

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

I A No. 867 & 868 OF 2024

IN

EXECUTION APPLICATION 36 OF 2023

IN

ORIGINAL APPLICATION 329 OF 21

IN THE MATTER OF:-

DEBANSHU BOSE

...APPLICANT

VERSUS

AGRA DEVELOPMENT AUTHORITY & ORS

...RESPONDENT

AND IN THE MATTER OF:

1. Mahendra Kumar Saraswat

2. Dori Lal Yadav

...Interveners

Index

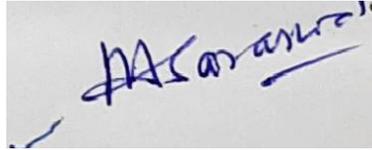
S. No.	Particulars	Page No.
1	Additional Documents Filed ON Behalf of Aforementioned Interveners in IA 867 & 868	1-19
2	Annexure A-1 Copy of reply of PIO ADA dated 13/02/25 in respect to RTI application of Intervener no 2 on status of drainage and copy of tender thereof by ADA	20
3	Annexure A-2 Copy of reply of PIO ADA dated 13/02/25 in respect to RTI application of Intervener no 2 on	21

	status of drainage and copy of tender thereof by ADA	
4	Annexure A-3 Copy of Photographs of drainage undergoing construction	22-24
5	Annexure A-4 Copy of reply of PIO ADA in respect to RTI application of Intervener no 2	25-29
6	Annexure A-5 Coy of the order dated 03.05.2024 in Civil Appeal No. 3546 of 2023. Supreme Court of India	30-31
7	Annexure A-6 Coy of the order dated 09.08.2024 in Civil Appeal No. 3546 of 2023. Supreme Court of India	32-33
8	Annexure A-7 Coy of the order dated 03.07.2023 in Civil Appeal No. 3546 of 2023. Supreme Court of India	34-39
9	Annexure A-8 Copy of Intervener no 2 has already raised this issue in his complaints dated 29/01/25	40-43
10	Annexure A-9 Copy of Intervener no 2 has already raised this issue in his complaints dated 19/02/25	44-46
11	Annexure A-10 Copy of Complaints of Intervener No. 2 dated 20/12/24	47-48
12	Annexure A-11 Copy of Complaints of Intervener No. 2 dated 04/03/25	49-51
13	Annexure A-12	52-54

	Copy of complaint of Intervener no 2 dated 27/01/25 to protest this misleading representation of ADA officials	
14	Annexure A-13 Copy of Latest complaints of Intervener no 2 forwarded to chief secretary UP and Hon'ble Chief minister UP on 09/01/25	55
15	Annexure A-14 Copy of Latest complaints of Intervener no 2 forwarded to chief secretary UP and Hon'ble Chief minister UP on 09/01/25/ and another complaint dated 03/10/24 forwarded on 14/01/25 requesting for investigation	56-59
16	Annexure A-15 Copy of reply of PIO UPPCB Agra dated 16/12/22 in reply to RTI application of Intervener no 2	60-63
17	Annexure A-16 Copy of information provided by PIO, Tahsildar Sadar Agra dated 28/10/24 in reply to Intervener No. 1	64
18	Annexure A-17 Copy of information provided by PIO, Tahsildar Sadar Agra dated 27/12/24 in reply to RTI application of Intervener no 2	65
19	Annexure A-18 Copy of page no 166 attached as Annexure 1 in Additional Documents submitted in EA 36/2023 in oct 2023 is again	66
20	Annexure A-19 Copies of request letters forwarded by Intervener no 2 dated 08/08/2024 & 12/ 08/24 to VC ADA & ors including their counsels requesting for copies of ATRs and AFFIDAVITs	67

21	Annexure A-20 Copy of reply of PIO Executive Engineer (Bhawan) ADA dated 27/10/21 in reply to RTI	68
22	Annexure A-21 Copy of reply of PIO UPPCB Agra dated 04/09/24	69
23	Annexure A-22 (Colly) Copy of Twitter message	70-78

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Dated:- 29.03.2025

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**ADDITIONAL DOCUMENTS FILED ON BEHALF OF
AFOREMENTIONED INTERVENERS IN IA 867 & 868**

MOST RESPECTFULLY SHOWETH:

1. The above-mentioned OA was filed to highlight failures of Agra Development Authority and other state authorities in preventing discharge of sewage on open land from Nalanda Town Colony Shamshabad Road Agra, a housing project developed by Nalanda Builders and Developers India Limited Agra and approved by Agra Development Authority. Hon'ble NGT New Delhi vide its orders dated 24/03/22 and final order dated 18/01/23 in above-mentioned OA held Agra Development Authority responsible for this failure and in addition

to imposition of EC penalty for Rs 2500000/ and Rs 20000000/ on ADA directed to take remedial measures to address issues and directed ACS UD and ACS Housing and Urban planning to oversee these remedial measures. Details of non-compliance of these orders have since already been submitted in EA 36/2023 filed by Applicant and in IA 867, 868 and thereafter subsequent 3 additional documents filed by Interveners hence Interveners are not repeating those for the sake of brevity.

2. The Interveners crave liberty to raise additional documents to show current status of non-compliance of orders of Hon'ble courts by builder/ ADA and other state authorities and for proper adjudication into the matter. Details of non-compliance of orders of Hon'ble courts and non-completion of works, mandated for protection of environment are as under--

INADEQUATE CONSTRUCTION OF COMMON DRAINAGE AND NON-COMPLETION OF EXTERNAL DEVELOPMENT WORKS BY ADA

3. Completion of external development works (common drainage, sewer lines connected to terminal STP, connecting roads to facilitate approved colonies and street lights thereon) are exclusive responsibility of Development Authorities/ Industrial development authorities under their jurisdiction. In Agra these are responsibility of Agra Development Authority.

