

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. NO. _____ OF 2023

IN

ORIGINAL APPLICATION No.287/2022

IN THE MATTER OF:

AMIT KISHORE & ORS

...PETITIONER

VERSUS

UTTAR PRADESH STATE POLLUTION

CONTROL BOARD & ORS

...RESPONDENTS

**ADDITIONAL WRITTEN ARGUMENTS ON BEHALF OF THE
APPLICANTS NAMELY SH. AMIT KISHORE, SH. GIREESH KUMAR
SHARMA AND SH. P. K. ARORA**

1. Petitioners, who are the Original Applicants in the present Original Application (“OA”) are law-abiding citizens of India working relentlessly towards environmental conservation.
2. That the present OA is pending consideration before this Hon’ble Tribunal and *vide* Order dated 19.05.2023, the Hon’ble Tribunal directed the matter to be listed for arguments on 10.07.2023 granting liberty to the Ld. Counsels for submitting their written arguments. Thereafter the matter is now relisted for the purpose already fixed on 11.09.2023.
3. In light of the order dated, 19.05.23 the Original Applicants had filed a written submission before this Hon’ble tribunal. The Original Applicants seek the leave of this Hon’ble Tribunal to file these additional written submissions in pursuance to the order dated 19.05.2023 to bring out the falsities and misrepresentations made by the Respondents before this Hon'ble Tribunal. It is further submitted that these submissions are in addition to the arguments/ground taken in the written submission already filed on 08.07.2023 and no ground/argument is being repeated herein for the sake of brevity.

A. ‘OFFICIAL NOTICE DOCTRINE’ AND RIGHT TO REBUTTAL IS THE CORNERSTONE OF NATURAL JUSTICE AND THIS HON’BLE TRIBUNAL MAY GRANT THE RIGHT OF REBUTTAL TO THE ORIGINAL APPLICANTS AGAINST ALL THE DOCUMENTS / ADDITIONAL MATERIAL BROUGHT ON RECORD BY THE RESPONDENTS.

4. The Apex Court in *Singrauli Super Thermal Power Station v. Ashwani Kumar Dubey and Ors.* 2023 SCC OnLine SC 824 on 05.07.2023 restated the Official Notice Doctrine. Furthermore, the Hon’ble Supreme Court held that 'NGT simply relied on the reports and passed an order and the same is in violation of the principles of Natural Justice'. The relevant portion of the Judgment is reproduced herein:

“23. In this context, it would be useful to refer to what is known as the ‘official notice’ doctrine, which is a device used in administrative procedure. Although an authority can rely upon materials familiar to it in its expert capacity without the need formally to introduce them in evidence, nevertheless, the parties ought to be informed of materials so noticed and be given an opportunity to explain or rebut them. The data on which an authority is acting must be apprised to the party against whom the data is to be used as such a party would then have an opportunity not only to refute it but also supplement, explain or give a different perspective to the facts upon which the authority relies. This has been explained by Schwartz in his work on Administrative Law. The aforesaid doctrine applies with greater force to a judicial/adjudicatory body. Therefore, applying the aforesaid principle to the cases that come up before the NGT, if the NGT intends to rely upon an expert Committee report or any other relevant material that comes to its knowledge, it should disclose in advance to the party so as to give an opportunity for discussion and rebuttal. Thus, factual information which comes to the knowledge of NGT on the basis of the report of the Committee constituted by it, if to be relied upon by the NGT, then, the same must be disclosed to the parties for their response and a reasonable opportunity must be afforded to present their observations or comments on such a report to the Tribunal.”

(emphasis supplied)

B. THE RESPONDENTS HAVE COME TO THE TRIBUNAL WITH UNCLEAN HANDS, FRAUD VITIATES EVERYTHING!

- I. THE IMPEADED RESPONDENTS NO. 7 TO 48 HAVE NO SANCTITY AND GENUINENESS, AND DIFFERENT/VAGUE LISTS ARE TENDERED BY R2 AND R3 ON OATH BEFORE THIS TRIBUNAL**

5. The list of allottees who were allegedly allocated the kiosks fabricated through some Baldev Fabricators, for the vending zones of Sector 15, Ghaziabad, as submitted by Respondent No. 2 (“R2”) Ghaziabad Nagar Nigam (hereinafter referred to as “List I”) (Ref: Annexure-R-3 to the Additional Affidavit of R2 dated 19.11.2022 @ Running Page No. 238 of the paper book), is clearly different/separate from the list submitted by Respondent no. 7 to 48 themselves (“**Vendors**”) (*hereinafter referred to as “List II*”) (Ref: Annexure-R1/Colly @ Running Page No. 310 of the paper book).
6. On a bare perusal of the aforementioned lists, and to the extreme shock of the applicants, it is realized that the numbers in the lists do not match and there are several Kiosk Owners in both lists that are different and only a handful of them are common in both the lists. This clearly casts doubt as to the Genuity of these Vendors and the existence of any cause of action in their favour. These differences in the two lists can be summarized as under:

Comparative chart of Kiosk Owners as given by R2 & Impleaded Vendors			
S. No.	Common Names in List I and List II	Name occurring in List I but not in List II	Name occurring in List II but not in List I
1.	Rakesh Sharma S/o Bhikamber Sharma	Subhash Chandra	Subhash Singh S/o Ramsumer Singh
2.	Sarfraj S/o Kamaluddin	Sachin Gupta	Satish Sharma S/o Bhikambar
3.	Rampal S/o Sita Ram	Satees Sharma	Amit S/o Somenath
4.	Jamuna Kumar S/o Satyanarain	Banti	Avinash Chander Vs Hukam Chand
5.	Amit Juneja S/o Banshilal	Neera	Satish Pandey S/o Vidhur Prakash
6.	Mujaffar W/o Rajiya Begum	Chandan	Vikram S/o Sumer
7.	Mustafa Khan S/o Tasavvar Khan	Raju	Kartikay Sharma S/o Praveen Sharma
8.	Naresh S/o Kishori Lal	Satesh	Lokesh Sharma S/o Govinde
9.	Harishankar S/o Bhawani	Sunil Kumar	Shivam Saini S/o

	Chander Sharma		Praveen Saini
10.	Chetan S/o Satyadeep Singh	Sunil Gupta	Sushama Jain W/o Kishan Kumar Jain
11.	Arvind S/o Netrapal Singh	Krishna	Jyoti Jain W/o Kunal Jain
12.	Ajit Kumar S/o Udayveer Singh	Sanjay Gola	Priyanka D/o Raj Singh
13.	Sunil Sharma S/o Avinash Sharma	Avinash	Sonal W/o Puneet
14.	Kamaluddin S/o Samshuddin	Reena Singh	Anurag S/o Jitender Pratap Singh
15.	Ruby Gupta W/o Satish Gupta	Jyoti Arora	Manasvi Sengar S/o Ramesh Chandra
16.	Trilok Sharma S/o Satish Sharma	Anshu Mittal RS & asso.	Babita W/o Sanjay
17.	Suresh W/o Devideen	Kartik Sharma LL asso.	Jitender Kumr S/o Shishpal
18.	Anjali W/o Pradeep Choutala	Navin Kumar	Roshani Verma W/o Ravinder Verma
19.	Usha W/o Raju Chouhan	Ritu	Vireder S/o Nek Ram Singh
20.	Sumit Kumar S/o Anil Kumar	Seema	Praveen Kumar S/o Surajbhan Saini
21.		Rakesh Pandey	Ravi S/o Manmohan
22.		Daya Rani	
23.		Yogesh Kumar	
24.		<u>K.K Chemist</u>	
25.		Savita	
26.		Lav Kumar	
27.		Intizar	

28.		Akbar Ali	
29.		Ravi (Naveen)	
30.		Prashant Kumar	
31.		IMPS	

7. Interestingly in List I as provided by R2, two names also seem to be added manually (handwritten) i.e., Prashant Kumar and IMPS. There are no surnames or any other distinct Identifier in List I. Further, a pursual of List II clearly reveals that it was made in haste and is not a genuine list. Notably, **IMPS** could not be the name of a living person in the ordinary course. It is evident that the list submitted by R2 contains bogus and fictitious names showing the extent of corruption and malpractices being perpetrated in the name of poor street vendors. Furthermore, this is not the first instance wherein such activity has been observed.
8. It is therefore submitted that these Vendors may not even have a *locus standi* to be impleaded before this tribunal since neither the numbers seem to be matching, nor the names seem to be authentic.
9. Notably this factum of mismatch in the lists could not be brought to the notice of this Hon'ble Tribunal earlier since vide order dated 04.11.2022 the tribunal did not allow any submissions to be made at that time noting that there is no question of fact or law that may require the filing of a detailed reply. The relevant portion of the order of this tribunal dated 04.11.22 is reproduced herein:

“7. Question of filing of reply to Interim Applications No. 274/2022, 275/2022 and 278/2022 does not arise before impleading of the applicants therein as party to the present proceedings and the request for adjournment has to be considered in the context of interim application for impleadment.

8. The interim application for impleadment does not involve consideration of any complicated questions of facts or law so as require filing of detailed reply thereto and, therefore, no sufficient ground for adjournment for filing of reply to the same is made out and adjournment for the same is declined.”

II. BALDEV FABRICATION IS NOT THE SAME ENTITY THAT WAS AUTHORIZED BY R2 TO FABRICATE THE KIOSKS

10. Notably, the Baldev Fabrication, who allegedly fabricated the kiosks is a different entity from the one that was contracted for this work by the Office of the District Development

12. Further in order to ascertain the truth and clear the confusion surrounding these two entities called Baldev Fabrication, an RTI was filed by the present Original Applicants bearing No. **5609/DUDA Public Information/ 2023** dated **02.06.2023**. To the shock and surprise of the applicants, it was revealed in the reply to the RTI query that the contract entered into by DUDA was with an entity called 'Baldev Fabrications' based out of Bareilly. It is shocking to note that the entity that finally ended up manufacturing the Kiosks was some other entity based out of Sector 11 Vasundhara, Ghaziabad bearing a different GSTIN number – **09AAXFB2053M1ZW**.

A True Copy of the Reply to the RTI application is annexed herewith as Annexure – 1.

13. Moreover, it is pertinent to note that upon inquiring into the GSTIN No. as mentioned in the receipt slip furnished by Baldev Fabrication (*Ref: @ Running Page No. 142 of the paper book*), it was discovered that the registration was effected from **01.01.2021** whereas the order to make the kiosks was made by DUDA to Baldev Fabrication was on **20.12.2020**. This clearly reveals foul play and disingenuity at the hands of the Respondent. A screen snip from <https://services.gst.gov.in/services/searchtp> of the above-mentioned GSTIN Number is being reproduced herein for the reference of this Hon'ble Tribunal:

Search Result based on GSTIN/UIN : 09AAXFB2053M1ZW

Legal Name of Business BALDEV FABRICATION	Trade Name BALDEV FABRICATION	Effective Date of registration 01/01/2021
Constitution of Business Partnership	GSTIN / UIN Status Active	Taxpayer Type Regular
Administrative Office (JURISDICTION - CENTER) Commissionerate - GHAZIABAD Division - DIVISION VI GHAZIABAD Range - RANGE - 28	Other Office (JURISDICTION - STATE) State - Uttar Pradesh Zone - Ghaziabad II Range - Ghaziabad (C) Sector - Ghaziabad Sector-16	Principal Place of Business 153, SECTOR 11, VASUNDHARA, GHAZIABAD, Ghaziabad, Uttar Pradesh, 201012
Whether Aadhaar Authenticated? Yes (On 29/12/2022)	Whether e-KYC Verified? Not Applicable	Additional Trade Name View

Nature Of Core Business Activity ^

Service Provider and Others

Nature of Business Activities ^

1. Works Contract

Dealing In Goods and Services

Goods		Services	
HSN	Description	HSN	Description
		998711	Maintenance and repair services of fabricated metal products, except machinery and equipment.

HSN: Harmonized System of Nomenclature of Goods and Services

SHOW FILING TABLE
SHOW RETURN FILING FREQUENCY

14. Moreover, the contracted Baldev Fabrication in the aforementioned letter has an office address of **437, Rohili Tola, Purana Shaher, Bareilly** whereas the Baldev Fabrication who finally made the Kiosks in the vending zone of Sector 15 has an office address of **153, Sector 11, Vasundhara, Ghaziabad**. This clearly reveals that this entire scheme of allotment of Kiosks is rife with corruption and irregularities. In fact, a complaint of this blatant corruption has been registered with the Government of Uttar Pradesh bearing no. **UTT/PG/URB/07/23/00026821** through **TEJ Portal** on which cognizance has already been taken and the matter is under investigation.

