

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.
ORIGINAL APPLICATION No. 820 of 2022**

IN THE MATTER OF: -

Naveen Kumar **Applicant**

Versus

UOI and Ors. **Respondents**

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Jubin Gal.

FILED BY: **District Magistrate,
Una, District Una (H.P.)**

I.K. Raina

INDERDEEP KAUR RAINA
ADVOCATE FOR RESPONDENT NO. 3, 6 & 7
Ph: 8219245827
E: inderdeepkaurraina@gmail.com

Place: Una
Dated: 18.11.2024

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

ORIGINAL APPLICATION No. 820 of 2022

IN THE MATTER OF: -

Naveen Kumar

..... Applicant

Versus

UOI and Ors.

..... Respondents

**ADDITIONAL REPLY TO ORIGINAL APPLICATION
ON BEHALF OF RESPONDENTS NO. 6 & 7 THROUGH
RESPONDENT NO. 7 I.E. THE DISTRICT MAGISTRATE
UNA DISTRICT UNA, HIMACHAL PRADESH.**

MOST RESPECTFULLY SHOWETH:

J. B. G. S.
District Magistrate,
Una, District Una (H.P.)

That aforesaid Original Application No. 820 of 2022 was listed before this Hon'ble Tribunal on 23.10.2024 and after hearing the matter for sometime this Hon'ble Tribunal was pleased to pass the following order: -

“1. Ms. Chandrika Upadhaya, Proxy Counsel for Mr. Gaurav Bansal, Advocate seeks adjournment on the ground of his non-availability today due to some personal difficulty.

2. In his reply respondent No.7 had mentioned in para 3 (k) about issuance of notice No. SADA (Una)- Case No. BP-630/2007-333 dated 01.12.2022 to respondent No.8. Respondents No. 6 and 7 are directed to file additional reply giving information regarding further proceedings/action taken on the above said notice.



3. *Additional reply by respondents no. 6 and 7 be filed at least one week before the next date of hearing.*
4. *List the matter on 27.11.2024 for further consideration."*

2. That after receiving the aforesaid directions of this Hon'ble Tribunal, the Assistant Town Planner, Sub -Divisional Town Planning Office Una District Una vide office letter No. 1542-43/ADC/LFA dated 11.11.2024 was directed by the replying respondent to supply information regarding further proceedings/action taken about issuance of notice No. SADA (Una)-Case No. BP-630/2007-333 dated 01.12.2022 to respondent No.8.

True copy of the office letter No. 1542-43/ADC/LFA dated 11.11.2024 is annexed herewith and marked hereto as **Annexure R-1** [Page No.5].

Jabulal.

District Magistrate,
Una, District Una (H.P.)

3. That the Member Secretary, Special Area Development Authority, Una-cum-ATP Una District Una in reply thereof vide his office letter No. SADA (Una)-Case No. BP-630/2007-201 dated 12.11.2024 has reported that the maps for construction of Two Storied Residential Building at Khasra Nos. 1546/14, 1546/15, 1546/16, 1546/21, 1546/22 & 1546/23 situated in Mohal Jhalera, Tehsil & District Una (H.P.) **were approved in favour of Shri Krishan Dass, Shri Akshay Kumar S/o Sh. Krishan Das and Smt. Anupama vide letter No. SADA (Una)-Case No. BP-630/2007-659 dated 22.11.07.** He has also reported that the letter bearing No. SADA (Una)-Case No. BP-630/2007-333 dated 01.12.2022 was issued to Shri Krishan Dass, Shri Akshay Kumar S/o Sh. Krishan Das and Smt. Anupama w/o Sh. Akshay Kumar c/o Shivalik Hospital Jhalera, Tehsil &



District Una (H.P.) for operating "Hospital" in the building constructed at 1546/14, 1546/15, 1546/16, 1546/21, 1546/22 & 1546/23 situated in Mohal Jhalera and vide which the said land owners were directed to obtain the permission for change of Building Use. He has further reported that as per provisions of clause 7.2.1.1 of Sr. No. 7.2.1 (Residential Use) of Chapter Seven of the Development Plan of Una Planning Area the **permission for change of building use was granted to said land owners vide reference No. 04202300032 dated 19.01.2023.**

True copy of aforesaid letter No. SADA (Una)-Case No. BP-630/2007-201 dated 12.11.2024 is annexed herewith and marked hereto as **Annexure R-2 [Page No.6 to 7]**.