Agra Development Authority constructed only inadequate road and it also doesn't seem as per Master Plan, moreover construction of partial road without drainage and sewer line puts a big question mark on planning of Agra Development Authority because in absence of proper water/ storm drains and sewer line excess water/ untreated sewage accumulates either by the side of road on open land or on road itself and pollute underground water and damage roads as well which needs frequent repairs and result into dust pollution and wastage of public fund. Sewer line which has not yet been constructed and its long

pendency has led to creation of water pollution in this area for which Agra Development Authority is absolutely responsible.

4. Intervener no 1 raised issue of non-completion of external development works vide additional document, submitted in Dec 2023 in Hon'ble Tribunal. After continuous persuasion and follow ups recently Agra Development Authority has finalized tender for construction of common drainage from gate no 2 of Nalanda Town Colony Shahmshabad Road Agra to EKTA police chowki Shamshabad road Agra for disposal of rain/ storm / excess treated water of approved colonies.

Copy of reply of PIO ADA dated 13/02/25 in respect to RTI application of Intervener no 2 on status of drainage and copy of tender thereof by ADA is annexed herewith as Annexure No. A-1& A-2.

5. This common water / storm drainage to facilitate approved colonies is also inadequate. It is to be constructed on both side of the road to meet proper requirement of disposal of excess treated water / rain/ storm water of all approved colonies, whereas this is being constructed in haphazard way, somewhere on west and somewhere on east side of road.

Photographs of drainage undergoing construction are annexed herewith as Annexure No A-3.

NON-CONSTRUCTION OF COMMON SEWERLINE CONNECTED TO TERMINAL STP

6. Despite orders of Hon'ble Tribunal and Hon'ble Apex Court New Delhi, repeated complaints and follow ups, no proposal for construction of common sewer line connected to terminal STP to facilitate disposal of untreated sewage has yet been forwarded by ADA to state government for approval.

It's worth mentioning here that Agra Development Authority has recovered external development charges long ago from developers of almost all approved colonies.

Copy of reply of PIO ADA in respect to RTI application of Intervener no 2 is annexed herewith as Annexure No. A-4.

7. Agra Development Authority admitted and apprised Hon'ble Apex court in civil appeal 3546/23 that Rs 23.5 crores were recovered as external development charges from builders of 64 colonies, out of which Rs 7.21 crores were spent on external development works. Hon'ble Apex Court found that ADA spent Rs 7.21 crores mainly on construction of road and bridges and not on construction of sewer drainage and directed ADA to spend external development fund on construction of sewer drainage and gave it liberty to approach state government to ask more fund if needed.

Copy of orders of Hon'ble Apex court dated 03/05/24, 09/08/24 and 03/12/24 in Civil Appeal no 3546/2023 which was filed by Agra Development Authority assailing final order of Hon'ble NGT New Delhi in OA 329/21 are attached herewith as Annexure No A-5, A-6 & A-7.

8. Since STP have not yet been constructed by builders in 64 colonies, probability of discharge of untreated sewage therefrom either on open land or in aforementioned common water/ storm drainage cannot be denied and if so, it will frustrate basic purpose of construction of this water drainage and position of ground water pollution will remain more or less same, in that event ADA can't escape its statutory liability in the guise of non-availability of fund.

Intervener No. 2 has forwarded complaints on these issues to VC ADA and others on 29/01/25 and on 19/02/25, copies thereof are annexed herewith as Annexure no A-8 & A- 9.

NON-CONSTRUCTION OF STPs IN 64 APPROVED COLONIES

9. Construction of STP is one of the internal development works, mandated to be completed by builders in approved projects. In compliance with orders of Hon'ble Tribunal Agra Development Authority issued notices to all these builders but these notices seem only formal to mislead Hon'ble courts

because ground position of non-construction of STPs in these colonies is more or less same, no coercive action has yet been taken by ADA to enforce compliance of these notices and orders of Hon'ble courts.

Hon'ble Tribunal to highlight and emphasize the seriousness of issue of water pollution and its disastrous effect on public health, environment, ecological balance, food safety, water crisis, availability of potable water and right to life referred extracts of its earlier orders(OA 200/2014, OA 593/2017, OA 606/2018, OA 673/2018, OA 549/2019, EXTRACT OF IT'S ORDER DATED 28/08/2019) and JUDGEMENT OF HON'BLE SUPREME COURT IN PRAYAVARAN SURAKSHA SAMITI V/ S UNION OF INDIA (2017) 5 SCC 326 in OA 329/21.

Hon'ble Supreme Court in aforementioned Judgment fixed timeline for setting up CETP and STP as 31/03/2018 and directed MS UPPCB to ensure setting up anti-pollution devices within timeline, made secretary environment of state answerable for defaults, and directed secretary of state government to monitor progress.

Hon'ble Tribunal issued directions vide its orders dated 28/08/2019 to ensure that no untreated sewage/ effluent is discharged into any waterbody and for violation compensation to be assessed and recovered.

Further Hon'ble Tribunal vide its order dated 21/05/20 in OA 593/2017 directed to ensure formulation and execution of plans for sewerage treatment and utilization of treated sewage/ effluent with respect to each city, town and village.

It seems exceptionally surprising that despite repeated exhaustive orders of Hon'ble Tribunal and judgement of Hon'ble Apex court on control of water pollution to save future generations from water crisis , attitude of Agra Development Authority and UPPCB as well is casual and indifferent.

It seems germane to mention here that Hon'ble Apex court directed in aforementioned judgement to recover environment compensation even from Municipal / local bodies/ statutory bodies in case of default on their part.

Hon'ble Tribunal in compliance with orders and directions of Hon'ble Apex court-imposed environment compensation penalty of Rs

2500000/ and further Rs 20000000/ on ADA for its failure to enforce compliance of rule of law.

Despite aforementioned penalties there seems no change in attitude of ADA officials whereas directions were also issued in order dated 18/01/23 in OA 329/21 to change its attitude and take remedial measures.

Hon'ble Apex court in order dated 03/12/24 in Civil Appeal 3546/23, filed by ADA, assailing orders of Hon'ble NGT of OA 329/21, directed ADA and UPPCB both to verify sewerage arrangements in 64 colonies but UPPCB also seems reluctant like ADA to address this burning and most sensitive issue.