A copy of the complaint and the corresponding response received from the government is being annexed herewith as Annexure – 2.

15. In *S.P. Chengalvaraya Naidu v. Jagannath, (1994) 1 SCC 1*, it was held by the Hon'ble court that:

“5. The High Court, in our view, fell into patent error. The short question before the High Court was whether, in the facts and circumstances of this case, Jagannath obtained the preliminary decree by playing fraud on the court. The High Court, however, went haywire and made observations which are wholly perverse. We do not agree with the High Court that "there is no legal duty cast upon the plaintiff to come to court with a true case and prove it by true evidence. The principle of "finality of litigation" cannot be pressed to the extent of such an absurdity that it becomes an engine of fraud in the hands of dishonest litigants. The courts of law are meant for imparting justice between the parties. One who comes to the court, must come with clean hands. We are constrained to say that more often than not, process of the court is being abused. Property-grabbers, tax-evaders, bank-loan-dodgers and other unscrupulous persons from all walks of life find the court-process a convenient lever to retain the illegal gains indefinitely. We have no hesitation to say that a person, who's case is based on falsehood, has no right to approach the court. He can be summarily thrown out at any stage of the litigation.”

(Emphasis Supplied)

16. In *Oswal Fats & Oils Ltd. v. Commr. (Admn.), (2010) 4 SCC 728*, it was further held by the Apex court that:

“20. It is settled law that a person who approaches the court for grant of relief, equitable or otherwise, is under a solemn

obligation to candidly disclose all the material/important facts which have bearing on the adjudication of the issues raised in the case. In other words, he owes a duty to the court to bring out all the facts and refrain from concealing/suppressing any material fact within his knowledge or which he could have known by exercising diligence expected of a person of ordinary prudence. If he is found guilty of concealment of material facts or making an attempt to pollute the pure stream of justice, the court not only has the right but a duty to deny relief to such person.”

III. THE REPORT PLACED BY THE DFO IS FALSE AND UNTRUE AND IS A BLATANT ATTEMPT TO MISLEAD THIS HON’BLE TRIBUNAL

17. It is submitted that this Tribunal *vide* order dated 21.02.2023 had directed for a report from the Office of Divisional Director, Social Forestry Division, Ghaziabad (“DFO”) as to whether any trees/green vegetation existed at the site in question and was cut/removed before installation of the Kiosks. The relevant portion of the Order dated 21.02.2023 is being reproduced herein:

“10. In these facts and circumstances, Respondent No. 2-Ghaziabad Nagar Nigam is directed to file affidavit of its Officer conversant with the facts of the case specifically mentioning (i) particulars of the site in question with specific measurements which was demarcated as vending zone and where the Iron Shops/Kiosks were installed, (ii) whether the site in question or any part thereof, which was demarcated as vending zone and where the Iron Shops/Kiosks were installed, is part of Green Belt reserved by Respondent No. 3-UPAVP handed over to Ghaziabad Nagar Nigam for maintenance or not and (iii) how many Iron Shops/Kiosks were installed at the site in question in Sector 15 and were subsequently removed on 03.11.2022. Respondent No. 3-UPAVP is also directed to file affidavit of its Officer conversant with the facts of the case specifically mentioning as to whether the land in front of CWR Overhead tank, which was demarcated as vending zone and on which Iron Shops/Kiosks were installed, is part of Green Belt reserved by Respondent No. 3-UPAVP handed over to Ghaziabad Nagar Nigam for maintenance or not. The DFO, Ghaziabad is also directed to undertake visit to the site and report on the basis of revenue records/remote sensing data, as to whether any trees/green vegetation existed at the site in question and was cut/removed before installation of the Iron Shops/Kiosks”

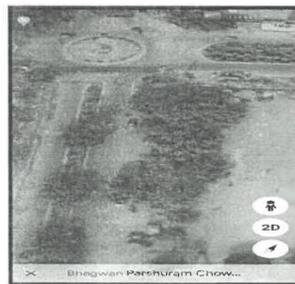
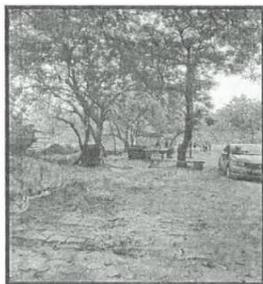
18. From a bare perusal of the report dated 17.03.2023 submitted by the DFO, it is clear, that there is obfuscation of information and evasion in the Report filed (*Ref: @ Running Page No. 611 of the paper book*) before this Hon’ble Tribunal. Notably, the report by the DFO is vague and unclear. Instead of describing from revenue records as to how many trees

existed at this site, he presented a report based on some pictures that are not even authenticated to show the period when they were taken. Further in the report the DFO says that the same is prepared based on discussions with some local people without revealing the names of the Local people who gave that information. It is further submitted that a letter was addressed to the DFO by the applicants to obtain information about the details of people who were allegedly interviewed by the DFO as mentioned in his report. However, to the utter shock of the applicants, no response/information regarding the same was received from the DFO. This clearly indicates that the DFO is simply trying to conceal information and mislead this Hon'ble Tribunal.

A True Copy of the letter dated 26.05.2023 is annexed herewith as Annexure – 3.

19. It is further submitted that the pictures taken by the DFO are not contemporary pictures and there is no Certificate of 65B attached to the said report in order for this tribunal to ascertain the authenticity of the pictures taken. It is pertinent to note that the pictures presented are false and misleading. It is in fact the case of the Original Application that the green belt has been mutilated and trees have been cut by the Respondents. Further another area which was examined by the DFO was not even directed for by this Hon'ble Tribunal. The area examined seems to be clearly different from the area that was directed to be examined in the submitted report. In the report, the DFO has examined the area of **Bhagwan Parshuram Chowk** (which is not the area in dispute in the present case). The relevant portion of the report submitted by DFO is reproduced herein:

2- अटल चौक पर जिस स्थान से अतिक्रमण खाली किया गया है उक्त स्थल पर भी पुराने वृक्ष विद्यमान हैं जिनकी उम्र 10 वर्ष से अधिक है तथा वृक्षों की कैनोपी काफी विस्तृत है। हालांकि अभी भी उक्त स्थान पर रिक्त भूमि उपलब्ध है जिस पर एक से दो पंक्तियों में वृक्षारोपण किया जा सकता है। यहाँ पर भी स्थानीय निवासियों द्वारा बताया गया कि इस स्थान पर काफी वर्षों से विद्यमान वृक्षों के अतिरिक्त अन्य कोई वृक्ष नहीं रहे हैं। उक्त स्थल पर इन्टरलॉकिंग भी करायी पायी गयी है। स्थलीय फोटोग्राफ संलग्न है



यह रिपोर्ट मौके पर उपस्थित वृक्षों तथा स्थानीय निवासियों द्वारा बताये गये अनुभवों के आधार पर तैयार की गयी है। मौके पर किसी भी वृक्ष के काटने का प्रमाण नहीं मिला है फिर भी मौके पर पाये गये कुछ खाली स्थलों पर पूर्व में वृक्ष उपस्थित हो सकते हैं जिसकी पुष्टि High Resolution Satellite Data के आधार पर ही हो सकती है। उक्त डाटा भारतीय वन सर्वेक्षण देहरादून द्वारा उपलब्ध कराया जा सकता है।

भवदीय
प्रनागीय निदेशक,
सामाजिक वानिकी प्रभाग,
गाजियाबाद।

20. Furthermore, the Original Applicants, also filed an RTI query with **application no. 1567/M-37/147** dated **28.06.2023** to examine and get copies of the measurement book for seeking information regarding the horticulture work done in the Green Belt Area in front of the CWR of Sector 15. For context, a measurement book is a book to maintain a record of all the on-site work and is to be maintained under **Rule 15 Appendix 52 of the Building and Road Manual or Order, 3rd Edition**. As per the records received in response to the RTI query, there is not only a clear and unequivocal averment that there was a 4.5-meter green Belt in front of the CWR, but also the fact that numerous trees were planted in the 4.5-meter green belt in front of the CWR. This is clearly contrary to the report filed by the DFO stating that only a few trees were found at the site.

A True Copy of the RTI along with its Reply and the Measurement Book is annexed herewith as Annexure – 4 (Colly).

21. In light of the above it is clear that the DFO has obfuscated the information and tried to mislead this Hon'ble Tribunal. Considering the above-stated facts, it is prayed that proceeding under section 340 of the Criminal Procedure Code, 1973 may be initiated against DFO by this Hon'ble Tribunal.
22. In *B.K. Gupta v. Damodar H. Bajaj, (2001) 9 SCC 742*, the relevant paragraph is reproduced hereunder:

“From the above, it follows that there are two conditions on fulfilment of which a complaint can be filed against a person who has given a false affidavit or evidence in a proceeding before a court. The first condition being that a person has given a false affidavit in a proceeding before the court and, secondly, in the opinion of the court it is expedient in the interest of justice to make an enquiry against such a person in relation to the offence committed by him. It is no doubt true that the High Court has recorded a finding that the appellant has made a false statement on oath and has also used evidence known to be false and fabricated. On a perusal of the record, we do not find any material on record to show that there was any application of mind by the Court that it was expedient in the interest of justice to make an enquiry and file a complaint against the appellant.”

(Emphasis Supplied)

23. The Hon'ble Supreme Court in *B.K. Gupta v. Damodar H. Bajaj, (2001) 9 SCC 742* enumerated certain conditions for making a complaint under Section 340 CrPC against a person who made a false affidavit and adduced false evidence in proceedings before court.

The relevant portion of the judgment is reproduced herein:

“3. From the above, it follows that there are two conditions on fulfilment of which a complaint can be filed against a person who has given a false affidavit or evidence in a proceeding before a court. The first condition being that a person has given a false affidavit in a proceeding before the court and, secondly, in the opinion of the court it is expedient in the interest of justice to make an enquiry against such a person in relation to the offence committed by him. It is no doubt true that the High Court has recorded a finding that the appellant has made a false statement on oath and has also used evidence known to be false and fabricated. On a perusal of the record we do not find any material on record to show that there was any application of mind by the Court that it was expedient in the interest of justice to make an enquiry and file a complaint against the appellant. We have also perused the judgment in Writ Petition No. 1442 of 1983 and the judgment does not show that the Court applied its mind regarding the second condition as to whether it is expedient in the interest of justice to make an enquiry into the false evidence given by the appellant and a complaint is to be filed. In the absence of application of mind in regard to expediency for filing complaint against the appellant, the order passed by the High Court directing the Prothonotary and Senior Master of the High Court to file a complaint against the appellant was vitiated.”