4. Therefore, it is most respectfully prayed that the present additional reply may kindly be accepted on behalf of the respondents No. 6 & 7 and be placed on record.

Jubal Singh

FILED BY: **District Magistrate,
Una, District Una (H.P.)**

I. K. Raina

INDERDEEP KAUR RAINA
ADVOCATE FOR RESPONDENT NO. 3, 6 & 7
Ph: 8219245827
E: inderdeepkaurraina@gmail.com



Place: Una
Dated: 18.11.2024

-4-

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.
ORIGINAL APPLICATION No. 820 of 2022**

IN THE MATTER OF: -

Naveen Kumar Applicant

Versus

UOI and Ors. Respondents

AFFIDAVIT

I, Jatin Lal S/o Shri Naresh Kumar Lal, aged 36 years, permanent resident of B-18, Second Floor, Moti Nagar, New Delhi- 110015 presently, working as Deputy Commissioner-cum- District Magistrate, Una District Una (H.P.) do hereby solemnly affirm and declare as under:-

1. That the accompanying additional reply to the OA No. 820 of 2022 has been prepared and drafted at my instance and the contents of paras no. 1 to 4 of the additional reply are true and correct to the best of my knowledge as per information derived from the official record and legal advice received.
2. That no part of it is false and nothing has been concealed therefrom.

Jatin Lal

District Magistrate,
Una, District Una (H.P.)
Deponent

Verification:-

That I the above-named deponent do hereby further state, verify declare on oath that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Una today on 18th day of November, 2024



Certified that Sh. Jatin Lal
Deponent made declaration on Oath
before me read over, explained and
admitted correct. Identified by Sh. see
On 18/11/24

ATTESTED
DB
Daman Bhatia
Advocate-cum-
Oath Commissioner
Distt. Courts Una (H.P.)

Jatin Lal

District Magistrate,
Una, District Una (H.P.)
Deponent

Personal Attention/
Hon'ble NGT Matter/
Most Urgent/Time Bound

From

The District Magistrate,
Una, District Una (H.P.)

To

The Assistant Town Planner,
Sub-Divisional Town Planning Office,
Una, District Una (H.P.).

No. 1542-43 /ADC/LFA

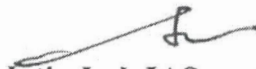
Dated: - 11.11.2024

Sub: - Original Application No. 820 of 2022 titled as Naveen
Kumar versus Union of India & ors.

Sir,

Please refer to your office letter No. SADA (Una)-Case No. BP-630/2007-334 dated 05.12.2022, on the above noted subject.

In this regard, it is intimated that today, the panel Advocate through telephonic message has conveyed the latest order dated 23.10.2024 passed by the Hon'ble NGT in the aforesaid matter according to which respondents No.6 and 7 have been directed to file additional reply giving information regarding further proceedings/action taken about issuance of notice No.SADA (Una)-Case No. BP-630/2007-333 dated 01.12.2022 to respondent No.8. **The copy of aforesaid order dated 23.10.2024 downloaded from the website of Hon'ble NGT is enclosed.** You are, therefore, directed to send your action taken report/proceeding to this office latest by **13th November, 2024**, so that the requisite additional reply can be prepared and filed before the Hon'ble NGT on behalf of the undersigned within stipulated period.


Jatin Lal, IAS

District Magistrate,
Una, District Una (H.P.).

Ph. No. 01975-225800.

