

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

ORIGINAL APPLICATION NO.250 OF 2020

IN THE MATTER OF:

ABHAY TYAGI

...APPLICANT(S)

Versus

UTTAR PRADESH STATE INDUSTRIAL

DEVELOPMENT AUTHORITY & ANR

...RESPONDENT(S)

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DRAWN & FILED BY:



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Date:14.07.2023



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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 250 OF 2020



IN THE MATTER OF:

ABHAY TYAGI

...APPLICANT(S)

VERSUS

UTTAR PRADESH STATE INDUSTRIAL
DEVELOPMENT AUTHORITY & ANR....RESPONDENT(S)

**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.1
AND 2/ UPSIDA**

I, Pradeep Kumar Satyarthi S/o. Sh. Ramgopal Satyarthi, aged about 45 years, R/o Village – Jalupur, Post – Muradganj, Distt. Auraiya, do hereby on solemn affirmation state as under:

1. That I am currently holding the post of the Regional Manager, Ghaziabad in UPSIDA and being duly authorised and well conversant with the facts of the present case, am competent to depose by way of the present Affidavit on behalf of Respondent Nos. 1 & 2.
2. That the present Additional Affidavit is being filed in terms of the order dated 26.05.2023 passed by this Hon'ble Tribunal. The Answering Respondents had earlier filed two Additional affidavits dated 25.05.2023 & 03.12.2022 and Reply dated 31.08.2022, the contents whereof be treated as part of the present additional affidavit and are not being repeated herein for the sake of brevity.
3. That the Ld. Amicus Curiae filed a preliminary report dated 25.05.2023 stating *inter alia* that a site visit was made to two sites of UPSIDA – Sikandrabad Industrial Area and Industrial Area at Mussoorie




Regional Manager
1st State Indl. Dev Authority
Ghaziabad

Gulawathi Road, (Road no. 11) phase-III. At the very outset it is submitted that there is no earmarked for CFC in Mussoorie Gulawathi Road Industrial Area. The annexed photographs of the structure in Mussoorie Gulawathi Road Industrial Areas of an administrative building in the Industrial Area which was being used by the Answering Respondents and is now lying vacant since it needs repair and maintenance for which an estimate of Rs. 54.13 Lacs has been sanctioned by UPSIDA on 17.10.2022. The Notice inviting tender was published on Government of U.P E-tendering portal (due to insufficient participation of bidders the tender is under rebid for the 4th time) and the bid opening date is 20.07.2023 1100 Hrs.

A copy of the note dated 17.10.2022 sanctioning Rs. 54.13 lacs is being annexed herewith as **Annexure R-1**.

In so far as CFC in Sikandrabad Industrial area is concerned, the same is not in use and will be demolished and reconstructed. The administrative approval for demolition of the building is under process. After the building is demolished, the estimate for reconstruction will be prepared.

4. That the averments/allegations made in the Preliminary Report qua the Answering Respondents, on the basis of site visit to one CFC are false, baseless and denied.

5. That the following CFCs at UPSIDA Industrial areas are fully operational, functional and in use:

S. No.	Industrial Area	CFC Building Currently being Used by/ Used for	Facilities available in CFC Building
1	Naini, Prayagraj	Regional Manager Office	Double Story with 2 Nos of Big Halls, 04 Suits, 02 Nos of Shops,

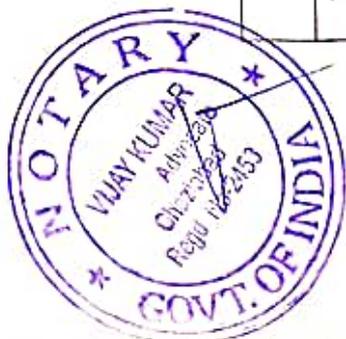

Regional Manager
U.P. State Ind. Dev Authority
Ghaziabad



			Toilet etc.
2	Bargarh, Chitrakoot	Allotted to BSNL (Part) (on rent)	Double Story with 2 Nos of Big Halls, 04 Suits, 02 Nos of Shops, Toilet etc.
3	Gajrola, Jyotiba Phule Nagar	Allotted to BSNL (On rent)	Double Story with 1 Nos of Big Halls, 06 Rooms, Toilet etc.
4	Surajpur Site B& C, Gautam Buddha Nagar	Industrial Association Office, Post Office, Bank (On rent)	Double Story with 7 Nos of Big Halls, Canteen, Store room, 02 Nos of Shops, Toilet etc.
5	Malwan, Fatehpur	Bank (On rent)	Double Story with 2 Nos of Big Halls, 04 Suits, 02 Nos of Shops, Toilet etc.
6	Unnao Site I, Unnao	IIA Office And Bank of India Training Center	To be demolished and reconstructed
7	Chinhat, Lucknow	Post Office, kiosk (canteen), BSNL office (on rent)	Double Story building with Shops and toilet
8	Raebareli Site 2, Raebareli	Currently in use as Dormitory by Factory Employees (Building Under Renovation and Upgradation)	Double Story building with Rooms and toilets
9	Parsakher a, Bareilly	Currently in use by the Fire Station employees (Under Renovation and Upgradation)	Double Story building with Rooms and toilets

6. That the following CFC buildings are currently vacant/not in use wherein proposed development plans have been duly prepared:

S No	Industrial Area	Current Status	Future Development Plan
1	Begrajpur, Muzzafarnagar (Meerut)	Vacant - Under Renovation and Upgradation	Proposed to be used for Indian Industries Association (IIA) office.



