](mailto:commagr@nic.in)>, Chief Secretary GoUP <[csup@nic.in](mailto:csup@nic.in)>, <[chairman@uppcb.com](mailto:chairman@uppcb.com)>

Respected sir

Kindly find attached these photos and vedios, taken on 08/12/22 and 09/12/22 of STP, got constructed by Nalanda builders and developers (I)Ltd in NALANDA TOWN COLONY SHAMSABAD ROAD AGRA.

Cited STP was got constructed through work order submitted by above mentioned builder to Riyasa water technologies New Delhi in compliance with order of Hon'ble NGT New Delhi in OA no 329/2021 and IA no 52, 53 & 54.

If such Pitiable condition is of STP at initial /trial stage of STP, what will happen after some time, can be presumed easily.

It wouldn't be out of place to mention here that despite repeated complaints for proper monitoring of quality of material and machinery in construction of STP, No attention was paid by ADA, the competent Authority, which has resulted in substandard construction of STP.

Failure of STP , probability of which cannot be ignored, may be disastrous to residents of colony and protection of environment as well.

It's therefore humbly requested to kindly do needful into the matter to protect larger interest of residents of colony and protection of environment.

Regds

D L YADAV

277A, NALANDA TOWN COLONY SHAMSABAD ROAD AGRA 282001

6395123389

----- Forwarded message -----

From: **Dori Lal Yadav** <dlyadavconcor@gmail.com>

Date: Fri, Dec 9, 2022, 8:28 PM

Subject: Ground reality of STP, got constructed by Nalanda builders and developers ( I ) Ltd in Nalanda Town colony Shamsabad road Agra in compliance with order of Hon'ble NGT New Delhi dated 24/03/22 in OA 329/20211& IA 52,53& 54

To: <rajskd5@gmail.com>

Respected sir

Kindly find attached these photos and vedios, taken on 08/12/22 and 09/12/22 of STP got constructed by aforesaid builder in cited colony,

If such Pitiabile condition of STP is at initial stage of construction, what will be after sometime, can be presumed easily.

ADA Agra has not only failed in monitoring

But has failed to take remedial measures even after repeated complaints.

Matter is still pending in Hon'ble NGT New Delhi.

Please do the needful.

Regds

D L YADAV

277A NALANDA TOWN COLONY SHAMSABAD ROAD AGRA 282001

6395123389

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**22.72 MB** 8 files attached

VID-20221209-WA0037.mp4 211.32 KB

VID-20221209-WA0042.mp4 949.02 KB

VID-20221209-WA0043.mp4 926.18 KB

VID-20221209-WA0044.mp4 1.92 MB

VID-20221209-WA0069.mp4 3.99 MB

VID-20221209-WA0066.mp4 3.05 MB

VID-20221209-WA0054.mp4 4.47 MB

VID-20221209-WA0072.mp4 7.25 MB

ANNEXURE –A /19

(12.12.2022)

Photographs showing untreated water being flown on the roads and green areas