In this context some observations of Hon'ble Apex Court seem worth mentioning as under

"Enactment of law, but tolerating its infringement is worse than enacting a law at all. The continued infringement of law, over a period of time, is made possible by adoption of such means which are best known to the violators of law. Continued tolerance of such violations of law not only render legal provisions nugatory but such tolerance by the enforcement authorities encourages lawlessness and adoption of means which cannot and ought not to be tolerated in any civilized society.

It is of utmost importance that legal provisions are effectively enforced, if a law is Enacted and it is not being voluntarily obeyed, it has to be enforced, otherwise infringement of law which is actively or passively condoned for personal gains will be encouraged which will in turn lead to a lawless society.

In this connection under cited observations of Hon'ble Supreme Court are worth quoting--

"If the laws are not enforced and the orders of the courts to enforce and implement the laws are ignored, the result can only be lawlessness".

To deal with this situation effectively and avoid disobedience of orders of Hon'ble courts, the Hon'ble Supreme Court emphasized as under-

" It is therefore necessary to identify and take appropriate action against officers responsible for this state of affairs. Such blatant misuse of properties at large scale cannot take place without connivance of officers concerned. It is a source of corruption, nepotism and total apathy towards the rights of citizens. "

Do these observations of Hon'ble Supreme Court not apply to non-completion of STP in 64 colonies and seem true in this context? Are officers of ADA /UPPCB and ministry of environment of state not answerable for non-completion of STP for so long and surprisingly even after orders of Hon'ble NGT and Hon'ble Supreme Court?? Should all those who are responsible for this sorry state of affairs, not be held accountable and civil and criminal action be initiated against all such.

It will not be out of place to mention here that this state of lawlessness may not confine to only these 64 colonies but more or less same situation may prevail in almost all approved colonies of Agra / other cities of province which might be posing danger to rule of law.

Intervener no 2 has already raised this issue in his complaints dated 29/01/25 and 19/02/25 which are annexed as Annexure No A -8 & A-9 in foregoing para under head "NON-COMPLETION OF EXTERNAL DEVELOPMENT WORKS BY ADA.

SUBSTANDARD AND UNDERSIZED CONSTRUCTION OF STP IN NALANDA TOWN COLONY

10. This issue including non-certification of constructed STP in Nalanda Town Colony and it's fitness certificate by third party competent expert agency has since already been raised in IA 867 ,868, and in earlier submitted additional documents, hence not needed to repeat again but to prove disobedience of Hon'ble courts and existing provisions by ADA and UPPCB as well reference of extracts of Hon'ble courts

and guidelines of MOEF&CC seem relevant and worth quoting in this context which are as under--'

EXTRACT OF ORDER OF HON'BLE APEX COURT DATED 04/12/23 IN CIVIL APPEAL NO 3546/23

"The consent to establish mandates ensuring that the established treatment plant satisfies the requirement as per law "

EXTRACT FROM ORDERS OF HON'BLE TRIBUNAL IN OA 593/2017 ORDER DATE - 21/05/20, ENDORSED ON PAGE NO 8 OF ORDER OF HON'BLE TRIBUNAL ORDER DATE 18/01/23 IN OA 329/21

" STP must meet the prescribed standards including faecal coliform "

" 100 % treatment of sewage/ effluent must be ensured and strict coercive action taken for any violation to enforce rule of law. "

EXTRACT OF DRAFT NOTIFICATION OF MOEF & CC DATED 25/02/22 - PAGE NO 10 OF ORDERS OF HON'BLE TRIBUNAL ORDER DATE -18/01/23 IN OA 329/21

FOR PROJECTS INVOLVING BUILT UP AREA OF 20000 SQR MTRS OR MORE

14- Onsite STP with capacity to treat 100% waste water generated within the project area through tertiary treatment shall be installed.

15- The adequacy of the STP shall be certified by an independent expert and a report in this regard shall be submitted to the authorized agency.

As per MOEF&CC guidelines adequacy of STP to be certified by expert agency and report thereof to be submitted to authorised agency. Since quality, structural parameters, technical specifications, drawings, designs and prescribed standards have not been followed in construction of STP, constructed by builder in Nalanda Town Colony, it can't sustain for long and ultimately result in failure and will prove

uncalled for burden on colony and detrimental for environment protection and preservation if thrust upon colony forcibly.

Builder is well aware of this fact and this is why, despite repeated complaints for certification and fitness of STP, Builder has not yet appointed/ invited any third-party quality control assurance expert agency for its certification and issuance of fitness certificate. For the sake of this reason ADA and UPPCB are also indifferent on the issue and not enforcing builder to call for third party expert agency. After approval of project, non-construction of STP in colony for more than 15 yrs and after orders of Hon'ble Tribunal it's inferior and inadequate construction ignoring parameters of project reports not only puts a big question mark on attitude ADA officials but even on NOC issued by UPPCB and pre-environment clearance issued by Directorate of environment UP if any? Such flagrant violation of law fearlessly cannot sustain and continue without failure of statutory bodies and regulatory authorities in taking adequate steps.

Complaints of Intervener No. 2 dated 20/12/24 & 04/03/25 in this regard are annexed herewith as Annexure No. 10 & 11.

