



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD

45

Ref. No. H.900.15 /C-6/Gen-715/O.A. 698/2022/23

Dated 28/02/23

To,

The Registrar General,  
Hon'ble, National Green Tribunal,  
Principal Bench,  
Faridkot House, Copernicus Marg,  
New Delhi- 110001

**Sub: Regarding submission Action Taken Report in compliance of the order dated 04.01.2023 in OA no. 698/2022, In the matter of Dharmender Kumar Singh Vs. State of U.P. & Or**

S.

Sir,

Kindly refer the subject mentioned above. In compliance of the order dated 04.01.2023 in OA no. 698/2022, In the matter of Dharmender Kumar Singh Vs. State of U.P. & Ors. the action taken report of joint committee are enclosed herewith for your kind perusal and further necessary action.

Sincerely Yours,

Enclosures: As above

*Atulesh Yadav*  
(Autlesh Yadav)

Chief Environment Officer  
(Circle-6)

Copy to: Following for information and further necessary action.

Shri Pradeep Misra Advocate, Supreme Court, B-235, Sector-XIX, Noida, District-GB Nagar, 201301.

Chief Environment Officer  
(Circle-6)

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T.C/12V, Vibhuti Khand Gomti Nagar, Lucknow – 226010  
Phone: 2720831, 2720828, 2720691 & 2720681 - Fax: 0522 – 2720764  
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**REPORT**  
**PLACED BEFORE HON'BLE NATIONAL GREEN**  
**TRIBUNAL (NGT), NEW DELHI**  
**O.A. No. 698/2022**

*In the matter of Dharmender Kumar Singh V/s State of U.P.*

**1. Background**

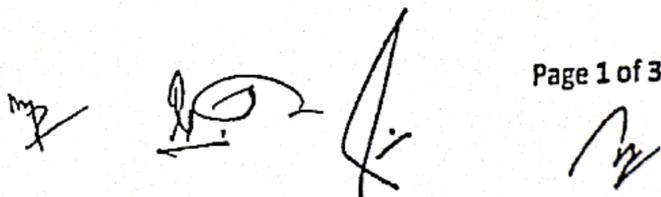
**National Green Tribunal (NGT) order**

The Hon'ble NGT has passed order on dated 04.01.2023 in the matter of O.A. No. 698/2022 Dharmender Kumar Singh V/s State of U.P. and Ors. The relevant part of the order is as follows:-

"..... 6. We find that in para 3.5 of the report, reference has been made to transfer of land measuring 51.0 acres to Jannayak Chandrashekhar University, Ballia, while in para 3.8, it has been mentioned that various land gata's of Jannayak Chandrashekhar University, Ballia were found to be situated at a distance of about 300 meters to 600 meters from the water area of Surha Tal, while in para 3.16 it has been mentioned that MoEF&CC, Government of India has vide notification dated 08.03.2019 notified an area to an extent of 1.0 km uniform around the boundary of Jai Prakash Narayan (Surha Tal) Bird Sanctuary in District Ballia as Eco-Sensitive Zone (ESZ).

7. The factual position reported by the Joint Committee requires clarification as to whether the buildings, in question, which are being constructed fall in ESZ notified vide Notification dated 08.03.2019. The Joint Committee is directed to verify the factual position and submit its report in this regard within one month at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

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8. In view of the averments made in the application and observations made in the report, we consider it appropriate to have response of (1) the State of Uttar Pradesh, through Chief Secretary, (2) the Secretary, MoEF&CC; (3) the Chairman/Secretary, National Wetland Committee; (4) PCCF (HoFF), Government of Uttar Pradesh; (5) the Principal Secretary, Higher Education, Government of Uttar Pradesh; (6) UPPCB; (7) the District Magistrate, Ballia and (8) the Registrar, Jannayak Chandrashekhar University, Ballia, Uttar Pradesh Delhi, who stand impleaded as respondents No. 1 to 7.

9. List for further consideration on 03.03.2023.

10. In the facts and circumstances of the case, we also consider presence of the Divisional Forest Officer, Kashi Wildlife Division, Ramnagar, Varansi and the District Magistrate-Balia though VC to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case and accordingly, they shall remain present before this Tribunal through VC on the date fixed....."