[Signature]
Regional Man.
U.P. State Ind. Dev. Authority
Ghaziabad.

			Conference Hall, Creche, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Dormitory for Workers, Banks Branch, Post Office, Worker's canteen etc.
2	Karkhiyaon, Varanasi	Vacant; Renovated in 21-22 It is a double storey building with 04 big halls, 02 suites and toilet. The first floor is being used as Regional Manager UPSIDA Office and the rest of the building is vacant	Proposed to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
3	Ram Nagar, Chandauli	Vacant: Under Renovation and Upgradation	Proposed to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
4	IIDC, Chandauli	Vacant: Under Renovation and Upgradation	Proposed to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
5	Sikenderabad, Bulandshahr	Not in Use	To be demolished and reconstructed
6	Foundry Nagar, Agra	Not in Use	To be demolished and reconstructed
7	Sumerpur, Hamirpur	Not in Use (To be Upgraded and renovated, estimate under preparation)	Renovated building to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill

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Regional Manager
U.P. State Indl. Dev. Authority
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			development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
8	Jainpur, Kanpur Dehat	Not in Use (To be Upgraded and renovated, estimate under preparation)	Renovated building to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Post Office, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Worker's canteen etc.
9	Orai Site 1	Vacant (Renovation required)	Renovated building to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
10	Raebarely- I	Vacant (Under Renovation and Upgradation)	Renovated building to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Skill development Center, Common Service Center (Jan Suvidha Kendra), Business Center, Post Office, Worker's canteen etc.
11	Jagdishpur, Amethi (Raebareily -II)	Allotted to dispensary (on rent); Under Renovation and Upgradation It is a double storey building and part of the CFC is being used by ESI	Renovated building to be used for IIA office, Conference Hall, Creche, Dormitory for Workers, Banks Branch, Post Office, Worker's canteen, Skill development Center, Common Service Center (Jan Suvidha Kendra).



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Regional Manager
U.P. State Indl. Dev. Authority
Ghaziabad,

	dispensary and rest of the building is vacant.	Business Center, etc.
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7. That UPSIDA is planning to spend Rs. 1.56 Crores approx. for upgradation and maintenance of 06 CFC buildings at as per the following details:

Sr No	Name of CFC	Estimated Upgradation Cost (In Lacs)
1	CFC Surajpur	28.89
2	Jagdishpur	21.11
3	Parsakhera	26.60
4	Raebareli Site 2	25.57
5	Chinhat	14.41
6	M.G road	54.13
	Total	156.13

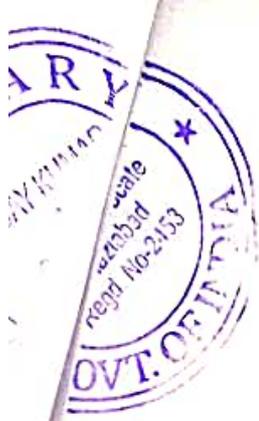
It is further submitted that few CFCs viz Bargarh are planned to be renovated under Corporate Social Responsibility by industries established in UPSIDA Industrial Areas.

8. That the renovated CFCs will be utilised for IIA office, creche, dormitory for workers, Banks/ATM, Post Office, skill development center, shops, canteen, common service centre (Jan suvidha Kendra), business centre, as per the requirements of the respective Industrial Area.

9. That UPSIDA will be undertaking *inter alia* the following steps to ensure that the CFCs are well maintained:

(i) the rental income from Banks, canteen, conference hall etc. to be utilised for regular maintenance of CFC buildings which will ensure regular maintenance of CFC buildings and will be cost effective;

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Regional Manager
U.P. State Indl. Dev Authority
Ghaziabad





(ii) large industrial setups in the CFCs to take up maintenance of CFC under CSR;

(iii) to install rooftop solar on grid power plants, rainwater harvesting systems across all the CFCs;

(iv) to setup e-vehicle charging stations in the CFCs of Industrial areas which are on the NH/ State Highways which may generate extra income which will be utilised for CFC maintenance.

10. That the annexures to the present affidavit are true copies of their respective originals.

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Regional Manager
U.P. State Indl. Dev. Authority
Ghaziabad
DEPONENT

VERIFICATION:

Verified in Ghaziabad on this 14 day of July, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and as per the official records. No part of it is false and nothing material has been concealed therefrom.



