

**1120**  
BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No.363 / 2022

In the matter of : -

Vikrant Tongad & Another ... Applicants  
Versus  
State of U.P and Ors. ... Respondents

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Place: New Delhi  
Date: .11.2024

Drafted & Filed by:  
*Shivam Sakseena*  
(SHIVAM SAKSENA)  
Advocate for Respondent No.4  
210, Lawyers Chamber,  
C.K. Daphtary Block,  
Supreme Court, New Delhi-1  
Ch.: 011 - 23073983  
MOB : 99718 85963

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
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In the matter of : -

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ADDITIONAL REPLY ON BEHALF OF  
RESPONDENT NO.4, GREATER NOIDA  
INDUSTRIAL DEVELOPMENT AUTHORITY  
(In response to Applicants Objections dt. 7.9.2024)

The Respondent above named

Most Respectfully Showeth:

1, That the above said Original Application is pending consideration before this Hon'ble Tribunal. Earlier, a Reply / Counter Affidavit and an Additional Reply was E-filed on 9.8.2024 on behalf of Respondent No.4 and the same are on record. The answering Respondent shall refer to and reply upon the said Reply and the Additional Reply.

2. It is submitted that in support of the allegation made against Respondent No.4 that there is concretization around the trees in Greater Noida City, the Applicants had annexed photographs at Page Nos.82, 89,

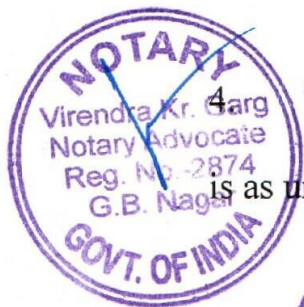
90, 91 and 92 of the Original Application. Out of the aforesaid five no. of

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Virendra Kr. Garg  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar



pages, the photograph at Page No.90 is of NOIDA as typed on the photographs itself. As regards the photographs at Page Nos.82,89, 91 and 92, in the Additional Reply, E filed on 9.8.2024, it was submitted that the inter-locking tiles complained of around the trees had been removed. Geo tagged photographs were annexed to the Additional Reply.

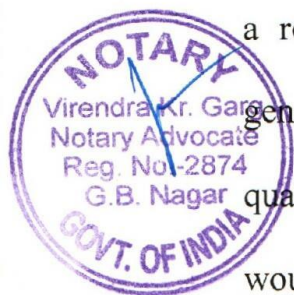
3. Thereafter, the Applicants filed Objections dt. 7.9.2024 to the Additional Reply (E filed on 9.8.2024) annexing some photographs of Greater Noida City, alleging, "construction / concretization of the entire road sides and road berms" and there being "cemented inter-locking tiles and blocks, that are prohibited by the said Govt. Order". In support of this allegation, photographs at page Nos.1038 to 1043 are annexed to the Objections dt.7.9.2024. It is the case of the Applicants that, the act of indiscriminate, mindless and excessive concretization carried out by the GREATER NOIDA does not have any reasonable nexus with the object sought to be achieved by such a exercise, which is to contain dust pollution,



4. The response of the answering Respondent to the said photographs is as under:

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Notary Advocate  
Reg. No.-2874  
G.B. Nagar

(i). As regards the photograph on page 1038 and the 1<sup>st</sup> photograph on the Pg.1040, the answering Respondent places on record photographs with a comparative closer look to show that there is no concretization or inter-locking tiles around the trees. The photograph is of the surrounding of the Stadium. As is visible in the photograph at page 1038 of the Objections filed by the Applicants and also the photographs now filed as **ANNEXURE R-4/1** to this Additional Reply, there is a central verge, which is open and covered by grass. So far as laying of inter-locking tiles on the left side of the photograph is concerned, it is submitted that the same has been covered, so as to ensure this road side can be used for parking of vehicles coming to the Stadium otherwise excessive dust would be generated on account of plying and parking of vehicles. This would also leave scope for widening of the service road. A portion with the inter-locking tiles is part of the road and not part of the Green along side the road and whenever need arises, the width of the road can be increased, obviating the allegation of conversion of green open space into a road. Laying of inter-locking tiles on this area would minimise generation of dust particles, which will help in maintaining ambient quality of air. Removal of the inter-locking tiles alongside this road, would not only cause dust pollution but also expose the outside edges of the road from caving in and in case of need, provide additional width to the existing road.