NON-COMPLETION OF INTERNAL DEVELOPMENT WORKS (INCLUDING ENVIRONMENT RELATED) IN NALANDA TOWN COLONY BY BUILDER AND ADA'S INDIFFERENCE ON GROSS IRREGULARITIES, ILLIGALITIES ANF FRAUDS OF BUILDER

11. As per existing provisions completion of internal development works in approved projects is primarily responsibility of builder and to ensure completion thereof is primary responsibility of Development/ Industrial development authorities. Most of these works (almost 70 to 80 %) many of them related to protection and preservation of environment have not yet been completed by builder despite complaints in hundreds thereon and orders of Hon'ble High court Allahabad in writ(c) 58986/2016. There has been elapse of almost 15 years but ADA except issuance of repeated notices to builder to misguide residents and Complainants and mislead Hon'ble courts, have not yet initiated any

coercive action against builder. To ensure completion of these internal development works, there exists provisions to mortgage plots with development authorities/ Industrial development authorities, in addition Internal development charges are also collected from builders as security to complete these works. Almost all mortgaged plots (valuation of which was more than valuation of all internal development works) were released by ADA officials without ensuring completion of these works, lastly leaving only 6 mortgaged plots(C-7 to C-11 ,commercial plots & one plot reserved for nursery school, total area thereof only 1720 square meters) , cost of these left over plots was quite insufficient to complete pending internal development works which are worth crores of rupees and most funny is that these left over plots were also subjected to gross irregularities, illegalities and frauds, resulting into continuous pendency of these works. Despite complaints in hundreds on these issues ADA didn't take any coercive action against builder, rather supported builder's wrongs and repeated frauds. It is highly surprising that instead of taking effective action against builder to ensure completion of these pending works non-compliance of which are detrimental to environment, public health and right to life, AD officials are rather misleading and misrepresenting this issue, stating that only 10% internal development works are pending in colony.

Copy of complaint of Intervener no 2 dated 27/01/25 to protest this misleading representation of ADA officials is annexed herewith as Annexure No A-12.

12. To highlight continuous inaction of ADA officials against wrongs about frauds of builder and their callous and irresponsible attitude Intervener no 2 kept writing to concerned higher officers but so far almost all complaints have proved inconsequential.

Latest complaints of Intervener no 2 forwarded to chief secretary UP and Hon'ble Chief minister UP on 09/01/25/ and another complaint dated 03/10/24 forwarded on 14/01/25

requesting for investigation are annexed herewith as Annexure no A - 13 and Annexure no A- 14 respectively.

EXCESSIVE DELAY IN EC RECOVERY FROM BUILDER AND CALLOUS ATTITUDE OF UPPCB OFFICERS

13. EC penalty for Rs 21398438/ was imposed on Nalanda Builders for violation of Water Act 1974 by UPPCB Lucknow in 05/2022 in compliance with orders of Hon'ble Tribunal order dated 24/03/22. UPPCB issued only formal notices to builder instead of initiating effective action to ensure speedy recovery.

Copy of reply of PIO UPPCB Agra dated 16/12/22 in reply to RTI application of Intervener no 2 is annexed herewith as Annexure No A- 15.

14. Intervener No. 2 wrote more than 10 complaints to UPPCB officers to initiate coercive action or issue RC against builder to ensure quick recovery but UPPCB officers didn't pay any attention to these complaints and neither took any coercive action against builder nor issued RC for more than 2 & 1/2 yrs.

In this regard copy of information provided by PIO, Tahsildar Sadar Agra dated 28/10/24 in reply to Intervener No. 1 is annexed herewith as Annexure No A- 16.

15. On the basis of this information Intervener no 2 again forwarded complaints on 30/10/24 to UPPCB with copies to DM Agra and others to enforce quick recovery. Thereafter RC was issued by UPPCB to DM Agra in the month of Dec 2024 after elapse of more than two and half years.

Copy of information provided by PIO, Tahsildar Sadar Agra dated 27/12/24 in reply to RTI application of Intervener no 2 is annexed herewith as Annexure no A- 17.

- i) Keeping in view of indifferent, casual, dilatory rather soft attitude of UPPCB officers towards builder Intervener no 2 had

to write repeated letters to ensure fast recovery and intimate status. Even after issuance of belated RC and complaints thereafter on 04/01/25, 12/01/25, 15/01/25 & 16/01/25 to DM Agra & ors and On 31/01/25 to UPPCB, chief secretary up and CM UP, status of recovery is not yet known.

- ii) UPPCB for continuance of water pollution further imposed EC penalty on builder for Rs 1054657.50 for the period from 30/11/23 to 27/02/24, calculation of this penalty doesn't seem authentic.
- iii) UPPCB team when inspected colony on 23/11/23 to check status of sewage flow on open land from colony, found sewage collected near Gate no 2 of colony as it was earlier, it has been mentioned by RO UPPCB in last para of its letter sent to VC ADA Agra on 18/12/23,
- iv) Mention of "as it was earlier " in last para of above-mentioned letter by UPPCB itself shows that water pollution was in continuity then imposition of penalty from 30/11/23 to 27/02/2024 for the period between two collections of samples of sewage from site instead of imposing penalty for entire period when earlier penalty was imposed on builder for Rs 21398438 doesn't seem acceptable , in case of continuity of offence , rate of penalty is also revised and enhanced whereas this subsequent penalty of Rs 1054657.50 appear to have been calculated at normal rate and needs revision?

Copy of page no 166 attached as Annexure 1 in Additional Documents submitted in EA 36/2023 in oct 2023 is again annexed here as Annexure No 18.

16. This is also highly surprising that with regard to this subsequent penalty UPPCB has issued only notice to builder and not issued any RC by now, coercive action in this case is also being delayed as it was done in earlier case of penalty. In this regard some extracts of earlier orders of Hon'ble Tribunal seem worth quoting which are as under

EXTRACT OF ORDER DATED 28/08/2019

" Recovery of compensation under" POLLUTER ' S PAY " principle is a part of enforcement strategy but not a substitute for compliance "

In said order Hon'ble Tribunal directed states/ UTs to enforce recovery of compensation even from defaulting local bodies and on failure further directed states/ UTs to pay requisite amount of compensation from their own resources. When Hon'ble courts may direct to ensure recovery of compensation even from defaulting local bodies/ states and UTs, how can dilatory attitude to recover amount of compensation from builder be adopted by UPPCB and be justifiable???

Here Extract of order of OA 544/ 2019 is also worth noting- as under

17. "The PCB concerned is also hereby directed to initiate such civil or criminal action as may be permissible in law against all or any of the defaulters. Hon'ble Tribunal also directed in OA 200/2014 order date 22/08/2019

" Whenever there are violations adverse entries in the ACRs must be made in respect of such identified officers. Had these orders/ directions/ observations of Hon'ble courts been taken into cognizance by UPPCB officers, they would have not only taken appropriate steps to enforce recovery of said compensation on priority but also taken civil or criminal action against defaulting builders for his other continuous violations which have not yet been taken.