IV. IN LIGHT OF THE AFORESAID CIRCUMSTANCES ANY STATUS-QUO-ANTE MAY NOT BE ORDERED BY THIS TRIBUNAL

a) THESE SO-CALLED STREET VENDORS GENUITY IS IN QUESTION AND THEY HAVE NO LOCUS TO SEEK ANY RELIEF FROM THE HON’BLE TRIBUNAL

24. It is submitted that to date no official/proper list with complete and proper details of all the persons to whom the Kiosks were allotted by the authority has been brought on record. This raised severe questions as to the genuity of the impleaded vendors. Moreover, as mentioned earlier, the names of these Kiosks Owners do not match with the List submitted by R2 and the List submitted by the impleaded vendors. Such a situation could only arise when foul play and malpractices were resorted to in making the allotment of the said Kiosks.
25. It is further submitted that without proper examination of the identity of the so-called Street Vendors, they lack *locus standi* in the present matter to seek any relief from the Hon’ble Tribunal.

b) **THERE IS NO BREACH OR WILLFUL DISOBEDIENCE OF THE ORDER OF THIS HON'BLE TRIBUNAL TO GRANT STATUS QUO ANTE**

26. It is submitted that any Order for maintenance of status-quo-ante is normally issued by the Court when it is shown that the Court order has been observed in breach and there is willful disobedience of the said order. It is pertinent to note that the grounds made for status-quo-ante in IA No. 273/2022 by Vendors are invalid, bogus and frivolous. Interestingly in this case there is no breach or disobedience of any Order of this Hon'ble Tribunal. In fact, this Hon'ble Tribunal has not passed any substantive direction w.r.t the Respondents or the subject matter of this OA to date. There is no order of the Hon'ble Tribunal explicitly stating the ejection of the street vendors from the location in dispute. The removal was done at the behest of Respondent No. 3 U.P. Avam Evam Vikas Parishad (“R3”) to R2 as stated in their affidavit dated 05.09.2022 (*Ref: Annexure D of the OA @ Running Page No. 45 of the paper book*) on their own accord without any direction passed by this Hon'ble Tribunal in this case.
27. The High Court of Jammu & Kashmir in *Jan Mohammad Wani v. Farooq Ahmad Wani 2012 AIR CC 551 (J&K)* held that Courts have ample power to order for maintenance of status quo ante, but, before passing such order, the party praying for issuance of such direction has to satisfy Court that he has an extraordinarily strong case in his favour. The relevant portion of the judgment is reproduced herein:

“ 9.The Courts have ample power to order for maintenance of status quo ante, but, before passing such an order, the party praying for issuance of such direction has to satisfy the Court that he has an extraordinary strong case in his favour. The Court has to record finding that an extraordinary case is made out for directing for maintenance of status quo ante. The Court, in some circumstances, may have to conduct enquiry also. The Order for maintenance of status quo ante is normally issued by the Court when it is shown that the Court order has been observed in breach and there is wilful disobedience of the said order. The learned trial Judge has not considered any of the aspects and settled norms which provide for issuance of such orders. The order has been passed without affording opportunity of hearing. Even no cogent reason is recorded by learned trial Judge. The order of status quo ante, in certain circumstances, partakes character of a decree. Unless all the essential requirements are considered and dwelt upon, an order of status quo ante cannot be issued. In legal fiction, the direction to maintain status quo ante can create a tricky situation, non-suiting a party in turn. Care and caution of highest degree is to be exhibited by the learned Judges while considering and deciding such

important issues.”

28. Moreover, even the averments made on oath by the impleaded vendors, stating that they were evicted by R2 in pursuance to the order of this Tribunal (*Ref: @ para 13 of the Reply to OA filed by Vendors @ Running Page No. 250 of the paper book*) is not only false and misleading but also unsubstituted. The Vendors have not placed any document on record that indicates that the removal was done in pursuance of an order of this Hon’ble Tribunal. Further, the averments of the Vendors with respect to the removal of the Kiosks from the site in question, are not only contrary but also in direct conflict with the Averments made by R 2 and 3 in their affidavits.

c) **THE SO-CALLED VENDORS HAVE ALREADY BEEN ALLOCATED A PLACE FOR REHABILITATION (IF ANY) AND HENCE IA 278/2022 HAS BEEN RENDERED INFRACTUOUS**

29. It is submitted that there is no question left to be adjudicated anymore regarding the livelihood/rehabilitation of the so-called street vendors. Notably, R2 vide **letter No. 1844/MC/2022-23** dated 03.03.2023 sought approval of the Ghaziabad Development Authority (GDA) for establishing a Vending Zone in Vaishali Sector-7 opposite KR Mangalam School and near Ramprastha Green Society, whereupon the GDA vide **letter No. 986/Nagar Niyo/2023** dated 15.04.2023 has communicated the No-objection. Thereby relocating the Vendors to the aforesaid location enabling them to carry on with their profession. Therefore, rendering any relief for status-quo-ante as infructuous.

d) **SUCH A RELIEF WILL BE AKIN TO A SUO MOTO EXERCISE OF INHERENT POWERS**

30. It is submitted that in case, the application for granting Status Quo Ante is allowed it will be akin to exercising *suo motu* powers by this Tribunal’s sans jurisdiction to pass any such orders. As per **section 14 r/w section 19 of the Act**, the tribunal does not have the jurisdiction to grant Status Quo Ante in the present matter. Further, this Hon’ble Tribunal’s power is limited by the virtue of the NGT Act of 2014 where only civil disputes can be adjudicated by the Hon'ble Tribunal wherein a substantial question relating to the environment is involved and such question arises out of the implementation of the

enactments specified in Schedule I. The relevant portion of the Act is reproduced herein for ready reference:

“14. Tribunal to settle disputes. — (1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

19. Procedure and powers of Tribunal. — (1) The Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice.

(2) Subject to the provisions of this Act, the Tribunal shall have power to regulate its own procedure.

(3) The Tribunal shall also not be bound by the rules of evidence contained in the Indian Evidence Act, 1872 (1 of 1872).

(4) The Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit, in respect of the following matters, namely: —

- (a) summoning and enforcing the attendance of any person and examining him on oath;*
- (b) requiring the discovery and production of documents;*
- (c) receiving evidence on affidavits;*
- (d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872 (1 of 1872), requisitioning any public record or document or copy of such record or document from any office;*
- (e) issuing commissions for the examination of witnesses or documents;*
- (f) reviewing its decision;*
- (g) dismissing an application for default or deciding it ex parte;*
- (h) setting aside any order of dismissal of any application for default or any order passed by it ex parte;*
- (i) pass an interim order (including granting an injunction or stay) after providing the parties concerned an opportunity to be heard, on any application made or appeal filed under this Act;*
- (j) pass an order requiring any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I;*
- (k) any other matter which may be prescribed.*

(5) All proceedings before the Tribunal shall be deemed to be the judicial proceedings within the meaning of sections 193, 219 and 228 for the purposes of section 196 of the Indian Penal Code (45 of 1860) and the Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

SCHEDULE I

[See sections 14(1), 15(1), 17(1)(a), 17(2), 19(4) (j) and 34(1)]

1. The Water (Prevention and Control of Pollution) Act, 1974;
2. The Water (Prevention and Control of Pollution) Cess Act, 1977;
3. The Forest (Conservation) Act, 1980;
4. The Air (Prevention and Control of Pollution) Act, 1981;
5. The Environment (Protection) Act, 1986;
6. The Public Liability Insurance Act, 1991;
7. The Biological Diversity Act, 2002.”

31. In *Antarsingh Patel v. Union of India*, 2012 SCC OnLine NGT 47 the Hon’ble National Green Tribunal held as under:

“20. Section 20 of the National Green Tribunal Act, 2010, vests an onerous duty upon this Tribunal to apply the principles of sustainable development while passing an order or decision. In the case in hand the environment clearance was granted by the MoEF to the project as long back as in the year 1994. The said environment clearance was not assailed and Maheshwar Hydro Power Project was constructed over Narmada River incurring huge cost. All the machineries have been installed and even there was a successful trial run for generating electricity. While dealing with this type of controversies, this Tribunal is required to take a pragmatic approach and strike a balance between the development and environment. While considering the loss and harassment expected to be caused to land oustees, to their property as well as to ecology and environment in particular, this Tribunal should provide ways and means to mitigate such loss. The protection of the land oustees or the villagers whose lands are going to be submerged is the paramount lookout of the Government. Strictly speaking rehabilitation and resettlement is not within the domain of the NGT Act, but then the same being one of the conditions of EC granted to the project, we feel called upon to examine the allegations with regard to non compliance of the said condition, which may entail cancellation of EC.”

32. The Hon’ble Supreme Court in *Singrauli Super Thermal Power Station v. Ashwani Kumar Dubey and Ors.* 2023 SCC OnLine SC 824 clarified that the NGT is a judicial body and therefore exercises adjudicatory function. The relevant portion of the judgment is reproduced herein:

“21. In a recent landmark decision, *Madhyamam Broadcasting Limited v. Union of India*, 2023 SCC OnLine SC 366, the principles of natural justice have been crystalized in the words of Hon'ble CJI-Dr Dhananjaya Y Chandrachud as under:

“53. ...The facet of *audi alterum partem* encompasses the components of notice, contents of the notice, reports of inquiry, and materials that are available for perusal. While situational modifications are permissible, the rules of natural justice cannot be modified to suit the needs of the situation to such an extent that the core of the principle is abrogated because it is the core that infuses procedural reasonableness....”

22. A reading of the above, clearly indicates that the NGT is a judicial body and therefore exercises adjudicatory function. The very nature of an adjudicatory function would carry with it the requirement that principles of natural justice are complied with, particularly when there is an adversarial system of hearing of the cases before the Tribunal or for that matter before the Courts in India. The NGT though is a special adjudicatory body constituted by an Act of Parliament, nevertheless, the discharge of its function must be in accordance with law which would also include compliance with the principles of natural justice as envisaged in Section 19(1) of the Act.”

33. The Bombay High Court in **Central India Ayush Drugs Manufacturers Association v. State of Maharashtra, 2016 SCC OnLine Bom 8813** held as under:

“21. Perusal of section 14 of N.G.T. Act, reveals that civil cases covered under section 14(1) are referred to as disputes in sub-section (2). These disputes therefore, must be civil in nature, must arise out of implementation of enactments specified in Schedule-I and therein substantial question relating to environment must be involved. If these three ingredients are satisfied, bar under section 14(1) gets attracted. Thus all civil cases are not cognizable by National Green Tribunal, though they may arise out of implementation of Schedule-I enactments, if substantial question relating to environment does not arise therefrom. In section 14(1) words “including enforcement of any legal right relating to environment” are inserted after the word “environment”. Thus, issue of enforcement of a legal right relating to environment or a substantial question relating to environment must surface and form subject-matter of a civil case arising out of implementation of Schedule-I enactments. Then only National Green Tribunal will have jurisdiction under section 14.

22. Section 2(1)(m) of N.G.T. Act defines “substantial question relating to environment”. The definition is wide and inclusive. It stipulates that if there is direct violation of specific statutory environmental obligation or then environmental consequences relating to a specific activity or a point source of pollution, the same are covered in the sweep of this inclusive definition. Ingredients under sub-clause (i) of this definition is direct violation of specific statutory environmental obligation by a person affecting the community at large other than an individual or group of individuals or the gravity of damage to environment or property substantially, or the damage to public health is broadly measurable. Thus, reading of this definition shows that the cause giving rise to civil case must have some impact on environment so as to make it a question relating to environment. It is the degree of this impact which may then make it a substantial question.

23. Section 2(1)(c) defines ‘Environment’. Again the definition is deliberately

inclusive. It includes water, air and land, and the inter relationship which exists among and between water, air and land and human beings, other living creatures, plants, microorganism and property. Thus, natural elements mentioned in said definition and the impact upon it of living creatures or property, therefore, constitute environment. Thus, interrelationship between these elements and other factors stipulated therein together, jointly and severally constitute environment.

24. When section 14 is read along with and construed with section 2(1)(c) and (m), it is clear that civil cases which can be considered by the National Green Tribunal must affect environment. If it is not affecting environment, the Tribunal will not have jurisdiction. In present facts, reliefs sought for do not directly or indirectly affect environment.

e) RELIEF (IF ANY) FOR THE STREET VENDORS LIES UNDER THE STREET VENDORS (PROTECTION) ACT AND NOT BEFORE THE NGT

34. It is further submitted that this Hon'ble Tribunal has no inherent powers to pass any order granting Status Quo Ante to the Vendors since the Tribunal is a creature of a statute and its power is defined and limited by such statute. The remedy sought by the street vendors lies under provisions of **The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014** and not under environmental protection laws.

V. THE RIGHT TO LIFE ENCOMPASSES A RIGHT TO CLEAN AND HEALTHY ENVIRONMENT.

35. The green belt at the site in question was created to ensure that individuals benefiting from it live in a clean and pollution-free environment as envisaged by Article 21 of the Constitution of India and the same has been emphasized numerous times by the Apex Court. Moreover, one cannot exercise his/her right by infringing upon the right of another. Therefore, it is necessary to harmonize a balance between the rights of one party with respect to the rights of another.

