

**NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
FARIDKOT HOUSE, NEW DELHI**

ORIGINAL APPLICATION NO.250/2022

IN THE MATTER OF:

ABHAY TYAGI

.....PETITIONER

VERSUS

UTTAR PRADESH STATE INDUSTRIAL DEVELOPMENT

AUTHORITY & ANR.

.....RESPONDENTS

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Filed on: 23.05.2023

FILLED BY



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Code No. 1943

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

IN THE MATTER OF:

ABHAY TYAGI

...APPLICANT(S)

VERSUS

UTTAR PRADESH STATE INDUSTRIAL
DEVELOPMENT AUTHORITY & ANR.

...RESPONDENT(S)



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

I, Anil Kumar Sharma s/o Sh. Shiv Murti Sharma, aged about 50 years, C/o UPSIDA Regional Office, C-2, Mahaluxmi Mall, 4th Floor, RDC, Rajnagar, Ghaziabad do hereby on solemn affirmation state as under:

1. That I am currently holding the post of the Regional Manager, Ghaziabad in UPSIDA and being duly authorised and well conversant with the facts of the present case, am competent to depose by way of the present Affidavit on behalf of Respondent Nos. 1 & 2.

2. That the present Additional Affidavit is being filed in terms of the order dated 06.12.2022 passed by this Hon'ble Tribunal. The Answering Respondents had earlier filed its Additional affidavit dated 03.12.2022 and Reply dated 31.08.2022, the contents whereof be treated as part of the present additional affidavit and are not being repeated herein for the sake of brevity.



X m
Regional Manager
U.P. State Indl. Dev Auth.
Ghaziabad

3. That as per clause 3.2.1 (c) of the Uttar Pradesh State Industrial Development Area (Preparation and Finalization of Plans) Regulations, 2004, it has been stipulated that the Development plan may include Community facilities and public use by allocating the area of land for Government offices, telephone exchanges, police lines, post office, telegraph office etc.

4. That in the subject industrial area, "Udyog Kunj" in Ghaziabad, an area of 2.35 hectare was earmarked for Parks and 0.30 hectare was earmarked for CFC. As submitted by way of earlier Affidavit filed by the Answering Respondents, the said area earmarked for CFC was not developed and was lying vacant. It is the concerned Government/utility authorities which come forward to set up the community facilities in the CFCs viz. the telephone department, post office, telegraph office, fire service, schools etc. However, the subject Industrial Area in question is located in Ghaziabad City where common facilities such as telephone exchanges, post office, fire services etc are already available and easily accessible. Thus, the said area earmarked for CFC was lying vacant for a long time and was allotted as Industrial Plot by the Answering Respondent, after due approval by the Managing Director/CEO of the Authority.

5. That Chapter IV of the extant Uttar Pradesh State Industrial Development Area (Preparation And Finalization of Plans) Regulation, 2004 deals with Project and Scheme Plans whereunder the Authority prepares the Project and scheme plan which fall within the areas where development plans have been prepared for the notified areas. These plans basically lay out plan showing all categories of roads, plots, open spaces, all building development-controls regarding setback and use designations, network and



[Signature]
Regional Manager
U.P. State Indl. Dev. Aut.
Ghaziabad

service facilities, system of distribution and disposals and reserve areas demarcated for specific purposes. It is duly stipulated that the plans shall be accorded sanction by the CEO. Under clause 4.2.3 'Amendment of Project Scheme' it has been stipulated that there shall be scope of revision in the plan which shall be duly approved by the CEO at every instance.

6. That in light of the aforesaid, it is most respectfully submitted that the objective of reserving land for Common Facilities and Public Utility Centre was not defeated in the subject Industrial Area when the said plot earmarked CFC was changed as industrial plot.

7. Further, as per the Uttar Pradesh State Industrial Development Area (Preparation and Finalization of Plans) Regulations, 2004, the setting up of CFCs may be included in the Project and Scheme Plans and are not statutorily required to be included.