## 2. Action Taken

In compliance of order passed by Hon'ble NGT on dated 04.01.2023 clarification on behalf of joint committee is as given below :-

"Divisional Forest Officer, Kashi Wildlife Division, Ramnagar, Varanasi also incharge of Jai Prakash Narayan (Surha Tal) Bird Sanctuary, Ballia has furnished information vide letter no. 2700/10-1(NGT), dated 27.01.2023 that at present under construction activities of five buildings of Jannayak Chandrashekhar University i.e Administrative building, Academic building, Library building, Commercial building and 100 bedded

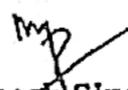
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SC/ST hostel is situated within Eco-Sensitive Zone (ESZ) that is 1.0 km. from the boundary of Jai Prakash Narayan (Surha Tal) Bird sanctuary, Ballia. The total built-up area of above under constructed buildings are as follows:-

Sl. No.	Name of under construction building	Built-up area (in m <sup>2</sup> )
1	Administrative building	4172
2	Academic building	6689
3	Library building	4106
4	Commercial building	645
5	100 bedded SC/ST hostel	1563
<b>Total built-up area</b>		<b>17175</b>

Copy of letter dt. 27.01.2023 is annexed as annexure - 01"

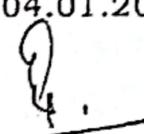
Above action taken report is submitted to Hon'ble NGT in compliance of order passed on dated 04.01.2023.

  
(Dinesh Singh)

Divisional Forest Officer,  
Kashi Wildlife Division,  
Ramnagar, Varanasi

  
(Dr. S. C. Shukla)

Regional Officer  
U.P. Pollution Control Board  
Azamgarh.

  
(V. K. Anand)

Divisional Forest Officer,  
Social Forestry Division &  
Member Secretary, District  
Wetland Committee Ballia.

  
(Raj Karan Nayyar)  
Superintendent of Police,  
Ballia.

  
District Magistrate  
Ballia.

कार्यालय प्रमाणीय वनाधिकारी, काशी वन्य जीव प्रभाग, रामनगर, वाराणसी

पत्रांक : 2700 / 10-11-2023  
सेवा में,

रामनगर, दिनांक, जनवरी 27, 2023

प्रधान मुख्य वन संरक्षक,  
वन्य जीव,  
उत्तर प्रदेश लखनऊ।

विषय : माननीय राष्ट्रीय हरित अधिकरण (N.G.T.), नई दिल्ली में योजित O.A.No.-698/2022, धर्मेन्द्र कुमार सिंह बनाम स्टेट ऑफ यू0पी0 में दिनांक 04.01.2013 को सुनवायी के दौरान पारित आदेश के क्रम में।

महोदय,

उपरोक्त विषय के क्रम में अवगत कराना है कि माननीय राष्ट्रीय हरित अधिकरण (N.G.T.), नई दिल्ली में योजित O.A.No.-698/2022, धर्मेन्द्र कुमार सिंह बनाम स्टेट ऑफ यू0पी0 ने ना0 न्यायालय द्वारा दिनांक 04.01.2013 को सुनवायी के दौरान पारित आदेश के दिन्दु संख्या-7 ने निम्न आदेश पारित किया गया है -

"The factual position reported by the Joint Committee requires clarification as to whether the buildings, in question, which are being constructed fall in ESZ notified vide Notification dated 08.03.2019. The Joint Committee is directed to verify the factual position and submit its report in this regard within one within one month at judicial-nga@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF."

उक्त के क्रम में अवगत कराना है कि जननायक चन्द्रशेखर विश्वविद्यालय, बलिया के परिसर में निर्माणाधीन निम्न भवन -

➤ प्रशासनिक भवन, कुल विल्टअप एरिया	-	4172 वर्गमी0
➤ एकेडमिक ब्लॉक भवन कुल विल्टअप एरिया	-	6689 वर्गमी0
➤ पुस्तकालय भवन कुल विल्टअप एरिया	-	4106 वर्गमी0
➤ कान्फेरेंसियल भवन कुल विल्टअप एरिया	-	645 वर्गमी0
➤ 100 डेड छात्रावास भवन कुल विल्टअप एरिया	-	1563 वर्गमी0
योग	-	17175 वर्गमी0

वर्तमान समय में जय प्रकाश नारायण (सुरहाताल), पक्षी विहार, बलिया के पारिस्थितिकीय संवेदी क्षेत्र (E.S.Z.) की 1.00 किमी0 सीमा के परिक्षेत्र के अन्दर गिहित है। अतः रिपोर्ट सूचनाएं प्रेषित हैं।

संलग्नक-मा0 N.G.T. के आदेश की छायाप्रति।

भवदीय,

(दिनेश सिंह),

प्रमाणीय वनाधिकारी,  
काशी वन्य जीव प्रभाग, रामनगर,  
वाराणसी।

पत्रांक : / उत्तरदिनांकित।

प्रतिनिधि मुख्य वन संरक्षक, वन्य जीव, पश्चिमी क्षेत्र, उत्तर प्रदेश, कानपुर महोदय को सूचनाएं एवं आवश्यक कार्रवाई हेतु प्रेषित।

(दिनेश सिंह),

प्रमाणीय वनाधिकारी,  
काशी वन्य जीव प्रभाग, रामनगर,  
वाराणसी।