THROUGH COUNSEL

**BHARAT CHUGH/ MAYANK ARORA/
ADITYA NARAYAN SHUKLA/ YACHIKA MENDIRATTA/
MOHD. ALTAMASH**

D-146, LGF, Defence Colony, New Delhi-24 |
954, JMD Megapolis, Sohna Rd, Sector 48, Gurugram, Haryana – 122018

कार्यालय जिला नगरीय विकास अभिकरण (डूडा), गाजियाबाद।

पत्रांक 5609 / डूडा-जनसूचना / 2023

दिनांक 27-7-23

गिरिश कुमार शर्मा
पुत्र श्री रामजी लाल शर्मा
पता-बी 102 सै0 17 नगर निगम
वार्ड न0 74 वसुन्धरा गाजियाबाद।
201012

विषय:- जनसूचना अधिकार अधिनियम 2005 के अन्तर्गत सूचना उपलब्ध कराने के सम्बन्ध में।

अवगत कराना है कि जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत आप द्वारा चाही गई सूचना निम्नवत् है:-

अवगत कराना है कि अभिलेखों के जांचोपरान्त पत्र संख्या 2354 दिनांक 05.12.2020 तत्कालीन परियोजना अधिकारी डूडा गाजियाबाद द्वारा बलदेव फ़ैब्रीकेशन 437 रोहिली तोला पुराना शहर बरेली को वैंडिंग जोन मॉडल के रूप में विकसित किये जाने से सम्बन्धित पत्र जारी किया गया है। बलदेव फ़ैब्रीकेशन के साथ किये गये अनुबन्ध की प्रति इस पत्र के साथ संलग्न है।

संलग्नक:-उपरोक्तानुसार।

शहर मिशन प्रबन्धक
डूडा गाजियाबाद

परियोजना अधिकारी
डूडा गाजियाबाद



उत्तर प्रदेश UTTAR PRADESH

39AA 215877

अनुबन्ध

प्रथम पक्ष:- मै0 बलदेव फैब्रीकेशन 437, रोहली टोला, पुराना शहर बरेली
(नगर निगम गाजियाबाद क्षेत्रान्तर्गत चयनित स्थलो पर वेंडिंग जोन बनाये जाने हेतु)

द्वितीय पक्ष:- परियोजना अधिकारी
जिला नगरीय विकास अभिकरण (डूडा) गाजियाबाद

प्रथम पक्ष व द्वितीय पक्ष नीचे दी गयी शर्तों के पाबन्द होंगे।

नगर आयुक्त/परियोजना निदेशक डूडा गाजियाबाद की स्वीकृति के कम में जिला नगरीय विकास अभिकरण (डूडा) गाजियाबाद/नगर निगम गाजियाबाद द्वारा अपने कार्यालय पत्र संख्या 2354/डूडा/2020-21 दिनांक 05/12/2020 से मै0 बलदेव फैब्रीकेशन 437, रोहली टोला, पुराना शहर बरेली को नगर निगम गाजियाबाद क्षेत्रान्तर्गत मॉडल वेंडिंग जोन विकसित किये जाने हेतु संस्था नामित करते हुए कार्यादेश जारी किया है।

FOR GALDHY FABRICATION

12/12/20

[Signature]



उत्तर प्रदेश UTTAR PRADESH

39AA 215878

नगर निगम गाजियाबाद के क्षेत्रान्तर्गत वर्तमान में नियमानुसार निम्नलिखित वेंडिंग जोन मॉडल के रूप में विकसित किये जाने हैं:-

1. कन्या वैदिक गर्ल्स इण्टर कॉलेज में - 60 क्योस्क।
2. कम्प्यूटर मार्केट के पीछे नवयुग मार्केट - 43 क्योस्क।
3. न्यू गाजियाबाद रेलवे स्टेशन फलाई ओवर के नीचे - 25 क्योस्क।
4. वसुन्धरा सैक्टर -15 और 17 में - 65 क्योस्क।

नगर आयुक्त महोदय के आदेशानुसार प्रस्तावित वेंडिंग जोन हेतु निम्नलिखित निर्णय लिये गये:-

1. उपरोक्त वेंडिंग जोन को विकसित करने हेतु स्ट्रीट वेंडर एवं संस्था स्वयं उत्तरदायी होगी। इसमें नगर निगम/डूडा द्वारा किसी भी प्रकार की वित्तीय सहायता नहीं दी जायेगी।
2. नगर निगम गाजियाबाद द्वारा सुविधाएँ उपलब्ध कराने हेतु मासिक किराया वसूलेगी साथ ही नगर निगम/डूडा द्वारा समय-समय पर उक्त स्थल की जांच की जायेगी।

For BALDEV FABRICATION

Baldev
Partner

Sharma



उत्तर प्रदेश UTTAR PRADESH

39AA 215879

3. पथ विक्रेताओं को परिचय पत्र वितरण कैम्प के माध्यम से किये जायेगे। परिचय वितरण के दौरान ये सुनिश्चित करें कि विक्रेता अपना आधार कार्ड साथ में लायें। साथ ही नगर निगम द्वारा परिचय पत्र वितरण उपरान्त चिन्हित स्थल के वेंडरों को प्रमाण पत्र वितरित किये जायेंगे।
4. स्थला द्वारा विकसित वेंडिंग जोन में निम्नलिखित सुविधाए प्रदान की जायेगी:-
 - ऑक्सीजन एवं नर्सरी की व्यवस्था।
 - बैठने के लिये जगह अनुसार बेंच की व्यवस्था।
 - दो पहिया वाहन की पार्किंग।
 - पीने के पानी के लिये वाटर कूलर।
5. आग बुझाने का उपकरण (Fire Extinguisher) प्रत्येक दुकान के लिये
6. गीले एवं सूखे कूड़े के लिये कूड़ेदान की व्यवस्था।
7. सुरक्षा के लिये सी0सी0टी0वी0 कैमरे की व्यवस्था

For BALDEV FABRICATION

Wase

Sharma



उत्तर प्रदेश UTTAR PRADESH

39AA 215880

8. पुरुष व महिला शौचालय की व्यवस्था (जहां पर उपलब्ध नहीं है)।
9. प्रत्येक वेडिंग जोन में साईन बोर्ड की व्यवस्था।
10. प्रत्येक वेडिंग जोन में सुरक्षा गार्ड हेतु कक्ष की व्यवस्था।
11. प्रत्येक दुकान के लिये ग्लो साईन बोर्ड।
12. व्यापारियों के साथ मिलकर सफाई व्यवस्था लागू करना।
13. कम्पनी द्वारा बनायी गयी दुकानों में कोई टूट फूट होने पर 6 माह तक निःशुल्क मरम्मत की जिम्मेदारी कम्पनी की होगी।
14. संस्था द्वारा कोविड-19 के सम्बन्ध में भारत सरकार/राज्य सरकार/नगर निगम द्वारा दिये गये निर्देशों/शर्तों का पालन करना होगा।

For BALDEV FABRICATION

Varun

Partner

Princy



संस्था द्वारा वेंडर्स से सोलर लाइट फिटिंग की लागत अतिरिक्त होगी। 39AA 215881
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- संस्था द्वारा वेंडर्स से दुकानों की बुकिंग करते समय कुल राशि का 40 प्रतिशत अग्रिम देय होगा एवं शेष राशि का भुगतान डिलीवरी के समय लिया जायेगा।
- संस्था द्वारा वेंडर्स से बुकिंग के 40 दिनों बाद दुकानों की डिलीवरी दी जायेगी।
- उपलब्ध स्थान के अनुसार दुकानों का आकार और लागत परिवर्तनशील होगी।

5. नगर निगम गाजियाबाद द्वारा वेडिंग जोन विकसित करने से पूर्व संस्था/कम्पनी को निम्नलिखित सुविधाएँ प्रदान की जायेगी:-

- इन्टरलाकिंग टाईल्स की व्यवस्था।
- पानी की निकासी की व्यवस्था।
- पीने के पानी की सुविधा।
- स्ट्रीट लाइट की व्यवस्था।
- पंजीकृत वेंडर्स की सूची एवं नगर निगम एवं वेंडर्स पंजीकृत संख्या।
- स्वीकृत वेडिंग को अतिक्रमण मुक्त करवाने की व्यवस्था।

FOR BALDEV FABRICATION

Partner

[Handwritten Signature]

क्योस्क का विवरण एवं मूल्य निम्नलिखित है:-

क्र०सं०	विवरण	संख्या	मूल्य	कुल योग
1	6' * 6' की एक शटर की दुकान लकड़ी की अलमारी सहित, खूबसूरत खुलने वाली छतरी व छत में स्टोर की सुविधा, एलईडी लाईट, पंखा फिटिंग एवं तीन लेयर की दीवार एवं चार लेयर की छत	1	1,15,000.00	
	+18प्रतिशत जीएसटी		19,800.00	
	कुल योग			1,29,800.00

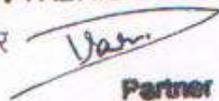
क्र०सं०	विवरण	संख्या	मूल्य	कुल योग
1	6' * 6' की एक शटर की दुकान लकड़ी की अलमारी व खुलने वाली छतरी, एक एलईडी लाईट, व पंखा फिटिंग एवं तीन लेयर की दीवार एवं चार लेयर की छत	1	95,000.00	
	+18प्रतिशत जीएसटी		17,100.00	
	कुल योग			1,12,100.00

7. किसी भी विवाद की स्थिति में सीपीओ, एनयूएलएम डूडा/नगर आयुक्त महोदय का निर्णय अन्तिम माना जायेगा तथा वाद की स्थिति में वाद क्षेत्र गाजियाबाद होगा।

8. अनुबन्ध पर हस्ताक्षर के उपरान्त दोनों पक्ष अनुबन्ध की शर्तों में बाध्य होंगे।

For BALDEV FABRICATION

हस्ताक्षर


Partner

(प्रथम पक्ष)

नाम/पदनाम/मोहर सहित

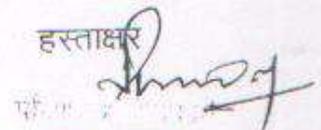
हस्ताक्षर गवाह-1


(PRIYANK SAXENA)
8826691017

हस्ताक्षर गवाह-2



हस्ताक्षर



(द्वितीय पक्ष)

नाम/पदनाम/मोहर सहित

हस्ताक्षर गवाह-1



हस्ताक्षर गवाह-2

From: Mayank Arora contact@advocatemayank.in 
Subject: Fwd: TEJ II AK Sharma - UTT/PG/URB/07/23/00026821
Date: 10 September 2023 at 1:49 PM
To: Abhinav Agrawal abhinavagrwal730@gmail.com



Begin forwarded message:

From: Gireesh Sharma <gireesh.sharma@gmail.com>
Subject: Re: TEJ II AK Sharma - UTT/PG/URB/07/23/00026821
Date: 24 August 2023 at 1:43:36 PM IST
To: acsud.goup@gmail.com, psecup.urbandev@nic.in
Cc: pkarorsbi@gmail.com, Gireesh Sharma <gireesh.sharma@gmail.com>, Amit Kishore <amitkishore16@gmail.com>, mayank arora <advocatemayank@gmail.com>

Dear Shri Amrit Abhijaat,

Please refer to the attached file. Also refer to the complaint number - UTT/PG/URB/07/23/00026821. We want to get an update on the case.

Can you please update us on this or let us know how to do a further followup.

Regards,
Gireesh Kumar sharma - 8800376503
Amit Kishore -
Complainants

----- Forwarded message -----
From: TEJ <contact@tej.net.in>
Date: Wed, 26 Jul 2023 at 16:39
Subject: TEJ II AK Sharma
To: <Safaexpress@gmail.com>



A K SHARMA

TEJ | Technologies for
Empowerment & Justice

हमारे जन शिकायत पोर्टल TEJ पर संपर्क करने के लिए धन्यवाद। आपके मुद्दे की पंजीकरण संख्या UTT/PG/URB/07/23/00026821 है। अधिक अपडेट के लिए कृपया निम्नलिखित लिंक का प्रयोग करें:- <https://tej.net.in/status>

Regards,

A. K. Sharma,
Minister - Energy & Urban Development,
Uttar Pradesh, India.
0522-2972671. 0522-3517444



baldev-
fabrica...ion.pdf
849 KB

mail

(68)

29

Arvind Kumar Sharma

Complaint against Corruption perpetrated by DUDA Department in Connivance with Fabricator in Street Vendor Kiosk Allocation Scheme

From : safaiexpress@gmail.com

Tue, Jul 04, 2023 02:30 PM

Subject : Complaint against Corruption perpetrated by DUDA Department in Connivance with Fabricator in Street Vendor Kiosk Allocation Scheme

3 attachments

To : gzb nagar nigam <gzb.nagar.nigam@gmail.com>

प्रमुख सचिव,
नगर विकास

Cc : amitkishore16@gmail.com, Arvind Kumar Sharma <minister.ude@up.gov.in>, acsud goup <acsud.goup@gmail.com>, Principal Secretary <psecup.urbandev@nic.in>, banerjee54@gmail.com

२६

06.07.2023

(गेंदा सिंह)

निजी सचिव

मंत्री, नगर विकास, शहरी समग्र विकास,
नगरीय योजनाएं एवं शहरी कल्याण,
समाज एवं अधिनियम कक्षा मात विभाग,
२० प्रो. शासन।

The Commissioner

Ghaziabad Nagar Nigam

Ghaziabad,

Uttar Pradesh - 201012

04 July 2023

Subject: Complaint against Corruption perpetrated by DUDA Department in Connivance with Baldev Fabricators in Street Vendor Kiosk Allocation Scheme

Dear Sir,

I am writing to bring to your attention a matter of utmost concern regarding the allocation of kiosks to street vendors in Ghaziabad. It has come to my attention that there are serious allegations of corruption and malpractice surrounding the scheme, and I feel compelled to bring this matter to your immediate attention.