8. It is further submitted that the land earmarked for CFC in the subject Industrial Area has been earmarked for industrial plot after due approval of the then Managing Director of UPSIDC. The plot was re-named as CF-1 and allotted as industrial plot as per due process viz. issuance of public advertisement and interviews of the prospective allottees by the committee constituted by the Head Office, UPSIDA on 11.08.2006. It was on the recommendation of the committee that the Head Office UPSIDA approved the allotment of the said plot on 12.09.2006.

9. That it is most humbly submitted that there is no change in the areas earmarked for parks and hence there is no environmental violation. The plot for CFC, not being utilised, has been changed



[Signature]
Regional Manager
U.P. State Indl. Dev Auth.
Ghaziabad

to industrial plot and allotted to Respondent No. 4 as stated hereinabove.

10. That the Answering Respondent has set up 155 Industrial Areas in 16 Regions/ Districts in the State of Uttar Pradesh, since the year 1964.

A copy of the List of Industrial Areas set up by the Respondent Nos. 1 & 2 in the State of U.P. is being annexed herewith as **Annexure-1.**

11. That the Answering Respondents (UPSIDA) have earmarked area of land for setting up Common facilities and Public Utility Centres in 31 out of 155 Industrial Areas in the state of Uttar Pradesh. Out of the said 31, Common facilities and Public Utility Centres have been developed in 31 Industrial areas.

A copy of the List of Common facilities and Public Utility Centres set up by the Respondent Nos. 1 & 2 is being annexed herewith as **Annexure-2.**

12. That the areas earmarked for CFCs and Public Utility Centres in three Industrial Areas have been changed for Industrial use after obtaining due approval and allotted as per due process.

A copy of the list of Industrial area where the area earmarked for Common Facilities and Public Utility Centres has been changed to Industrial Plot by the Respondent Nos. 1 & 2 the Industrial Areas of U.P. is being annexed herewith as **Annexure-3**

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



[Signature]
Regional Manager
U.P. State Indl. Dev. Authority
Ghazabad
DEPONENT

VERIFICATION:

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



[Signature]
Regional Manager
U.P. State Indl. Dev. Aut.
Ghaziabad
DEPONENT

23/5/2023
S. No. D.2
Name Amul Kumar Sharma
S/o Smt. Shree Mundi Sharma
Address _____

[Signature]