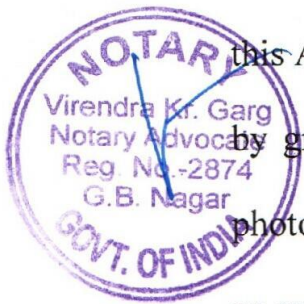
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Virendra Kr. Garg  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

(ii).. As regards the photographs at page 1039 of the Objections filed by the Applicants, it is submitted that the inter-locking tiles are being removed from the service lane. In this regard, the answering Respondent annexes a photograph of the same area (as on page 1039 of the Objections) which is marked as **ANNEXURE R-4/2** to the Additional Reply. The work has slowed down due to steep rise in AQI in an around the NCR, which includes the city of Greater Noida.

(iii). As regards the 2nd photographs on page 1040 and 1041, the answering Respondent places on record photographs with a comparative closer look to show that there is no concretization or even inter-locking tiles around the trees. This area is Knowledge Park-4 and not Knowledge Park -2 as shown by the Applicants. As is visible in the photographs at page 1040 (2<sup>nd</sup> photograph) and 1041 of the Objections filed by the Applicants and also the photographs now filed as **ANNEXURE R-4/3** to

this Additional Reply, there is a central verge, which is open and covered by grass. So far as laying of inter-locking tiles on the left side of the photograph is concerned, it is submitted that the same has been covered, so as to ensure that there is no excessive dust being generated on account of plying of vehicles and for the time being leaving scope for widening of the road. A portion with the inter-locking tiles is part of the road and not part of the Green along side the road and whenever need arises, the width



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Virendra Kr. Garg  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

of the road can be increased, obviating the allegation of conversion of green open space into a road. The laying of inter-locking tiles is with a view to minimise generation of dust particles, which will help in maintaining ambient quality of air. The area behind the wall on the right side of the photograph is Park. The laying of inter-locking tiles serves as Parking space to the Visitors coming to the Park. Removal of the inter-locking tiles alongside the road, would not only cause dust pollution but also expose the outside edges of the road from caving in and in case of need, provide additional width to the existing road.

It is again clarified that the 2<sup>nd</sup> photograph at page 1040 and Page 1041 do not correctly depict the area as Knowledge Park – 2. This area is actually Knowledge Park – 4, which fact can be verified from the two Chimneys, which are visible in the middle of the photograph. The answering Respondent has taken an adequate care about maintaining the Green at the central verge and also sides, where full grown trees can be noticed. In fact, grass is also seemed to be growing at certain places in the photographs at page 1040 on the pavement along side the road, which has inter-locking tiles.

(iv). As regards the Photograph on Page 1042 of the Objections is concerned, it is submitted that this area is in Noida and not Greater Noida.

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 Virendra K. Garg  
 Notary Advocate  
 Reg. No.-2874  
 G.B. Nagar

5. The answering Respondent submits that the mandate of the U.P. Govt. G.O. dated 23.08.2018 is being adhered to and only where it is necessary that perforated tiles fly ash bricks etc., as permissible, are used for the bare minimum footpath and the remaining portion is left vacant for plantation of grass, shrubs etc. In this manner, the generation of dust is minimized while percolation of water into the ground is equally ensured. Orders have already been issued that there is no concretization along the road anywhere in Greater Noida and wherever existed the same be immediately removed and the area alongside the road is maintained as Green by planting grass and shrubs etc.