I have been closely observing the process of kiosk allocation for the past few months, and the irregularities that have surfaced are deeply troubling. It appears that certain individuals within the allocation committee have been engaged in corrupt practices, favouritism, and the exploitation of their positions for personal gain. This not only undermines the principles of fairness and transparency but also hampers the progress and development of the street vendor community.

The modus operandi deployed by the corrupt officials is as follows:

1. After having approved a vendor for fabrication for the kiosks whose address is Baldev Fabrication Institution, Rohini Tola, Purana Shahar, Bareilly, a new vendor with the same name is created who does the fabrication work and in turn gives kickbacks to the corrupt officials. For instance I am enclosing the details of one Baldev Fabricator who was approved by the TWC in their meeting dated 4/12/2020 and later a different Baldev Fabrication was deployed to complete the work without any authorization whatsoever.
2. Kiosks have been allotted to firms like - Anshu Mittal & Associates, Kartik Sharma LL Associates and K K Chemist etc.
3. Also several instances have been reported where deserving street vendors, who meet all the necessary criteria and have been waiting for an opportunity to improve their livelihoods, have been unjustly denied the chance to acquire a kiosk. Instead, these opportunities have been granted to individuals who are known to have close connections with influential people or have offered bribes to secure their positions. Such actions not only perpetuate

families.

It has been brought to my attention that the lack of transparency in the allocation process has fueled allegations of widespread corruption. The absence of a clear and well-defined procedure for selecting the beneficiaries has created an environment ripe for manipulation and favouritism. The lack of proper documentation and records further adds to the suspicion surrounding this scheme.

I understand that the allocation of kiosks is a complex task and requires diligent efforts to ensure fairness. However, it is imperative that immediate action be taken to rectify the situation and restore faith in the process.

I respectfully request that you launch a thorough investigation into these allegations of corruption, involving unbiased individuals or a special committee, to ensure a fair and transparent inquiry. It is crucial that those responsible for the misconduct are held accountable, and the rightful beneficiaries are provided with the opportunity they deserve.

Furthermore, I strongly urge you to implement a more robust and transparent system for future allocations, one that includes stringent checks and balances to prevent any form of corruption. This can include measures such as random audits, public scrutiny, and a complaint mechanism to address any grievances promptly. It is only through such measures that we can restore trust in the system and uphold the principles of fairness and equality.

I believe that you, as the Commissioner of Ghaziabad, have the power to rectify this situation and restore the faith of the public in the administration. Your swift and decisive action in this matter will not only address the immediate concerns but also set an example for other officials to follow.

I kindly request you to acknowledge receipt of this complaint and provide me with updates on the progress of the investigation and the measures taken to address this issue. I am hopeful that you will handle this matter with the utmost seriousness it deserves and take the necessary steps to eradicate corruption from the kiosk allocation scheme.

Thank you for your attention to this matter. I trust in your commitment to upholding the principles of transparency, fairness, and integrity.

Yours sincerely,

Amit Kishore
16/180/38
Sector 16 Vasundhara
Ghaziabad, Uttar Pradesh
Phone: +91 98188 80680

Copy:

1. Vigilance Department – Ministry of Housing and Urban Development, State of UP

Attachments

- Letter in Favour of Baldev Fabrication Institution, Rohini Tola, Purana Shahar, Bareilly -
- Current Bill of Fabricator
- Attachment of List provided by DUDA in allotment of Kiosks

Baldev Fabrication Vasundhara Receipt.pdf

121 KB

OFFICE/RECEIVING

सेवा में,

प्रभागीय निदेशक,
सामाजिक वानिकी विभाग,
गाजियाबाद।

पत्रांक: 287 / 2022 / 26 मई / वानिकी

दिनांक: 26 मई 2023

विषय: राष्ट्रीय हरित अधिकरण (NGT) के ओ ए संख्या 287 / 2022 में दिनांक 22/02/2003 में दिए निर्देशों के क्रम में आपके बिना पत्रांक एवं मार्च 2023 में आपके उत्तर के सम्बन्ध में

महोदय,

उपरोक्त विषयगत वाद संख्या 287 /2022 में हम वादी हैं। आपने अपने पत्र में जिक्र किया है कि "आपने स्वयं" नगर निगम के स्थानीय स्टाफ की उपस्थिति में सेक्टर 15 वसुंधरा गाज़ियाबाद में स्थित स्थल का निरीक्षण किया। महोदय, हम जानना चाहते हैं की आपने किन कर्मचारियों की उपस्थिति में एवं किस दिनांक यह निरीक्षण किया। आप से अनुरोध है कि आप अपने पत्र में संलग्न फोटो की तिथि एवं स्रोत बताने का भी कष्ट करें।

आपने पत्र के अगले अनुभाग में जिक्र कि आपने स्थानीय नागरिकों / स्थानीय निवासियों से पूछताछ की। महोदय हम आपसे उन स्थानीय नागरिकों/ निवासियों का भी विवरण - नाम एवं निवास स्थान हमें या माननीय न्यायलय को बताने का अनुरोध करते हैं।

- सर्वे करने का दिनांक:
- सर्वे करते समय वानिकी विभाग के मौजूद अधिकारी एवं कर्मचारी:
- जिनसे पूछताछ की गयी, उनका नाम पता एवं दूरभाष/मोबाईल
- उनसे पूछे गए प्रश्न:
- उन प्रश्नों के लिए उनके उत्तर:

हमारा तर्क है कि इस प्रकार का सर्वे, सर्वे करने के गणितीय नियमों का पालन करते हुए, सड़क पर चलते हुए अनभिज्ञ निवासियों जो यहाँ आस पास के 500 मीटर के दायरे के आबंटी/मकान मालिक नहीं हैं, या किरायेदार हैं, या नगर निगम के अस्थायी कर्मचारी हैं - के मध्य नहीं किया जाना चाहिए। इससे आपको सत्य एवं ठोस परिणाम नहीं हासिल होंगे। इस प्रकार का सर्वे माननीय न्यायलय को देते समय उपरोक्त ठोस डाटा भी दिया जाना चाहिए।

हम आपसे निवेदन करते हैं की आप यह सर्वे वसुंधरा सेक्टर 15 एवं सेक्टर 17 के मूल आबंटियों, मकान मालिकों एवं आवास विकास परिषद् के हॉर्टिकल्चर विभाग के वर्तमान एवं पूर्व कर्मचारियों के मध्य भी करें, एवं न्यायलय को सूचित करें / पोर्टल पर अपलोड करें।

हम आपके सदैव आभारी रहेंगे।

गिरीश कुमार शर्मा
पता : 17 बी 102, वसुंधरा , गाज़ियाबाद
दूरभाष: 8800376503

Rec
26/5/2023
AO-
R. Gaur

पी के अरोड़ा
पता : 15/, वसुंधरा , गाजियाबाद
दूरभाष: 8826794141



सूचना का अधिकार अधिनियम 2005 की धारा 6 (1) के अधीन सूचना अभिप्राप्त करने के लिए अनुरोध

सेवा में,

अद्वितीय अधिकारी
निगम - वार्ड - 2
आवास विकास परिषद्,
काम्प्लेक्स सेक्टर 16,
वसुंधरा, गाज़ियाबाद
उत्तर प्रदेश - 201001

- (1). आवेदक का पूरा नाम: प्रवेश अरोड़ा
- (2) पिता/ पति का नाम: स्वर्गीय लक्ष्मण दास
- (3) पता: 118, सेक्टर 15, नगर निगम वार्ड 74, वसुंधरा, गाज़ियाबाद, उत्तर प्रदेश - 201012
- (4) ईमेल : pkarorsbi@gmail.com
- (5) मोबाईल संख्या : 8826794141
- (6) मांगी गयी सूचना का विवरण:

आवास विकास परिषद् वसुंधरा के हॉर्टिकल्चर विभाग की सेक्टर वाइस मेजरमेंट बुक (MB) की प्रति प्रदान करें। यदि सम्पूर्ण मेजरमेंट बुक (MB) नहीं है तो सेक्टर 15 की मेजरमेंट बुक (MB) उपलब्ध करवायें।

(7) क्या वांछित सूचना व्यक्ति के जीवन या स्वतंत्रता से सम्बंधित है: हां / नहीं | यदि है तो उसका कारण

मैं प्रवेश अरोड़ा आवास विकास परिषद् वसुंधरा का निवासी हूँ और ऊपर मांगी गयी जानकारी मेरे रोजमर्या के जीवन से सम्बंधित है।

(8) जमा की गयी फीस का ब्यौरा : Awas Vikas Receipt -

पोस्टल आर्डर संख्या : 34703

पोस्टल आर्डर का दिनांक: 28/06/23

पोस्टल आर्डर की राशि: 10/-

- (9) क्या आवेदक गरीबी रेखा से नीचे की श्रेणी का है? हां / नहीं (यदि हाँ तो BPL प्रमाणपत्र संलग्न करें)
- (10) संलग्नों की सूची

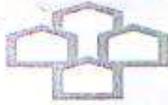
स्थान : गाज़ियाबाद

दिनांक : 28/06/2023


आवेदक के पूर्ण हस्ताक्षर



IS:5700:2018



संघीय प्रभागिता

उत्तर प्रदेश आवास एवं विकास परिषद
कार्यालय जन सूचना अधिकारी/अधिशासी अभियन्ता,
निर्माण खण्ड गाजियाबाद-02

सेक्टर-16ए, वसुन्धरा काम्प्लेक्स, गाजियाबाद



पत्रांक:- 1567

/ M-37 / 147

दिनांक:- 25/07/23

सेवा में,

श्री प्रवेश अरोड़ा पुत्र स्वर्गीय लक्ष्मण दास
निवासी-118, सेक्टर-15, नगर निगम वार्ड 74
वसुन्धरा, गाजियाबाद।

विषय:- सूचना का अधिकार अधिनियम-2005 के अधीन सूचना उपलब्ध कराये जाने के सम्बन्ध में।

महोदय,

कृपया सूचना का अधिकार अधिनियम-2005 के अधीन सूचना उपलब्ध कराये जाने के सम्बन्ध में अधोहस्ताक्षरी को सम्बोधित अपने आवेदन दिनांक 28.06.2023, जोकि खण्ड कार्यालय को प्राप्त हुआ है तथा रजिस्टर क्रमांक-41 पर दर्ज है, का सदमे ग्रहण करने का कष्ट करें।

अतः आपसे अनुरोध है कि वसुन्धरा योजना, गाजियाबाद के सेक्टर-15 में खण्ड द्वारा हार्टीकल्चर से सम्बन्धित कराये गये कार्यों की माप पुस्तिका किसी भी कार्य दिवस में खण्ड कार्यालय में उपस्थित होकर, खण्ड कार्यालय में कार्यरत श्रीमती प्रेरणा शर्मा, कैशियर से सम्पर्क कर माप पुस्तिका का अवलोकन किया जा सकता है।

उत्तर प्रदेश राज्य में सूचना का अधिकार अधिनियम के अन्तर्गत आवेदनों/प्रथम अपीलों के ऑनलाईन प्राप्त कर निस्तारित किये जाने एक वेब पोर्टल <https://rtionline.up.gov.in> विकसित किया गया है। भविष्य में जनसूचना के लिए आवेदक/प्रथम अपील करने हेतु आप उक्त वेब पोर्टल का उपयोग कर सकते हैं।

यदि आप उपयुक्त उत्तर से सन्तुष्ट नहीं हैं तो आप सम्बन्धित अधिनियम की धारा 19(1) के अधीन यह पत्र प्राप्त होने के दिनांक से तीस दिन के भीतर प्रथम अपीलीय प्राधिकारी के समक्ष अपील दायर कर सकते हैं जिनका पता निम्नवत है:
अपीलीय अधिकारी

पदनाम:- अपीलीय अधिकारी/अधीक्षण अभियन्ता,
गाजियाबाद वृत्त,
उ0प्र0 आवास एवं विकास परिषद,
वसुन्धरा, गाजियाबाद।

दूरभाष संख्या- 0120-4133277

जन सूचना अधिकारी/अधिशासी अभियन्ता

पृ0सं0:-

/उक्त/

दिनांक:-

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. सहायक अभियन्ता/सम्बन्धित अवर अभियन्ता, निर्माण खण्ड-गाजियाबाद-02।
2. श्रीमती प्रेरणा शर्मा, कैशियर, निर्माण खण्ड गाजियाबाद-02, उ0प्र0 आवास एवं विकास परिषद, वसुन्धरा, गाजियाबाद को इस निर्देश के साथ प्रेषित कि खण्ड कार्यालय द्वारा वसुन्धरा योजना, गाजियाबाद के सेक्टर-15 में हार्टीकल्चर से सम्बन्धित कराये गये कार्यों की माप पुस्तिका का अवलोकन आवेदक को कराना सुनिश्चित करें।

जन सूचना अधिकारी/अधिशासी अभियन्ता

IS15700:2018



सेवात्मक प्रमाणित

उत्तर प्रदेश आवास एवं विकास परिषद
कार्यालय जन सूचना अधिकारी/अधिकासी अभियन्ता,
निर्माण खण्ड गाजियाबाद-02
सेक्टर-16ए, वसुन्धरा काम्प्लेक्स, गाजियाबाद.