Dated 11.11.2024

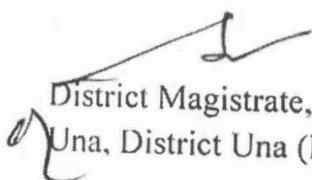
Encls: As above.

Endst. No. 1542-43 /ADC/LFA

A copy is forwarded to Ms. Inderdeep K Raina, Panel Advocate
(email id- inderdeepkaurraina@gmail.com) for favour of information please.

ATTESTED


Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)


District Magistrate,
Una, District Una (H.P.).

SPECIAL AREA DEVELOPMENT AUTHORITY
UNA

20424775

No.: - SADA(Una)-Case No. BP-630/2007- 201

Dated: 12/11/24
13/11/24

To,

✓ The District Magistrate,
Una District Una (H.P.).

ADC/LFA
13/11/24

Subject: O.A. No. 820/2022 titled as Naveen Kumar Vs Union of India & Ors.
Reference: Your good office Letter No. 1542-43/ADC/LFA Dated 11-11-2024.

Sir,

Jai Hind.

In compliance of letter under reference on the above cited subject it is submitted that the maps for construction of Two storied **Residential** Building at Khasra Nos. 1546/14, 1546/15, 1546/16, 1546/21, 1546/22 & 1546/23 Mohal Jhalehra Tehsil & Distt. Una (H.P.) were approved in favour of Sh. Krishan Dass, Sh. Akshay Kumar S/o Sh. Krishan Das and Smt. Anupama vide No. SADA (Una)-Case No. -BP-630/2007-659 Dated 22.11.07.

It is further submitted that the letter bearing No. SADA(Una)-Case No. BP-630/2007-333 Dated 01.12.2022 was issued to Sh. Krishan Dass, Sh. Akshay Kumar S/o Sh. Krishan Das and Smt. Anupama w/o Sh. Akshay Kumar c/o Shivalik Hospital Jhalehra Tehsil & Distt. Una (H.P.) for operating. "Hospital" in the building constructed at 1546/14, 1546/15, 1546/16, 1546/21, 1546/22 & 1546/23 Mohal Jhalehra and vide which the said land owners were directed to obtain the permission for "Change of Building Use.

It is also brought to your kind notice that as per provisions of clause 7.2.1.1 of Sr. No. 7.2.1 (Residential Use) of Chapter Seven of the Development Plan of Una Planning Area the permission for change building use was granted to said land owners vide Reference No. 04202300032 Dated 19 Jan-2023(Copy of permission letter attached).

This for your kind information and further necessary action, please.

Pankaj Sharma
(Pankaj Sharma)
Member Secretary,
Special Area Development Authority,
Una-cum-ATP Una, District Una (HP).

Phone No.: 01975-223298.

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

Certificate



04202300032



Sr. No. 6957

Special Area Development Authority Una

Form of permission for Composition of Offences

No.- : 04202300032

Dated - 19/Jan/2023

To

Sh./Smt./M/s Mr. Akshay Kumar C/o : S/o Sh. Krishan Dass
Mr. Krishan Dass C/o : S/o Sh. Thainu Ram
Mrs. Anupama C/o : W/o Sh. Akshay Kumar

Block No-mohal jhalera near hill view colony, mohal jhalera, Una, Una,

Subject :- Permission for Composition of Offences.

Reference :- Your receipt No 1641817761 dated 19-Jan-2023 for Rs. 6852.00/- only.

This is in reply to your Application under reference on above cited subject. You are hereby granted completion permission under Section 39 (5) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for Composition of Offences carried out on the land bearing Khasra No. 1865/1546,1866/1546,1867/1546,1872/1546,1873/1546,1874/1546 Mauja Jhalera Tehsil Una District Una Himachal Pradesh with total built up area 522.72 Sqm.

1.

A copy of map duly compounded is enclosed herewith.

Encls: As above.



एक कदम स्वच्छता की ओर

Pankaj Sharma
Member Secretary
Special Area Development Authority
Una

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Dist. Una (H.P.)