Dysfunction and Malfunction of STP by Builder/ ADA

Builder did not construct STP after approval/ expiry of validity period of project almost for 15 yrs till he was forced by ADA to construct it only after orders of Hon'ble Tribunal in OA 329/21. Builder didn't follow specifications, design, quality and other parameters as per law as mentioned in earlier paras.

As per existing provisions builder has to maintain all common facilities till completion of all internal development works/ common facilities in project and even for next one year after issuance of CC by Development Authority, since he has not yet completed most of these works, it is mandated by statute to maintain all common facilities including STP but Builder has not been operating and maintaining STP. Reports submitted by UPPCB in Hon'ble courts in compliance with orders prove this fact very well, this fact may also be verified from details of electric bills of STP. Intervener no 2 tried to get details of electricity bill of STP to submit those as Annexures in Hon'ble courts but TPL, franchise at Agra refused to provide these details, stating as covered under third party information.

This is highly surprising that for continuous violation of provisions of Water Act 1974 neither ADA as competent authority nor UPPCB as nodal agency for preservation and protection of environment has initiated any criminal / civil action against builder, as directed by Hon'ble courts and in accordance with law.

UNLAWFUL EFFORTS BY ADA OFFICIALS

It will not be out of place to mention here that as competent authority, ADA has not fulfilled its statutory obligations and duties for which ADA has been repeatedly condemned and penalized by Hon'ble courts. there seems no any change in attitude of ADA officials. Here it seems appropriate to quote extract of para 15 of orders of Hon'ble Tribunal as under

" ADA will be advised to change its attitude and perform its statutory duties for protection of environment and enforcement of rule of law " Instead of initiating requisite civil or criminal action against builder for his defaults, omissions, wrongs, illegalities, and frauds ADA officials are trying to thrust upon liabilities of ADA and Builder on residents of colony which is highly unfortunate, token of high handedness and contrary to law.

As per provisions of UP APARTMENT ACT 2010 and other existing provisions, Builder has to initiate for formation of RWA but it is mandated that before initiating for formation of RWA, builder has to complete building in all respect and all internal development works to be completed/ common facilities to be provided by builder as per layout plan/ specifications/ building regulations, pending other amenities/ common facilities cannot be treated as completion of project. Builder has not yet completed almost 80% internal development works such as water harvesting system, water treatment plants, solid waste management, Dalabghar, solar panels, fire hydrants, roads, potable water etc. Issuance of completion certificate by competent authority (ADA at Agra) is prerequisite before formation of RWA and completion of all pending internal development works is prerequisite for issuance of CC. contrary to these provisions ADA officials instead of forcing builder to complete all pending internal development works / provide amenities/ common facilities ,promised to be provided to purchasers and obtain CC after completion of these works then initiate for formation of RWA as per law , ADA officials are forcing residents to form RWA so that liabilities of ADA and Builder may be thrust upon innocent residents who have already been subjected to agony and torture for long due to defaults of builder and failure of ADA .

REFUSAL BY ADA AND UPPCB TO PROVIDE COPIES OF ATRs and AFFIDAVITS OF COMPLIANCE

18. In the interest of Justice, it is desirable to provide copies of action taken reports and affidavits of compliance to Interveners which are required by Hon'ble courts and submitted by ADA and UPPCB as these are provided to other parties of the case, so that in the event of misleading / false/ fraudulent report/ affidavits if any , counter affidavit/ objections may be filed thereon but copies of these ATRs and Affidavits are not being provided to Interveners which may adversely affect proper adjudication of case . At least ADA and UPPCB may provide soft copies on emails of Interveners.

Copies of request letters forwarded by Intervener no 2 dated 08/08/2024 & 12/08/24 to VC ADA & ors including their counsels requesting for copies of ATRs and AFFIDAVITS are annexed herewith as Annexure No A -18 & A- 19.

19. Intervener also asked these copies from ADA and UPPCB through RTI applications under RTI ACT 2005 which were also not provided stating that same can be provided only after finalization of case.

Copy of reply of PIO Executive Engineer (Bhawan) ADA dated 27/10/21 in reply to RTI application in r/o Intervener no 2 in annexed herewith as Annexure no A- 20

Copy of reply of PIO UPPCB Agra dated 04/09/24 in r/o RTI application of Intervener no 2 is annexed herewith as Annexure No A-21

PIO (Bhawan) ADA vide its letter dated 18 /11/24 also declined to provide these copies in r/o RTI application of Intervener No 2.

Non-compliance of Hon'ble Tribunal's order regarding establishment of proper sewerage system in colony

20. Hon'ble Tribunal vide its order dated 24/03/22 directed to ensure proper sewerage system connected to appropriate STP but still no any action has been taken by builder/ ADA to ensure proper water and sewer drains in colony which are not as per prescribed standards and parameters. Damaged sewer lines are persistently polluting ground water. There are also no proper water drains in colony to dispose of excess water/ storm water.

TWITTER COMPLAINTS/ REQUESTS BY INTERVENER NO- 2

21. Intervener No 2 forwarded hundreds of complaints on non-compliance of Hon'ble courts, violation of statutory obligations and duties of statutory and regulatory authorities, violation of provisions of environment and water act and other related issues but when all these

complaints evoked no response and reply thereon and turned inconsequential, then Intervener no 2 also sent twitter requests on twitter account of ADA, UPPCB, CHIEF SECRETARY and HON'BLE CHIEF MINISTER UP. few of which are annexed herewith as under-

Twitter message dt 23/01/25- Annexure A-22

Twitter message dt 24/01/25- Annexure A-23

Twitter message dt 30/01/25- Annexure A-24

Twitter message dt 03/02/25- Annexure A-25

Twitter message dt 19/02/25- Annexure A-26

Twitter message dt 03/03/25- Annexure A-27

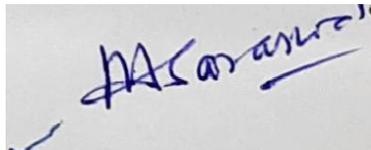
Twitter message dt 08/03/25- Annexure A-28

22. In view of facts and submissions the Interveners most humbly and respectfully seek permission of this Hon'ble Court to allow and place these additional documents on record in the interest of Justice.