पत्रांक:- 1883

/ M-37 / 187

दिनांक:- 02/09/23

सेवा में,

श्री प्रवेश अरोड़ा पुत्र स्वर्गीय लक्ष्मण दास
निवासी-118, सेक्टर-15, नगर निगम वार्ड 74
वसुन्धरा, गाजियाबाद।

विषय:- सूचना का अधिकार अधिनियम-2005 के अधीन सूचना उपलब्ध कराये जाने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक, खण्ड कार्यालय के पत्रांक-1567/एम-37/147 दिनांक 25.07.2023 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा वसुन्धरा योजना, गाजियाबाद के सेक्टर-15 में खण्ड द्वारा हार्टीकल्चर से सम्बन्धित कराये गये कार्यों की माप पुस्तिका का अवलोकन करने हेतु किसी भी कार्य दिवस में कार्यालय में उपस्थित होने हेतु अनुरोध किया गया। आप दिनांक 01.09.2023 को कार्यालय में उपस्थित हुए और वसुन्धरा योजना, गाजियाबाद के सेक्टर-15 में खण्ड द्वारा हार्टीकल्चर से सम्बन्धित कराये गये कार्यों की माप पुस्तिका का अवलोकन किया गया। अवलोकनोपरान्त आप द्वारा इंगित 24 पृष्ठों की सत्यापित छायाप्रति की मांग की गयी है। अतः माप पुस्तिका का 1.00 घण्टे अवलोकन उपरान्त शुल्क रु0 10.00 एवं 24 पृष्ठ X Rs. 2.00 = Rs. 48.00, इस प्रकार कुल रु0 58.00 (रु0 10.00 + 48.00) खण्ड कार्यालय में दिनांक 02.09.2023 को जमा कर दिये गये हैं। उक्त प्रपत्रों की प्रमाणित प्रति संलग्न प्रेषित है।

संलग्नक:-उपरोक्तानुसार।

Particulars	Details of a tual measurements				Contents of area
	No.	L.	B.	D.	
Name of work	Supply of Gobar ki khad and thaya dan - 100 m ² in				
	+ 10-3 sectors 15 and D ₂ D ₃ gaur				
	Rat A2D				
Situation	Scheme 10-3 A2D				
Agency	Supply order No 127/5-5/3				
Name of supplier	18-1-93				
Date of start	18-1-93				
Date of comp.	19-1-93				
Date of m/s	19-1-93				
Name of sub contractor	D.K. Sharma				
Supply of Gobar ki khad and thaya dan	100 m ² in 10-3 sector				
	15 and D ₂ D ₃ gaur Rat A2D				
Sl. No.					
Gobar ki khad	1x5	3.5	2.5	0.92	40.25 m ²
Sector 15	1x3	3.5	2.4	0.92	23.10 m ²
Gobar khad in D ₂ D ₃	1x4	4.0	2.8	0.80	35.84 m ²
					99.27 m ²
					19-1-93

10-3 sector 15 and D₂D₃ gaur Rat A2D

Sector 15	1x10 kg	10.0 kg
D ₂ D ₃ gaur	1x10 kg	10.0 kg
		20.0 kg
		19-1-92

Abstract of Cost

Supply of Gobar ki khad and thaya dan - 100 m² in scheme 10-3 sector 15 and D₂D₃ gaur Rat A2D

Sl. No. 1	Gobar ki khad	99.27 m ² @ 118	11713.86
Sl. No. 2	Thaya dan - 100	200 kg @ 5000	1000000
			1271386
			1271386
			19-1-93

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Particulars	Details of a tual measurements				Contents of area
	No.	L.	B.	D.	
Name of work	Supply of paints				
in scheme	Sector 15 green belts				
of	Parees and Dilaram				
well	Sector 15				
Situation	Sector 15				
Agency	Supply of paint				1612
CO-6/25	dt 8/11/93				
Name of supplier	Rajhans				
	CWB				
Date of start	8/11/93				
Date of comp	9/11/93				
Date of bill	14/11/93				
Date of MS	9/11/93				
Name of contractor	D. D. Dhan				
Supply of	Paint in sector 15				
of	Green belts				
Scheme	CWB				
Byellow team	1x100x5	-	-	500 TL	
	1x1x50	-	-	50 TL	

3) Bougainvillea	1x1x100	-	-	100 TL
4) Amaltash	1x1x65	-	-	65 TL
5) P. l. khanya	1x1x42	-	-	42 TL
6) Heen	1x1x10	-	-	10 TL
7) Cashia bujaga	1x1x20	-	-	20 TL
8) Botal Brush	1x1x62	-	-	62 TL
	1x1x100	-	-	100 TL
	1x1x4	-	-	4 TL
9) Paper	1x1x50	-	-	50 TL
				1013 TL
				57 TL
				97 TL
1) 550 TL yellow team @ 5%				27500
3) 10 TL Samun @ 4%				40
3) 165 TL Bougainvillea @ 6%				9900
4) 42 TL Amaltash @ 5%				2100
5) 10 TL P. l. khanya @ 8%				80
6) 20 TL Heen @ 5%				100
7) 62 TL Cashia bujaga @ 5%				3100
8) 104 TL Botal Brush @ 5%				5200
Work				659

21/11/93

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Pay Rs 6323200 09
74

Particulars	Quantity of a total measurements	Contents of area
Field vide Cheque No. 254-94 Amount: 6323200	1x) 3.50 x 0.65	45.55
W. Ladder		3.05
Be 6323200		49.40
J.T. 2 1/2 128		51184
Self 16		
By cheque 6323200		
supply of a boiler & hand in scheme no-3 sector 18		
49.40 m ³ @ 128-00 per m ³		6323200
Passed for Rs 6323200		51184
Rs 6323200		
and chalt down.		
Parts and amount		
are more in scheme no-3		
sector 18		
		51184

work in scheme no-3 sector 15 SFG Road, Paris area station scheme no-3 area B

Agency: SFR No. 1531

Date of start: 1/1/94

Date of comp: 7/11/94

Date of mtg: 10/11/94

Name of Subordinate: D. K. Sharma

Astroniculture women's scheme no-3 sector 15 SFG Road

Item No: Digging of pits for plantation in scheme no-3 sector 15, Road, sectors SFG Area Road Paris scheme no-3 area B

on Roads SFG	1x2x100x70x0.70	46.19m
- 15 Area	x0.70x0.60	
M. Chalk	1x1x4x70x0.70	9.47m
	x0.70x0.60	
11 Pairs of seeds	1x1x100x70x0.70	23.89m
15 SFG Area	x0.70x0.60	
	1x1x100x70x0.70	46.19m
	x0.70x0.60	
Total		124.94m

75

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Pay Rs 465 = 184

Particulars	Details of a tual measurements			Contents of area
	No.	L.	B.	

① Two coats of painting of wall and writing of Boards of nursery @ 19/- per sq ft
 11 x 42' 9" = 396 sq ft
 33 sq ft writing on wall trolley and water tower
 30 sq ft painting and writing @ 102/- per sq ft and trolley @ 5/- sq ft
 465/-

Abstract of cost
 300.00
 165.00
 465.00
 Passed for Rs 300 and chalo with pass and 200/- tax
 31/12/84

and Rs 165 in chalo with pass and 200/- tax
 women's scheme No 3

Name of work: Arboriculture
 women's scheme No-3 Sector 15
 D.D. Green belt CWR Round
 Hindon cut Road G.D.

Situation: scheme No-3 G.D.
 Agency: M.R. No. 1709
 Date of start: 19/12/84
 Date of comp: 31/12/84
 Date of M/s: 1/1/95

Name of subordinator: D.K. Sharma
 Nature of work: Digging of 15th sector-15 Parkes Amelias
 Bell CWR, Hindon cut Road
 2 1/2 Green belt G.D.
 15 Parkes sector 15 x 100 x 14 x 0.60 = 23.09 m

M/s 200
 31/12/84

15 Green belt CWR



उत्तरांचल शास्त्रि

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Particulars	Details of actual measurements				Contents of area
	No.	L.	B.	D.	

Situation: Ghaziabad. 11
 Agency: M.R. No. 1216
 Date of start: 15-3-91
 Date of completion: 21-3-91
 Date of measurement: 22-3-91
 Name of Subordinate: O.K. Sharma AHE
 Arboreal work in Scheme No. 3
 Sector 15 and 16 green belt A.B.
 Item No. 1 Digging of pits in green belts of sector 15 and 16
 4 meter wide gaps for one pit
 Belt sector 15 $0.30^2 \times \pi \times 0.65 = 0.1695 \text{ m}^3$

1st Row	1x100 x 0.1695 m ³	16.95 m ³
2nd Row	1x44 x 0.1695 "	7.458 "
3rd Row	1x100 x 0.1695 "	16.95 m ³
4th Row	1x44 x 0.1695 "	7.458 "
5th Row	1x100 x 0.1695 "	16.95 "
6th Row	1x44 x 0.1695 "	7.458 "
7th Row	1x100 x 0.1695 "	16.95 m ³
8th Row	1x44 x 0.1695 "	7.458 "

48 Road	1x100 x 0.1695 "	16.95 m ³
Right side	1x44 x 0.1695 "	7.458 "
Left side	1x100 x 0.1695 "	16.95 m ³
48 Road	1x44 x 0.1695 "	7.458 "
Total Dig of earth		146.278 m ³

Pay Rs 1100 = 800 only
 One thousand only
 hundred eight & P
 23-3-91

Abstract of work
 Digging of pits in green belt and Park Sector 15 and 16 scheme No. 3 Ghaziabad.

as per S.O.R. Digging of pits
 146.278 m³ earth work @ 9.20 = 1351.60
 117671
 1216.40
 1100.00
 107.60

शतपति यमजीत

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and che to Park and green
 culture work scheme 3 and 16

Pay Rs 50000 only (K. P. ...)
 hundred only / 11/10/81

Particulars.	Details of actual measurements				Contents of area.
	No.	L.	B.	D.	
Name of work: Supply of plants in Scheme No-3 sector 18 and sector 15 Ghaziabad.					
Situation: Ghaziabad.					
Agency: Sanction of Ex. Eng. Mechanical					
Name of subproject: Karghar Nurseries VII, Kar Kar Model Mahababad Z.B.					
Date of start: 23.3.81					
Date of completion: 23.3.81					
Date of measurement: 23.3.81					
Name of Subordinate: D. L. Sharma					
Supply of plants in sector 18 and 15					
Scheme No: 3 Ghaziabad					
on Road of	1x25	-	-	-	25 Nos
Park & Right side	1x25	-	-	-	25 Nos
sect-18	1x25	-	-	-	25 Nos
green belt 4 meter	1x10	-	-	-	10 Nos
sector 15	1x25	-	-	-	25 Nos
Road side	1x25	-	-	-	25 Nos
at 26					10 Nos