VIJAY KUMAR
Advocate Notary
Regd No-2453

23/5/2023

1006

REGION	10	BAREILLY REGION	10	GOVERNMENT REGION	11	LUCKNOW REGION
AGRA	14	DISTT. SAMBHAL	28	DISTT. BAREILLY	46	DISTT. LUCKNOW
Foundry Nagar	41	Babrala	84	Babrala Bulk Land	117	Amnaut
Sikandara A	15	DISTT. BAREILLY	29	DISTT. DEORIA	118	Sarajinagar
Sikandara B	42	Parsakhera	85	Dnoela	119	Chinhai
Sikandara C	43	Mega Food Zone, Baherl	30	DISTT. BASTI	47	DISTT. HARIDOI
Leather Park, Agra	16	DISTT. PILDHIT	31	DISTT. SANT KANIR NAGAR	120	Sardila Phase-I
Kosi Kulan	6	Bham Pachpeda, Pildhit	87	Khulabad		Sardila Phase-II
Kosi Kotwan - IA	7	DISTT. SHAJHANPUR	32	DISTT. MAU		Sardila Bulk
Kosi Kotwan - IIDC	8	Shahjahanpur	88	Mau	118	Sardila Phase-IV
Kosi Kotwan Extn.-1	9	Growth Center Shahjahanpur	33	JHANSI REGION	121	DISTT. SITAPUR
Kosi Kotwan Extn.-2	10	DISTT. J.P. NAGAR	89	DISTT. HAMIRPUR	122	Arjuna Grant
Kosi-III	11	Gajraula - I	90	Suruapur - Industrial	123	Mishra
Mathura 'A'	12	Gajraula - II - Industrial	34	DISTT. JALPAUN	124	DISTT. LAKHIMPUR (FAST)
Mathura 'B'	13	DISTT. RAMPUR	91	Oral-I	125	Lakhimpur (Chhoush)
DISTT. FIROZABAD	50	Rampur	35	Oral-II	126	DISTT. RAEBARELI
Firozabad - Indl.	51	Patilakalan	92	DISTT. JHANSI	127	Ranbarhi Site-I
DISTT. MAINPURI	20	AYODHYA REGION	93	Bjoll	128	Ranbarhi Site-II
Bhogaon	21	DISTT. AMETHI	94	Indo Gulf	129	Salon (Rbl)
ALIGARH REGION	52	Jaqdishpur - Industrial	95	G.C. Jhansi - I	130	Salon
DISTT. ALIGARH	53	Jaqdishpur-(SAIL)	36	G.C. Jhansi - II	131	Maharajganj
Telanaagi - Industrial - I	54	Utelwa	96	DISTT. LALITPUR	132	Parsadepur
Telanaagi - Industrial - II	55	Gaungani (Kauhar)	97	Narendra Explosives	133	Salon
Aligarh (CDF)	56	Tikaria	98	Amarpur, Lalitpur	134	DISTT. AMETHI
DISTT. MATHRAS	57	Trishundi	99	Panki - I	135	Singhpur
Salemur	58	Bhutua Ind. Est.	100	Panki - II	136	Jais
DISTT. ETAH	59	Bhadar Ind. Estate	101	Panki - III	137	Tiloi
Etah - IIDC	60	Jamo	102	Panki - IV	138	Chhaloh
Etah - IA	61	Musafirkhana	103	Panki Site-V	139	DISTT. BARABANKI
PRAYAGRAJ REGION	62	Sangrampur Ind. Estate	104	Rooma Bleaching	140	IIDC Kursi Road
DISTT. PRAYAGRAJ	63	Sukulbazar Ind. Estate	105	Rooma Industrial Textile	141	Kursi Road
Naini	21	DISTT. AYODHYA	106	Rooma Extn. General	142	Agro Park (Phase-I)
Bulk Land Naini	64	Faizabad-I	107	Chakeri-II Indl.	143	Agro Park (Phase-II)
Saraswati Hi-tech city Indl.	65	Faizabad-II	108	DISTT. KANPUR DEBAT	144	PROJECT OFFICE TDS CITY GHAZIABAD
Saraswati (Flatted Factory)	66	M/s Yash Paper	109	Rania - I	145	DISTT. GHAZIABAD
Saraswati (For Future Dev.)	67	DISTT. GHAZIABAD	110	Rania - II	146	Sector A-1
DISTT. CHITRAKOOT	22	DISTT. GHAZIABAD	111	Jainpur - Industrial	147	Sector A-2
Bargani-I	67	Site-I Bulandshaher Road	112	G.C. Jainpur	148	Sector A-3
Bargani-II - Industrial	68	Site-II, Loni Road	113	DISTT. FARRUKHABAD	149	Sector A-4
DISTT. BANDA	69	Site-III, Meerut Road	114	Khemsepur	150	Sector A-5 & 6
Attara	70	Site-IV, Sahibabad	115	DISTT. KANNAUJ	151	Sector A-7 (Pocket-1)
Bhuraqari (Bhurandi)	71	Loni Indl. Estate	116	Badhanpur	152	Sector A-7 (Pocket-2)
DISTT. SONHADRA	72	SSGT Road	117	Badhanpur Bulk	153	Sector B-1
Murdhawa	73	Sector-17 (Kavi Nacar)	118	DISTT. FATEHPUR	154	Sector B-2
SURAJPUR REGION	74	Sector-22, Meerut Road	119	Malwan	155	Sector B-3
DISTT. G.B. NAGAR	75	Loha Mandi	120	DISTT. AURAIYA	156	Sector D-1 (Pocket-2)
Surajpur Site-A	76	Udyog Kunj, Dasna	121	DIBIYAPUR (Plastic City)	157	Sector D-1 (Pocket-3)
Surajpur Site-B	77	Masuri Gulawati	122	VARANASI REGION	158	DISTT. BAGPAT
Surajpur Site-C - Industrial	78	MEERUT REGION	123	DISTT. JAUNPUR	159	Bagpat IIDC
Surajpur Site-IV	79	DISTT. MEERUT	124	Sidhwan	160	PROJECT OFFICE TRANS GANGA, UNNAO
Surajpur Site-V	80	Partapur	125	Ram Nagar-1	161	DISTT. UNNAO
EPIP	81	S.G. Complex	126	Ram Nagar-2 & IIDC	162	Unnao Site-1
SURAJPUR BULK LAND	82	Udyog Puram	127	DISTT. VARANASI	163	Unnao Site-2
M/s Shiv Nadar Foundation	83	Pilkhani	128	Karkhiyaon	164	Unnao Site-3 (Akrampur)
M/s Gujrat Ambuja Cement	84	Begraipur	129	DISTT. CHANDAULI	165	Trans Ganga City
M/s Grasim Cement	85	SEZ MORADABAD	130	DISTT. MORADABAD	166	Banther LTP
DISTT. BULANDSHAHAH	26	DISTT. MORADABAD	131	G.C. Moradabad	167	Banther IIDC
Khurla	82	DISTT. MORADABAD	132	Regional/PO/Area Office	168	DISTT. BADAYUNI
Sikandarabad & Gopalpur	83	DISTT. MORADABAD	133	DISTT. G.S.	169	HPCL Bulk Land
Chola	84	G.C. Moradabad	134	Indl. Areas/Bulk Lands	170	