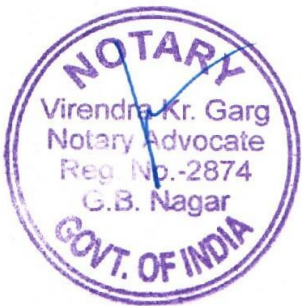
6. The answering Respondent respectfully undertakes to abide by all such directions as this Hon'ble Tribunal may be pleased to pass from time to time on the matter on the issues raised in the present Original Application.

Dated 06.11.2024

RESPONDENT NO.4

Through

(Advocate for Resp. No. 4)



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Virendra Kr. Garg  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

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AFFIDAVIT

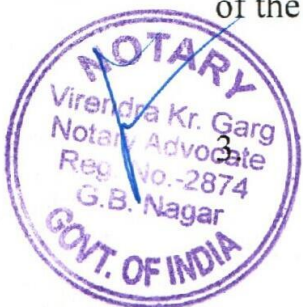
I, Rajesh Kumar Nim, s/o Late Shri Hari Ram Nim, aged about 55 years, R/o F-1505, Green Arch Society, Near Ek Murti Gol Chakkar, Tech Zone IV, Greater Noida, presently at New Delhi, do hereby solemnly affirm and state as under :

1. That the Deponent is presently posted as Sr. Manager, Work Circle IV, with the Respondent Authority No.4 and as such I am acquainted with the facts deposed herein below.

2. I state that the accompanying additional reply has been drafted under my instructions. I have read the same and state that the contents thereof are true and correct to my knowledge as derived from the records of the Respondent no. 4, Authority.

That the Annexures are true copies of their respective originals.

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Virendra Kr. Garg  
Notary Advocate  
Reg. No. 2874  
G.B. Nagar



*RAC*

DEPONENT

VERIFICATION:

Verified at New Delhi on \_\_\_\_\_ day of November, 2024 that the factual contents of this Affidavit are true and correct to my knowledge as derived from the records of the case and nothing stated therein is false and nothing material has been concealed there from. The last para is prayer to this Hon'ble Court.