PRAYER:

In light of the facts and submissions above, it is humbly and respectfully requested to allow these additional documents to be annexed to the record in the interest of justice.

Filed by



MAHENDRA KUMAR SARASWAT



DORI LAL YADAV

PARTY IN PERSON

S/o Roshan Lal Saraswat,
R/o Bhole Baba Dairy, 67 A,
Nalanda Town, Shamshabad Road,
Agra- 282001.
Phone: (+91 9412883685),
Email: m.kr.saraswat@gmail.com

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ADDITIONAL DOCUMENT
IN
EXECUTION APPLICATION NO. 36 OF 2023
IN
ORIGINAL APPLICATION NO. 329 OF 2021

IN THE MATTER OF:-

DEVANSHU BOSE

... APPLICANT

VERSUS

AGRA DEVELOPMENT AUTHORITY & ORS.

... RESPONDENTS

AND IN THE MATTER OF:-

Mahendra Kumar Saraswat

Intervenor/Applicant

AFFIDAVIT

I, Mahendra Kumar Saraswat, aged about 61 years, S/o Roshan Lal Saraswat, R/o Bhole Baba Dairy 67, Nalanda Town, Shamshabad Road, Agra U.P. -282001, presently at Agra, do hereby solemnly affirm and declare as under:

1. That I am the Applicant No.1 in the above titled Application and I am conversant with that facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the accompanying Additional Document are true and correct and nothing material has been concealed therefrom.

M. Saraswat

DEPONENT

VERIFICATION

338 31/25
Verified on this 28 day of 03, 2025 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.

Subscribed to... Mahendra Kumar Saraswat
Signed by... Mahendra Kumar Saraswat
Solemnly affirmed before me on oath on... 28/3/25
At... Agra
Witnessed by...
Who is known to me...
VINOD KUMAR
Distt Notary, AGRA



M. Saraswat

DEPONENT

पत्रांक 1308/डी/एफ-2/25
आगरा विकास प्राधिकरण, आगरा

दिनांक :- 13/02/25

प्रेषक,

जनसूचना अधिकारी (खण्ड-2),
 आगरा विकास प्राधिकरण,
 आगरा।

सेवा में,

श्री डोरी लाल यादव,
 277ए, नालन्दा टाउन,
 आगरा

विषय :- ऑनलाईन प्राप्त जनसूचना शिकायत सं०-ARDPA/R/2025/60007 दिनांक 14.01.25
 के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें आप द्वारा ऑनलाईन पोर्टल पर रजिस्ट्रेशन क्रमांक ARDPA/R/2025/60007 दिनांक 14.01.24 के माध्यम से जनसूचना का अधिनियम 2005 के अन्तर्गत सूचना चाही गयी है। अवगत कराना है कि आप द्वारा नालन्दा टाउन गेट नं०-2 से भोले बाबा डेयरी तक निर्माणाधीन नाले के सम्बन्ध में चाही गई बिन्दुवार आख्या निम्नवत् है :-

क्र.सं.	चाही गई सूचना	आख्या
1.	Description of work or project	एकता पुलिस चौकी के पास 125फीट रोड की पुलिया से शमशाबाद रोड के किनारे भोले बाबा डेयरी के सामने रजरई को जाने वाली सड़क के किनारे नालन्दा टाउन के गेट नं०-1 के आगे तक आर.सी.सी. नाले का निर्माण कार्य।
2.	Technical Specification	बिन्दु सं०-2 एवं 3 से सम्बन्धित जानकारी हेतु पत्रावली का किसी भी कार्यदिवस में अवलोकन किया जा सकता है।
3.	Minutes of the tender evaluation committee	
4.	Any deviation from the original tender Document	नहीं।
5.	Progress report on the project	स्थल पर कार्य लगभग 10 प्रतिशत हो चुका है।

कृपया उपरोक्त से अवगत होने का कष्ट करें।

भवदीय


 जनसूचना अधिकारी (खण्ड-2)

प्रतिलिपि :-

नोडल अधिकारी (जनसूचना) को पत्रांक 227/डी/नोडल(ज.सू)/24-25 दिनांक 17.01.25 के क्रम में सूचनार्थ।


 जनसूचना अधिकारी (खण्ड-2)