Point No. -2

SL. No.	Whether any common facilities and Public Utility Centres have been setup in any other Industrial Area	If Yes, by whom	Area Sq. Mtr.	Present Status and Nature of use	By whom the same are being used	What facilities are provided therein	Who are managing the same
Name of Industrial Area							
1	Agra Foundry Nagar	UPSIDA	1466.08	Developed	Vacant	NIL	UPSIDA
2	Kosi Kotwan Mathura	UPSIDA	2000.00	Undeveloped	Vacant	NIL	UPSIDA
3	Aligarh Sector-2	UPSIDA	3500.00	Undeveloped	Vacant	NIL	Reserved for CFC
4	CDF Cherat	UPSIDA	14600.00	Undeveloped	M/s Aligarh Concrete Pvt. Ltd.	Industrial	Vacant and under litigation
5	IIDC Etah	UPSIDA	4700.00	Undeveloped	Vacant	NIL	Reserved for CFC
6	Etah	UPSIDA	6100.00	Undeveloped	Vacant	NIL	Reserved for CFC
7	Bareilly Parsakhera	UPSIDA	213.88	Developed	Fire Department	Fire Department	Fire Department
8	Gajraula	UPSIDA	213.87	Developed	BSNL	Telephone Exchange	BSNL
9	Basti	UPSIDA	4160.97	Developed	M/s Swastic Ventures Pvt. Ltd.	In use	M/s Swastic Ventures Pvt. Ltd.
10	Mau	UPSIDA	5310.46	Developed	M/s Ramshila Hospital	In use	M/s Ramshila Hospital
11	Ghaziabad Udhyag Kunj	UPSIDA	3000.00	Undeveloped	Vacant	Industrial	M/s Span Organic
12	Site-IV Sahibabad	UPSIDA	24000.00	Undeveloped	Vacant	Industrial	Magnum Paper
13	Jhansi Gr. Center-I	UPSIDA	4700.00	Undeveloped	Vacant	NIL	UPSIDA
14	Orai-I CFC-1	UPSIDA	4700.00	Developed	Vacant	NIL	UPSIDA
15	Orai-I CFC-2	UPSIDA	6000.00	Developed	Vacant	NIL	UPSIDA
16	Sumerpur	UPSIDA	33,600.00	Developed	Vacant	NIL	UPSIDA
17	Kanpur, Jainpur	UPSIDA	8400.00	Developed	Postal Department	Post Office	Postal Department
18	Malwa	UPSIDA	40000.00	Developed	SBI Bank and BSNL Tower, Post Office, Shops	SBI Bank and BSNL Tower, Post Office, Shops	SBI Bank and BSNL Tower, Post Office, Shops
19	Unnao	UPSIDA	1350.54	Developed	IIA and Bank Of India	IIA and Bank Of India	IIA and Bank Of India
20	Lucknow Chinhat	UPSIDA	626.22	Developed	Post office Commercial Shop	Post office Commercial Shop	Post office Commercial Shop
21	Raebareilly-I	UPSIDA	213.88	Developed	Not in use	Not In use	Not in use
22	Raebareilly-II	UPSIDA	235.00	Deveoped	Factory Workers	Factory Workers	Factory Workers
23	Ameerut - Jainpur	UPSIDA	2560.00	Developed	UPSIDA	NIL	UPSIDA
24	Prayagraj - Mau	UPSIDA	203.00	Developed	UPSIDA	Regional Office	UPSIDA
25	Bargan-2	UPSIDA		Undeveloped	UPSIDA	NIL	UPSIDA