ATTESTED
OS
Vijay Kumar
VIJAY KUMAR *14/7/23*
Regd No-2453
NOTARY GHAZIABAD

19/7
Regional Manager
U.P. State Indl. Dev. Authority
Ghaziabad
DEPONENT

The Dy. General Manager(Civil),
Construction Division-I,
UPSIDA,
Ghaziabad

Ref No. 8/16 /UPSIDA/PGM(E)/Estimate

Dated: 17.10.2022

Sub : Administrative, Financial & Technical Sanction on Estimate for **Repair of Administrative Building at IA Masoorie-Gulawati Road Distt. Hapur.**

Job No : CD-1(121) dated 17.10.2022.....

Ref. No: Your Letter No.383/UPSIDA/DGM(C)/CD-1/Ghaziabad dated 01.09.2022.

Please refer to your above letter. The above estimate has been Financially & Administratively sanctioned by **Additional Chief Executive Officer** on **17.10.2022 & Technically** by **PGM(E)** for **Rs. 54.13 Lacs (Rupees Fifty Four Lacs Thirteen Thousand)** only subject to the following technical note and condition.

TECHNICAL NOTE :

1. Designs & Drawings shall be checked & vetted by concerning Senior Manager before execution of work.
2. Special attention should be paid to quality & quantity of the aforesaid work during execution of the work.

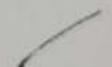

SENIOR MANAGER(C-HQ)

Ref No. /UPSIDA/PGM(E)/Estimate

Dated:.....

Copy forwarded to the following for information and necessary action.

1. Finance Controller, UPSIDA, Kanpur.
2. Chief Manager(IA), UPSIDA, Kanpur.
3. Regional Manager, UPSIDA, Ghaziabad.
4. M/s Deloitte Consultant, UPSIDA, Kanpur.


SENIOR MANAGER(C-HQ)

SUMMARY OF COST

NAME OF WORK:-REPAIR OF ADMINISTRATIVE BUILDING AT I.A.
MASOORIE GULAWATHI ROAD, DISTT. HAPUR.

S.no.	Item of work	Amount
1	Cost of work	Rs. 3,754,290.93
2	GST @ 18%	Rs. 675,772.37
	Total	Rs. 4,430,063.30
3	Add contingences @ 1% on (B)	Rs. 44,300.63
4	Add Labour Cess @ 1% on (B)	Rs. 44,300.63
5	Add for quality control @ 1.5% of the work amount Add 1.5% Quality Control on (A)	Rs. 66,450.95
6	Add for Tender Publication	Rs. 500,000.00
	Total	Rs. 5,085,115.51
	Say	54.13 dan 50.85 Laes

Manager (C)

Ant. Lep

Secy = Rs. 54.13 dan

Technical sanction recommended for above work amount Rs. 54.13 dan (Rs. Fifty four dan thirteen thousand) only. PGM

TS Accorded as proposed above
SM (C-HR)
16/11/2017

Job No. CD-I (121) dt. 17/10/2022

Estimate repair of Administrative building at D.A. - Masoodia Gulawathi Road, Distt. - Hapur has been technically sanctioned by PGM for Rs. 54.13 lacs & Administratively & financially sanctioned by ACEO (A) for Rs. 54.13 lacs (Rs. Fifty four lacs thirteen thousand only). Subject to conditions mentioned on sanction memo.

17/10/2022

(रामपाल सिंह)
सहायक प्रबन्धक (सिविल-मु०)
उ०प्र०रा०औ०वि०प्र०
कानपुर

17-10-22
(सत्यपाल)
वरिष्ठ प्रबन्धक (सि०-मु०)
उ०प्र०रा०औ०वि०प्र०
कानपुर



ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.1 AND 2/UPSIDA2 messages

Ritika Srivastava <advritika.sri@gmail.com>
To: Abhay Tyagi <abhay8tyagi@gmail.com>
Cc: vibhavamishra@outlook.in
Bcc: Dinesh Jain <jain.dinesh18@gmail.com>

Fri, Jul 14, 2023 at 6:15 PM

Dear Sir/Mam,

Please find attached herewith the service in the above matter in terms of copy of Additional Affidavit on behalf of Respondent No. 1 & 2 UPSIDA paperbook.
Kindly acknowledge the receiving.

Thanks and Regards
Ritika Srivastava
(Associate)

Anurag Kishore
Advocate-on-Record
Supreme Court
40, National Park (L.G.F)
Lajpat Nagar-IV, New Delhi
PIN-110024
Mb: (+91) 9811412437
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Ritika Srivastava <advritika.sri@gmail.com>
To: bhuwan chandra <bhuwan2051986@gmail.com>

Fri, Jul 14, 2023 at 6:26 PM

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