 आगरा विकास प्राधिकरण, आगरा							
निविदा सूचना संख्या- 12/2024-25		ई-निविदा सूचना			दिनांक: 17.10.2024		
आगरा विकास प्राधिकरण में निम्नलिखित कार्य हेतु शासकीय/अर्द्ध शासकीय/सार्वजनिक क्षेत्र के उपक्रम/केन्द्र सरकार/राज्य सरकार/केन्द्र शासित क्षेत्र/आगरा विकास प्राधिकरण में नियमानुसार पंजीकृत फर्मों से ई-निविदा (Open-e-Tender) आमंत्रित की जाती है:-							
क्र. सं.	कार्य का नाम	बी.ओ.यू धनराशि (रु. लाख में)	धराहर धनराशि (रुपये में)	निविदा मूल्य (रुपये में) समस्त करों सहित	कार्य पूरा करने की अवधि	पात्र श्रेणी	अभि. खण्ड
1.	एकता पुलिस चौकी के पास 125 फीट रोड की पुलिया से शमशाबाद रोड के किनारे भोले बाबा डेयरी के सामने रजरई को जाने वाली सड़क के किनारे नालन्दा टाउन के गेट नं.-1 के आगे तक आर.सी.सी. नाले का निर्माण कार्य।	766.27	15,33,000/-	5900/-	09माह	"ए"	02
2.	ताजनगरी योजना फेस-2 स्थित ए.डी.ए. हाईट्स परियोजना की विद्युत प्रणाली का 02 वर्ष तक अनुरक्षण एवं संचालन का कार्य।	23.08	46,200/-	1180/-	02 वर्ष	-	वि./या
3.	ताजनगरी योजना फेस-2 स्थित ए.डी.ए. हाईट्स परियोजना की प्रकाश व्यवस्था का 02 वर्ष तक अनुरक्षण एवं संचालन का कार्य।	17.93	35,900/-	1180/-	02 वर्ष	-	
4.	इनर रिंग रोड की सर्विस रोड के निर्माण में बाधक एच.टी. लाईन शिफ्टिंग का कार्य।	9.65	19,300/-	590/-	04 माह	-	
5.	शास्त्रोपुरम हाईट्स परियोजना के विभिन्न ब्लॉकों में स्थापित 17 नग लिफ्टों के वार्षिक रख-रखाव एवं संचालन का कार्य।	31.60	63,200/-	1180/-	01 वर्ष	-	
1. क्रम संख्या-01 पर अंकित कार्यों की निविदाये दिनांक 19.11.2024 को आमंत्रित की जाती है, जो उसी दिवस अपरान्ह 02.00 बजे खोली जायेगी। निविदा प्रपत्र दिनांक 23.10.2024 के अपरान्ह 12.30 बजे से दिनांक 19.11.2024 के अपरान्ह 1.00 बजे तक ई-निविदा पोर्टल www.etender.up.nic.in पर डाउनलोड/अपलोड की जा सकती है। 2. क्रम संख्या-02 से 05 पर अंकित निविदाये दिनांक 06.11.2024 को आमंत्रित की जाती है, जो उसी दिवस अपरान्ह 02.00 बजे खोली जायेगी। निविदा प्रपत्र दिनांक 23.10.2024 के अपरान्ह 12.30 बजे से दिनांक 06.11.2024 के अपरान्ह 1.00 बजे तक ई-निविदा पोर्टल www.etender.up.nic.in पर डाउनलोड/अपलोड की जा सकती है।							
18/10/2024 आगरा विकास प्राधिकरण, आगरा						मुख्य अभियन्ता	
Digitally signed by Rajeev Ratan Pratap Singh Date: 2024.10.17 09:15:15 +0530							

22
367

22

ANNEXURE 3

VINAYAK V



On
Wa

Google

Rajrai, Uttar Pradesh, India

**8, Nalanda Town, Rajrai, Agra, Uttar Pradesh
282001, India**

Lat 27.122681° Long 78.046332°

09/02/25 06:05:26 PM



368

23



Agra, Uttar Pradesh, India
Kherai Modd Rajrai Neae Rajeshwri Mandir, Shop No .22,
Village Rajrai, Agra, Dhandhupura, Uttar Pradesh 282001, India
Lat 27.122698° Long 78.046671°
09/02/25 06:03:10 PM





Dhandhupura, Uttar Pradesh, India

42FX+Q3P, Rajrai Rd, Village Rajrai, Dhandhupura,
Agra, Uttar Pradesh 282001, India

Lat 27.124343° Long 78.047772°

09/02/25 05:27:35 PM

VINAY VIHAR

Google Overhead
Water Tan





आगरा विकास प्राधिकरण, आगरा।

दिनांक- 17/9/2024

पत्रांक : 1683 / भवन/आर0टी0आई0/24-25

सेवा में,

जनसूचना अधिकारी (अभियन्त्रण खण्ड),
आगरा विकास प्राधिकरण,
आगरा।

महोदय,

कृपया श्री डोरी लाल यादव, पता:-277ए, नालंदा टाउन, आगरा, मो0नं0-6395123389 द्वारा जनसूचना अधिकार अधिनियम-2005 के अर्न्तगत online आवेदन ARDPA/R/2024/60147 दिनांक 18.08.2024 के द्वारा 05 बिन्दुओं पर सूचना चाही गयी है। उक्त 05 बिन्दुओं में बिन्दु सं0-04 व 05 की सूचना अभियन्त्रण खण्ड से सम्बन्धित है। (छायाप्रति संलग्न)

अतः अवगत कराना है कि अभियन्त्रण खण्ड से सम्बन्धित बिन्दु सं0-04 व 05 की सूचना आवेदक को सीधे उपलब्ध कराने का कष्ट करें।

- संलग्नक:- 1- जनसूचना आवेदन पत्र की छायाप्रति संलग्न है।
2- भवन अनुभाग से सम्बन्धित सूचना संलग्न है।

भवदीय

जनसूचना अधिकारी (भवन)

प्रतिलिपि :

- नोडल अधिकारी (जनसूचना), आ0वि0प्रा0, आगरा के पत्रांक-137/डी/नोडल(ज.सू)/24-25 दिनांक 20.08.2024 आवेदित सूचना के सन्दर्भ में भवन अनुभाग से सम्बन्धित सूचना अभियन्त्रण खण्ड को उपलब्ध करा दी गयी है। अतः भवन अनुभाग से सम्बन्धित सूचना अभियन्त्रण खण्ड के साथ संकलित करते हुए सीधे आवेदक को उपलब्ध कराने हेतु जनसूचना अधिकारी अभियन्त्रण खण्ड को निर्देशित करने का कष्ट करें।
- आवेदक श्री डोरी लाल यादव, पता:-277ए, नालंदा टाउन, आगरा-282001 मो0नं0-6395123389 को उनके पत्र दिनांक 18.08.2024 के क्रम में सूचनार्थ प्रेषित।

17/9/2024
जनसूचना अधिकारी (भवन)



आगरा विकास प्राधिकरण, आगरा

पत्रांक : 1683 / भवन/आर0टी0आई0/24-25

दिनांक- 17/9/2024

जनसूचना अधिकारी (भवन),

कृपया नोडल अधिकारी जनसूचना के कार्यालय पत्र संख्या-137/डी/नोडल(ज.सू.)/2024-25 दिनांक 20.08.2024 के साथ संलग्न online आवेदन ARDPA/R/2024/60147 दिनांक 18.08.2024 पत्र के क्रम में वांछित सूचना निम्नवत् है :-

आवेदक का नाम व पता : श्री डोरी लाल यादव, पता-277ए, नालंदा टाउन, आगरा-282001
मो0नं0-6395123389