26	Surajpur- Site-B	UPSIDA	335.00	Developed	Industrial Association, Post Office & Union Bank	Office for Industrial Queries	Industrial Association, Post Office & Union Bank
27	Bulandshahar-Sikandrabad	UPSIDA	362.00	Developed	Vacant	Not In use	UPSIDA
28	Ayodhya	UPSIDA	626.22	Developed	Vacant	Not in use	UPSIDA
29	Varanasi - Karkhiyon	UPSIDA	818.00	Developed	Office Hall & Suite with Toilets	Office Hall & Suite with Toilets	Office Hall & Suite with Toilets
30	Chandauli	UPSIDA	215.00	Developed	Hall, Suite, Shops & Toilets	Hall, Suite, Shops & Toilets	Hall, Suite, Shops & Toilets
31	IIDC Chandauli	UPSIDA	580.00	Developed	Hall, Suite, Shops & Toilets	Hall, Suite, Shops & Toilets	Hall, Suite, Shops & Toilets

B.

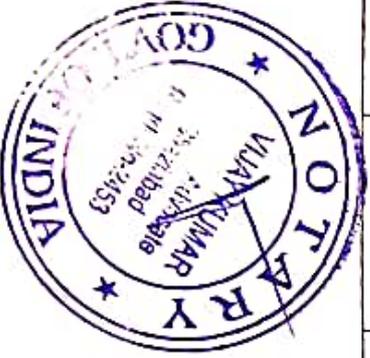
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Point No. 3

S.No.	Name of Industrial Area	Area reserved for C.F.C.	C.F.C. Developed or Not	Whether on Area reserved C.F.C. exist or Land converted/ Allotted/Sale for Industrial Purpose	If C.F.C. exist details of Sublettee with Area and				Conversion approved by
					Rent if any	Name of Possession holder	Area in Sq. mtrs.	Rent	
1-	Aligarh	Yes	Undeveloped	C.F.C.-3, Area-14600 Sq. Mtrs. Allotted to M/s. Aligarh Concrete Pvt. Ltd. for Industrial Use.	M/s. Aligarh Concrete Pvt. Ltd.	14600.00	-	for Industrial Use, Plot vacant and under litigation	Done by Industrial use on 11-09-2009 by then Managing Director
2-	Ghaziabad	Yes	Undeveloped	Allotted on 13-09-2005 after conversion for Industrial Use (Udhyog Kunj)	M/s. Span Organic	3000.00	-	Industrial	Then Managing Director
3-	Ghaziabad	Yes	Undeveloped	Allotted after conversion for Industrial Use (Site-IV)	M/s. Magnum Paper Pvt. Ltd.	24000.00	-	Industrial	In reference of H.O. Approval dated 12-10-1984



Additional Affidavit in OA/250/2022 Abhay Tyagi Vs. UPSIDC

1 message

bhuwan chandra <bhuwan2051986@gmail.com>
To: "abhay8tyagi@gmail.com" <abhay8tyagi@gmail.com>
Cc: vibhavamishra@outlook.in
Bcc: "jain.dinesh18@gmail.com" <jain.dinesh18@gmail.com>

Tue, May 23, 2023 at 4:47 PM

Dear Sir/ mam

Please find attached herewith the service in the above matter in terms of the copy of the Additional Affidavit on behalf of Respondent No.1 & 2 UPSIDC paper book please acknowledge the receiving.

Thanks and regards

Anurag Kishore
Advocate-on-Record
Supreme Court
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