Abstract of work

Supply of plants in scheme No-3 sector 18 and 15 Road side and green belt.	
25 Nos plants of Alabonia @ 1200	30000
25 " " " Shatut @ 1000	25000
25 " " " Neem @ 2000	50000
Sector-15 Green Belt 4 meter	
10 Nos Silver oak @ 10000	100000
Road of sector 15 25 Nos Kalia @ 1000	25000
Passed for 37500 Sector-18	50000
" " " 12500 " " 15	50000
50000 and chg.	23-3-81

to Parks and Agriculture works
 scheme No-3 Ghaziabad

राज्यीय योजना
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 U.P. Avas Evam Vikas Parishad

Name of work: Supply of various Villa plants in scheme No-3 y8 Road side verge Sector 16 Ghaziabad
 Situation: Ghaziabad.
 Agency: Sanction Mechanical of Ex. Eng.

pay Rs 364 = 60 only (18 1/2) only
 hundred sixty four and sixpence sixty only

Particulars	Details of actual measurements		Center of area
	B.	D.	
Sector-15, 4 metre wide green belt			
64 Nos ACacia Arbuscula @ 1200			8700
25 Nos Cassia senna @ 1200			2700
100 Nos Bottle brush @ 1200			2500
Pass for Rs. 3642			3642
and other items and			5720
Amount			2520

Name of work: Supply of Vougenvillia
 Plants in scheme No 3 Sector 16 yd Road
 inside verge Chazidabad.
 Situation: Chazidabad.
 Agency: Sanction of Ex Engg. A.K. Choudhary
 Name of Supplier: Rajahar Singh
 Village: Kar Kar Shahabad Chazidabad
 Date of start: 26-3-91
 Date of completion: 26-3-91
 Date of measurement: 26-3-91
 Name of Subordinate: PDK Khan

62 Nos
 Inside verge 1x60 -
 pay Rs 496 = 00 only
 496 hundred and 00 only
 26-3-91

Supply of Vougenvillia plants inside verge
 Sector-16 yd Road Chazidabad
 62 Nos Vougenvillia @ 8000 49600
 passed for Rs 49600 only
 to Parks and Assistant Engineer
 in scheme No 3 Sector 16 yd Road
 Chazidabad
 26-3-91

Name of work: Supply of Vougenvillia
 Plants in scheme No 3 yd Road Sector 16 yd
 Chazidabad.
 Situation: Chazidabad.
 Agency: Sanction attached of Ex Engg.
 Name of Supplier: Rajahar Singh
 Village: Kar Kar Shahabad Chazidabad.
 Date of start: 27-3-91
 Date of completion: 27-3-91
 Date of measurement: 27-3-91

रतनपति यशोवर्धन
 Assistant Engineer
 CD Ghaziabad-2
 U.P. Avas Evam Vikas Parishad

Particulars	Details of actual measurements		Contents of area
	No.	D.	
<p>Pay Rs 496 - or only Rs four hundred and 18 p's only</p>			
<p>Name of Subordinate: D.K. Sharma</p>			
<p>Item No. 1 - Supply of vougenvillia plants in green belt for work</p>			
<p>88 Nos of plants @ 1X62 - - - - - 62 Nos</p>			
<p>side work 1X62 - - - - - 62 Nos</p>			
<p>12/6/91</p>			
<p>Abstract of Cost</p>			
<p>Supply of vougenvillia plant sector 15</p>			
<p>62 Nos vougenvillia plant @ 80 4960</p>			
<p>Pass for Rs 496 and 18 p's</p>			
<p>Ch. de Parks and Amritsar work in scheme Nos sector 15</p>			
<p>88 Nos plants @ 1X62</p>			
<p>27-3-91</p>			
<p>Name of work: Supply of plants in Scheme Nos 3 sector 15, a metre wide green belt, Ghaziabad.</p>			
<p>Situation: Ghaziabad</p>			
<p>Agency: Section Attached of</p>			
<p>Name of Supplier: Raghuvar Nud Singh</p>			
<p>Village Karwar Model Shahibabad 88</p>			
<p>Date of start: 28-3-91</p>			
<p>Date of completion: 28-3-91</p>			
<p>Date of measurement: 28-3-91</p>			
<p>Name of subordinate: D.K. Sharma</p>			
<p>Supply of plants 15' wide green belt</p>			
<p>1. Bettle Brush 1X100 - - - - - 100 Nos</p>			
<p>1X30 - - - - - 30 Nos</p>			
<p>2. Alastonia 1X10 - - - - - 10 Nos</p>			
<p>Total Nos plants 140 Nos</p>			
<p>Pay Rs 445 - or only (Rs four hundred and 45 p's only)</p>			
<p>28-3-91</p>			
<p>Abstract of Cost</p>			
<p>Supply of plants sector-15 4 metre wide green belt</p>			
<p>130 Nos Bettle Brush plants @ 200 32500</p>			
<p>10 Nos Alastonia plants @ 120 12000</p>			
<p>Total Rs - 44500</p>			
<p>Pass for Rs 445 and 45 p's and Ch. de Parks and Amritsar work in scheme Nos 3 sector 15</p>			
<p>28-3-91</p>			

अध्यक्ष कार्यालय

Assistant Engineer
 CD Ghaziabad-2
 U.P. Avs Evam Vikas Parishad

अध्यक्ष कार्यालय
 28-3-91

Pay Rs 48000/- only (Rs four thousand eight hundred only)

Particulars	Details of actual measurements		Contents of area
	No.	Area	
Name of work: Supply of vougavillia plants in scheme No. 3 sector-15, a main wide green Belt Chazabad.			
Situation: Chazabad			
Agency: sanction of Ex. Eng. Attached			
Name of supply: Raghav Nursery			
Village: Karikar model Shahibabad A2B			
Date of start: 29.3.91			
Date of completion: 29.3.91			
Date of measurement: 29.3.91			
Name of subordinate: D.K. Sharma			
Supply of vougavillia plants in sector-15, a main wide green Belt vougavillia 1x60 - 70 NOS			
17/6/91			
Abstract of Cost			
Supply of vougavillia plants in scheme No. 3 sector-15, a main wide green Belt			

GONO vougavillia plants in		48000
Paid for Rs 48000 and		Jan 2nd
Cha. to Person and as boni		29-3-91
cultivation work in scheme No. 3 sector 15 A2B		
		AE III
Name of work: Supply of plants in scheme No. 3 sector 15 Park Chazabad		
Situation: Chazabad		
Agency: sanction of Ex. Eng. Attached		
Name of supply: Raghav Nursery		
Village: Karikar model Shahibabad Chazabad.		
Date of start: 31-3-91		
Date of completion: 31-3-91		
Date of measurement: 31.3.91		
Name of subordinate: D.K. Sharma		
Supply of plants in Park of sector 15 scheme No. 2 A2B.		
Alesteria	1x20	20 NOS
Rose	1x10	10 NOS
Total NOS		30 NOS

27/4/91

Assistant Engineer
CD Ghaziabad-2
U.P. Avas Evam Vikas Parishad

21 55
M/s. Talwar
me
31-3-91

Pay Rs 4000 - only (Rs four hundred) and forty only 22

Particulars	Details of actual measurement			Contents of area
	No.	L.	D.	
Abstract of Cost				
Supply of Plants in Part of Sector 15 Scheme No 3 Ghaziabad				
20 Nos Alstonia @ 12=0				24000
10 Nos Rose @ 20=0				2000
Total Rs				44000
Passed for Rs 44000 and				same
Charter to Park				31-3-91
Agriculture work in Sector 15				
aid vide Cheque No. 1000				
at 15/5/91				
Name of work: Supply of rough villia plants in scheme No 3 Sector 15 green Belt (4 metre wide) Agency & sanction of Engrg. Office Station - Ghaziabad. Name of Supplier: Raghav Nurbay Village Karkar Model Shahiba Bad Ghaziabad.				

Date of start - 2-4-91				
Date of completion - 2-4-91				
Date of measurement - 2-4-91				
Name of Subordinate - D. K Sharma				
Supply of rough villia plants in sector 15 green Belt				
4 metre wide @ 1x60 - 6000				
Pay Rs 4000 - only mistake by me (Rs four hundred eighty five and)				
at 2-4-91				
Abstract of Cost				
Supply of rough villia plants in green Belt (4 metre wide) Sector - 15 Scheme No 3 Ghaziabad				
60 Nos rough villia @ 60=0				
48000				
Passed for Rs 48000 and				
Charter to Park 24-91				
Agriculture work in Sector 15				
aid vide Cheque No. 1000				
at 15/5/91				
Name of work: Agriculture work in Sector 15 Scheme No 3 Sector R A, A2, Park, Ghaziabad.				

21/05/91

Assistant Engineer
CD Ghaziabad-2
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Pay Rs 1400 - 00 only (R.O. of the
 sand for the area of 28

B. U.P. Particulars	C. Details of actual measurements				Contents of area
	No.	E.	B.	D.	
Line A.B.	30.00	+	9.00	=	39.00
Line B.C.	30.00	+	12.00	=	42.00
Line C.D.	30.00	+	9.00	=	39.00
Line A.D.	30.00	+	12.00	=	42.00
Area of Park	42.00	x	39.00	=	1638 M ²

M. S. Talankya
 Jany and
 2.4.91

Abstract of Cost
 As per S.O.R.
 Leveling and dressing work in
 scheme No. 3 Sector 18
 1638.00 M² Earthwork @ 100 per M² 163800
 U.S. 10% C.P. 16380
 147420
 140000
 7420
 21.91

Name of work - Supply of Vougur
 villia plants in green belt (4 metre wide)
 sector-15 scheme No-3 Ghaziabad.
Situation - Ghaziabad.
Agency - Section of ex. eng. Attached
Name of supplier - Raghuvar Murthy
 village Kar Kar Model Shahibabad
 Ghaziabad.
Date of start - 3-4-91
Date of completion - 3-4-91
Date of measurement - 3-4-91
Name of Subordinate - D.K. Sharma
 Supply of Vougur villia plants in
 4 metre wide green belt sector
 15 Ghaziabad
 Vougur villia 1x50 - - - 50 Nos
 M. S. Talankya
 Jany and
 3-4-91

Abstract of Cost
 Supply of Vougur villia plants in
 green belt sector 15 Ghaziabad
 29

राज्यीय योजना

Assistant Engineer
 CD Ghaziabad-2
 U.P. Avas Evam Vikas Parishad

Pay Rs 400-00 only (Rs four hundred only) 30

Particulars	Details of actual measurements	Contents of area
50 Nos Vougen Villia plant @ 8		40000
Passed for Rs 400-00 only		3-4-91
Char. to Parks and Arbon Culture work in scheme No 3 sector 15 Ghaziabad		ABW
Name of work: Supply of Vougen Villia plant in scheme No 3 sector 15, 4 metre wide green Belt Ghaziabad.		
Agency: - Sanction Attached of ex. Engr. Raghav Mur		
Name of supplier: Raghav Mur		
Survey village: Banwar Mohal		
Shahibabad Ghaziabad.		
Date of start: 5-4-81		
Date of completion: 5-4-91		
Date of measurement: 5-4-91		
Name of Subordinate: H. D. Sharma		

Supply of Vougen Villia plant in green Belt (4 metre wide) sector-15 Shahibabad
 Vougen Villia 1x40 - - - 40 NOS
 Pay Rs 320-00 only
 (Rs Three hundred twenty only)
 5-4-81

Supply of Vougen Villia in green Belt sector 15 Ghaziabad
 40 NOS Vougen Villia @ 8-00 32000
 Passed for Rs 320-00 only
 Char. to Parks and Arbon Culture work in scheme No 3 sector 15 Ghaziabad
 ABW

Name of work: Supply of Water khand and B.C. Powder in scheme No-3 sector-15 green Belt and Park Ghaziabad.