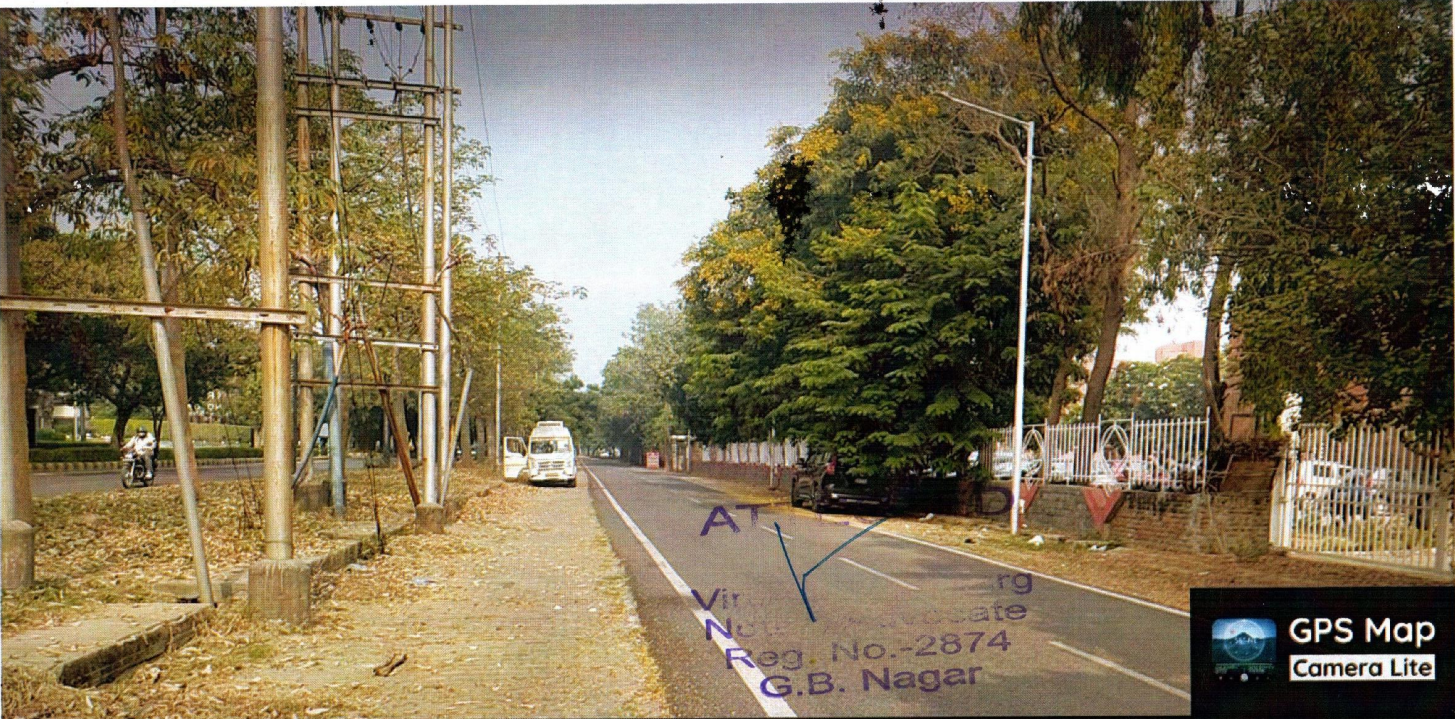
*RAC*

DEPONENT



**ATTESTED**  
6/11/2024  
Virendra Kr. Garg  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

*Rishabh Kumar NIM*  
श्री प्रमाणित करता हूँ कि श्री \_\_\_\_\_  
*Hariram NIM* पुत्र श्री \_\_\_\_\_ निवासी *F/505 Green Arch Society*  
जिनकी पहचान श्री *Sah* *Tec zone IV*  
से की आज दिनांक \_\_\_\_\_ जी \_\_\_\_\_ *Gir Noida*  
को प्रकृत/माय मेरे सम्मुख उपस्थित रूप में पढ़ा  
और सुनकर व समझ कर तब तब स्वीकार किया  
*N.K. Garg*



plot 2, Block B, Jaypee Greens, Greater Noida, Uttar Pradesh 201310, India

Latitude  
28.47107926°

Longitude  
77.5181613°

Local 10:04:14 AM  
GMT 04:34:14 AM

Altitude 201 m  
Wednesday, 06.11.2024





GPS Map  
Camera Lite



R1, Block B, Jaypee Greens, Greater Noida, Uttar Pradesh 201310, India

Latitude  
28.47206818°

Longitude  
77.51745349°

Local 10:06:46 AM  
GMT 04:36:46 AM

Altitude 200 m  
Wednesday, 06.11.2024



Vijay Garg  
Notary Advocate  
Reg. No.-2874  
G. B. Nagar

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Jaypee Greens Rd, Block B, Jaypee Greens, Greater Noida, Uttar Pradesh 201310, India

Latitude  
28.47061919°

Longitude  
77.51845277°

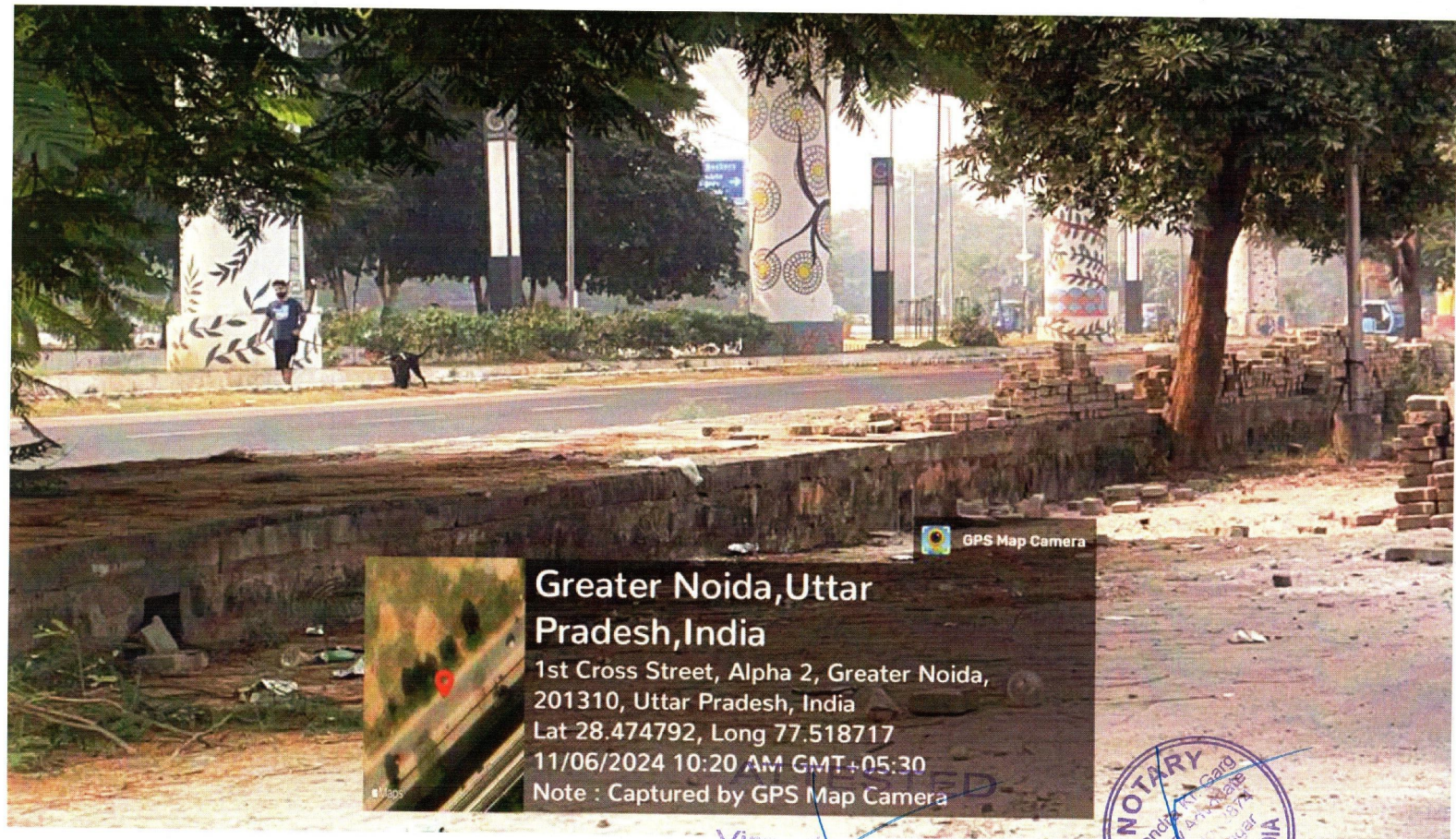
Local 10:01:53 AM  
GMT 04:31:53 AM

Altitude 199 m  
Wednesday, 06.11.2024

*Vir*  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

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ARY  
Mr. Gar  
Notary  
No.-287  
B. Nagar  
VT. OF IN



GPS Map Camera



**Greater Noida, Uttar Pradesh, India**  
1st Cross Street, Alpha 2, Greater Noida,  
201310, Uttar Pradesh, India  
Lat 28.474792, Long 77.518717  
11/06/2024 10:20 AM GMT+05:30  
Note : Captured by GPS Map Camera

Virendra Singh  
Notary Advocate  
Reg. No.-2874  
G.B. Nagar