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Assistant Engineer
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Pay Rs 1572.50 only
11/106

Particulars	Details of actual measurements		Contents of area
	B.	D.	
for planting cement curbs			3.72
Pairs of SFS	11x150x11/4x0.70		23.09 ³
Hours	1x0.70x0.60		
in cement.	1x5x100x1/4x0.70x0.60		115.49 ³
	1x0.60		1.52 ³
	1x1x11/4x0.90x0.90x0.60		0.58 ³
	0.60		
aid vide Cheque	1307.50		1307.50
Amount	1307.50		1307.50
Transfer			16.98
As per sor.	Abstract of sor.		
Digging of pits for planting			
in scheme no-3 sector			
15 SFS in hours			
and green set 0.23			1798.00
	140.10		1704.24
	1307.50		
as per sor	1376 amount		
	1376		179.88
			1704.24
			1605.82
			1619.2
			1567.28
			16.98
Passafos Rs 1567.28 and			
Char. to LD wid.			
Poles and Arbor-			
culture work in			
Scheme no 3			
Sector 15 Q2B			
Name of one: supply of plants in			
scheme no-3 sector 18 Park Road			
Situation: Phase 1 and			
Agency: Same as Attached of P.C.			
Name of supplier: Raghav Kumar Singh			
Date of start: 16-9-92			
Date of comp: 16-9-92			
Date of MS: 16-9-92			
Nature of sub: direct purchase			
Supply of plants in scheme no 3 sector			
18 Q2B			
in particular 1x1200 - 1 - 0010			
Yellowham			
			107

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Assistant Engineer
CD Ghaziabad-2
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Particulars	Details of actual measurements				Contents of area
	No.	L.	B.	D.	
Supply of plants for plantation in scheme nos 3					
1. Bougainvillea	1x43	-	-	-	43 nos
2. Neem	1x10	-	-	-	10 nos
					Total 53 nos
					mts value byrup
					500/-
					25683

Abstract

Supply of plants in scheme nos 3	
D/B green belt	43 nos
10 nos Bougainvillea @ 6/-	258/-
10 nos Neem @ 8/-	80/-
	338/-
	500/-

Passed for Rs 338/- and chafed CD 11/14.
 Parts and material in scheme nos 3 & D/B green belt an

<u>Name of one supply of plants for plantation in scheme nos 3 behind CD 11</u>	
D/W. Sector 15 A 20	
Statutian scheme nos 3 & 4	
Agency function attached	
Date Name of Sub-Division	
Mursang Vadamchur	
Vatic 0016 sector 18	
UP SP A/B	
Date of start = 20/6/93	
Date of comp = 20/6/93	
Date of mt = 20/6/93	
Name of Sub-division, District	
Supply of plants in scheme nos 3	
1. Neem	1x25 - - - 25 nos
2. Chardam	1x54 - - - 54 nos
	Total 79 nos
	mts value byrup

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20/6/93

Particulars	Details of actual measurements				Contents of area
	No.	L.	B.	D.	

Abstract
 Supply of plants in scheme nos
 257HS Haveli & w
 54 HS Chanderi @ 8-
 200-
 432-
 632-

Passel for Rs 6300
 and chairs (D) & Parry
 and other culture work
 in scheme nos
 sector-15 G.B.

Hand of work supply of
 plants in scheme nos 3
 east Haveli G.B.
 station of scheme nos 3 & 2B

Hand of supply of P. Rajhan
 in 257HS G.B.
 Date of start 1-1-83
 Date of end 31-12-83
 Date of report 31-12-83

Name of plants in scheme
 257HS G.B. east Haveli

1 Yellow Kum	1x15	-	-	15HS
2 Arica laly	1x3	-	-	3HS
3 Shoeludule	1x4	-	-	4HS
				22HS

Key B... ...
 1763

Abstract
 Supply of plants in
 scheme nos 3 G.B.
 1 15 HS yellow kum @ 5- 75-
 2 3 HS Arica laly @ 120- 360-
 3 4 HS Shoeludule @ 15- 60-

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Particulars	Details of actual measurements			Contents of area.
	No.	L.	B. D.	
Passed for P ₁ and Chalawal. Vans and historically in scheme No 3 Sector 16 Const House				16/7/93
Name of worker: supply of plant in scheme no 3 Const House Chhatribad				16/7/93
Situation: scheme no 3 C. 20 Agency: Section Head of AER				
Name of supply: P. Murthy				
Value of work: 420				
Date of start: 9/1/93				
Date of comp: 9/7/93				
Date of MS: 9/7/93				
Name of subordinates: supply of plants				
Burgamitara - Doubt				10/1/93
				15/2/93
				9/7/93
Abstract supply of plants in Const House to Burgamitara, Dist. @ 25				1000
				1000
Passed for P ₁ and Chalawal. Vans and historically in scheme no 3 Sector 15 Road and Const House				16/7/93
Name of worker: supply of plants in scheme no 3 Sector 15 Road and Const House				16/7/93
Situation: scheme no 3 C. 20 Agency: Section Head of AER				

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Assistant Engineer
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Particulars	Details of actual measurements			Contents of area.
	No.	L.	B.	
Date of comp	18	7	19	93
Date of mts	18	7	19	93
Name of Subordinate	D. K. Sharma			
Supply of	Plants in sector 15			
No. 3 sectors	D.D. green self			
	C2B			
Neem	1X30	-	-	30 nos
Bougainvillea	1X20	-	-	20 nos
Cuscuta	1X30	-	-	30 nos
Ashoka	1X4	-	-	4 nos
				84 nos
				mt. taken by
				18/7/93
Abstract of work				
Supply of plants in D, D ₂ green self C2B				
1) Neem 30 nos @ 80/- = 2400/-				
2) Bougainvillea 20 nos @ 60/- = 1200/-				
3) Cuscuta 30 nos @ 80/- = 2400/-				
4) Ashoka 4 nos @ 20/- = 80/-				
				6800/-
Passed for				18/7
6800/- order to work. Plants and Ashoka Culture in scheme nos D, D ₂ green self C2B.				
AGP				
Name of one supply of plants in scheme nos 3 sector 15 - and D, D ₂ green self C2B				
Attention - same No 3 C2B				
Agency - section Head of AP				
Name of supplier - Mr. S. V. Verma				
here vatic C2B.				
Date of start	18	7	19	93
Date of comp	18	7	19	93
Date of mts	18	7	19	93

21/4/93 यमिती

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CD Ghaziabad-2
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Particulars	Details of actual measurements			Contents of area
	No.	L.	B.	
Name of sub-ordinal				100 Sha
Supply of plants				100 Sha
157 D.D. Green Belt Sector-3				3
Nelm	1	1	1	50 NOS
awshel	1	1	1	50 NOS
Ashok Desh	1	1	1	5 NOS
				105 NOS
				ml taken by me
				57/21
				1812/83

Abstract of cost

① 50 Nos Nelm @ 8 →	400 →
② 50 Nos Awshel @ 8 →	400 →
③ 5 Nos Ashok Desh @ 20 →	100 →
	<u>900.00</u>
Passes for Rs 900.00 and chab LD work	57/21
Peris and Abstracts	1812/83
work in sector 3	
Chats Sector-15	184.00

Chats sector D.D. 7/6-00
900.00

AETC

Name of work :- Supply of plants
in scheme no 3 Sector-15 C-23
situation: scheme no 3 C-23
Agency - Swachh Acheek of AETC
Name of supply vendor here
Jatica New Delhi C-20.

Date of start 19/12/83

Date of comp 19/7/83

Date of m/s : 18/12/83

Name of sub-ordinal :- D.K. Sharma

Nelm 1x1x5 - - - 15/1

ml taken by me

57/21

19/1

Abstract of cost

supply of plants	100 NOS
15 Nos Nelm @ 8 →	120 →
Passes for Rs 120 and chab LD work	57/21
Chats Sector-15	187.00

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CD Ghaziabad-2
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Particulars	Details of actual measurements				Contents of area
	No.	L.	B.	D.	
Name of work	Supply of plants in				
Scheme No.	Sector - 15 A 23.				
Station	Sector 15				
Agency	Sanctioning office of A 23				
Name of supplier	Mussery Vadud				
Contractive	A 23				
Date of start	30/1/83				
Date of comp	1-30/1/83				
Date of m/s	1-30/1/83				
Name of subordinates	Aleshang				
Supply of plants					
① Cusshal	1x1x67	-	-	-	67MS
② Bougainvillea	6x1x20	-	-	-	20MS
③ Sawani	1x1x17	-	-	-	17MS
					Total 104MS
					MS taken by me
					57ms
					30/1/83

Supply of plants in scheme No 3 Sector 15 Part 15

① Cusshal	67MS @ 8	536
② Bougainvillea	20MS @ 6	120
③ Sawani	17MS @ 8	136
		<u>792</u>
Rate for R	792	57ms
and clats (own)		30/1/83
Parties and labor		
Cultivation work		
Sector 15 Part 15		

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Supply of plants in scheme No 3 Sector 15 Part 15

Name of work	Supply of plants				
Scheme No.	Sector 15 Part 15				
Station	Sector 15 A 23				
Agency	Sanctioning office of A 23				
Name of supplier	Mussery Vadud				
Contractive	A 23				
Date of start	4/1/83				
Date of comp	4/1/83				
Date of m/s	4/1/83				

Particulars	Details of actual measurements			Contents of area
	No.	L.	B.	

Supply of plants in area
belt of sector 15 behind
store of CD-11

1) Bourga with	1x1	46	-	-	46 H ₂ O
2) Red kamra	1x1	46	-	-	46 H ₂ O
3) Chandni	1x1	92	-	-	92 H ₂ O
Total H ₂ O					184 H ₂ O

Total amount
₹ 281000

At Staff of CD-11

1) 46 H ₂ O Bourga with	@ 80	3680
2) 46 H ₂ O Red kamra	@ 80	3680
3) Chandni	@ 80	7360

Plastic for 4720
and 46 H₂O
Roz and H₂O
Cal or cover
₹ 203000

In sector 15 Scheme 10-5 CD-11
Situation: Scheme No. 3 G-2B
Agency: Sandhya Sankar of R.D.
Name of supply: N. N. S. V. and
here at the sector 16 G-2B
Date of start: 22/1/94
Date of comp.: 22/1/94
Date of H₂O: 22/1/94

Name of sub-division: District Charnag

Supply of plants in Scheme 10-3
Sector 15 SFS Area

1) Kachnar	1x1x10	-	-	10 H ₂ O	
2) Ashoka	1x1x4	-	-	4 H ₂ O	
3) Jamun	1x1x6	-	-	6 H ₂ O	
4) G. d. Mohar	1x1x34	-	-	34 H ₂ O	
Total					56 H ₂ O

Total amount
₹ 221194

At Staff of CD-11
Supply of plants in Scheme 10-3
Sector 15 SFS Area

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Assistant Engineer
CD Ghaziabad-2
U.P. Avas Evam Vikas Parishad

No.	Details of actual measurements			Contents of area
	L.	B.	D.	

1. Skach near @ 80-0
 2. 1/4 Ashmedesi @ 80-0
 3. NIST... @ 48-0
 4. 1/4 Ashmedesi @ 252-0
 5. Missed for 460-0
 and ch. to D. 1/4
 6. Parsad Ashmedesi 250/114
 7. Women School
 sector-15

Name of work: A supply of Gopal Kherad
 in scheme no-3 D, D2 green belt and
 sector 15 SFS Area 623.
 Situation: Scheme no-3/2

Date: 20/10/84 to 18/12/84
 Name of supply: Madhur Trade
 Date of start: 18/12/84

Date of work	24/12/84
Date of work	24/12/84
Name of subordinate	supply of Gopal Kherad
1/4 SFS Area	1x1 4.0 3.25 0.8 10.24 m ³
Green belt	1x1 4.0 3.0 0.85 10.20 m ³
and D, D2	1x1 4.25 3.0 0.8 10.08 m ³
green belt	1x1 4.25 3.25 0.75 10.08 m ³
	1x1 4.0 3.50 0.75 10.22 m ³
	1x1 4.0 3.25 0.75 9.98 m ³
	1x1 4.1 3.25 0.75 9.84 m ³
	1x1 3.80 3.50 0.8 10.64 m ³
	1x1 4.0 3.2 0.8 10.24 m ³
	1x1 4.25 3.0 0.8 10.53 m ³
	1x1 4.10 3.50 0.75 10.26 m ³
	1x1 4.0 3.0 0.70 9.40 m ³
	131.07 m ³

Date: 20/12/84

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Assistant Engineer
 CD Ghaziabad-2
 U.P. Avas Evam Vikas Parishad

24/12/84