आवेदक द्वारा मांगी गयी सूचना प्राधिकरण के भवन अनुभाग में उपलब्ध रिकार्ड के अनुसार प्रेषित की जा रही है।

बिन्दु सं0-01 व बिन्दु सं0- 02 में आवेदक द्वारा मांगी गई सूचना पत्र के साथ संलग्न है।

बिन्दु सं0-03 बिन्दु सं0-02 के अनुसार।

बिन्दु सं0-04 में आवेदक द्वारा मांगी गयी सूचना अभियन्तत्रण खण्ड-2 से सम्बन्धित है।

बिन्दु सं0-05 बिन्दु सं0-04 के अनुसार।

लिपिक (भवन)
17/09/24

सहायक जनसूचना अधिकारी (भवन)
17/09/24

मा10 राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित मूल एप्लीकेशन सं0-329/2021 देवांशु बोस बनाम आगरा विकास प्राधिकरण में अंकित 63 कॉलोनियों में बाह्य विकास शुल्क व आन्तरिक विकास शुल्क में जमा धनराशि का विवरण।

क्र0 स0	कॉलोनी का नाम व पता	बाह्य विकास शुल्क में जमा धनराशि
1	2	3
1.	जयपुरिया सनराईज घाट-1 बरोली अहीर	9,76,187.10
2.	जयपुरिया सनराईज घाट बरोली अहीर	
3.		
4.		
5.		
6.	गावन्द विहार फेस-1 बरोली अहीर, शमशाबाद रोड, आगरा।	26,51,485.00
7.	बू स्कायर होम, बरोली अहीर, शमशाबाद रोड, आगरा।	1,16,96,893.00
8.	कैलाश रेजीडेन्सी	17,93,472.00
9.	प्रेमपुरी बरोली अहीर, शमशाबाद रोड, आगरा।	31,62,360.00
10.	माधव सिटी	भवन अनुभाग के अभिलेखों में माधव सिटी नाम से कोई कॉलोनी स्वीकृत नहीं है। स्थल पर काफी पूछताछ करने के बाद भी इस नाम से कोई कॉलोनी नहीं मिली है।
11.	सन्ट मेरी स्कूल रजरई रोड, आगरा	-
12.	शाम विहार रजरई रोड, आगरा।	4,66,546.00
13.	मीनाक्षी पुरम फेस-1 रजरई रोड, आगरा।	2,96,862.00
14.	माधव विहार फेस-2 रजरई रोड	16,74,305.00
15.	गोकुल विहार रजरई, रोड, आगरा।	7,17,588.00
16.	कैलाश रेजीडेन्सी-2 रजरई रोड, आगरा	20,15,726.00
17.	अनुपम स्टेट बगदा रोड, आगरा	14,65,907.00
18.	विश्वकर्मा गार्डन रजरई रोड, आगरा।	29,10,900.00
19.	अरिहन्त ड्रीम रजरई रोड	9,99,300.00
20.	आईकॉन मैरान्स (कृष्णा टाउन)	90,45,439.00
21.	पुष्पाजलि घाट शमशाबाद रोड, आगरा।	19,68,346.00
22.	दीक्षा के सी.आर. टाउन	1,38,46,950.00

23.	अनुपम गार्डन रजरई रोड, आगरा।	2813000.00
24.	सरोजनी नगर रजरई रोड, आगरा।	6,12,172.00
25.	महेन्द्र एन्क्लेव (विश्वकर्मा पुरम) शमशाबाद रोड एकता पुलिस चौकी के सामने	16,79,740.00
26.	आनन्द विहार रजरई रोड, आगरा।	1716187.00
27.	साधिका विहार (मारुति विहार) रजरई रोड आगरा	15,14,064.00
28.	माध्य विहार बरोली अहीर रजरई रोड, आगरा।	11,79,939.00
29.	मारुति धाम रजरई रोड	20,45,513.00
30.	रमन कुज शमशाबाद रोड	3,23,442.00
31.	विभव विहार	37,89,728.00
32.	सरोजनी नगर एक्सटेंशन रजरई रोड, आगरा।	2,56,191.00
33.	के०पी०एस० टाउन (ग्रीन पार्क), बरोली अहीर, शमशाबाद रोड, आगरा।	2,55,37,552.00
34.	गोविन्द विहार, बरोली अहीर, शमशाबाद रोड, आगरा।	51,17,059.00
35.	दीक्षा के.सी.आर टाउन फेस-2 ग्वालियर रोड, आगरा	71,06,360.00
36.	राज एन्क्लेव	3,22,776.00
37.	मीनक्षी पुरम फेस-2 बरोली अहीर	16,26,590.00
38.	श्यामा धाम फेस-1	7,55,331.00
39.	विनायक विहार, रजरई	22,47,240.00
40.	रितिका विहार, रजरई	10,24,148.00
41.	विश्वकर्मा एमाजोन	27,40,947.00
42.	बूज एन्क्लेव	2,98,232.00
43.	नालन्दा आशियाना-1	12,86,842.00
44.	नालन्दा आशियाना-2	10,62,915.00
45.	पुष्पाजलि आर्चिड	5,48,620.00
46.	पुष्पाजलि आर्चिड-2	16,15,734.00
47.	मारुति प्रवासम	74,54,450.00
48.	कृष्णा इन्क्लेव	12,81,476.00
49.	गायत्री मधुसूदन सिटी	11,45,040.00
50.	गायत्री सिग्नेचर	21,69,827.00
51.	वाघवा पाल्म रेजीडेन्सी	42,39,680.00
52.	कुटुम्ब	30,90,148.00
53.	विमल सिटी, नियर रजरई रोड, शमशाबाद, आगरा।	27,11,984.00
54.	गायत्री सनसिटी	43,94,364.00

55.	गायत्री विहार	14,00,726 00
56.	गायत्री एन्क्लेव	16,55,160 00
57.	गायत्री उपवन, रजरई रोड, शमशाबाद, आगरा।	10,02,600 00
58.	धर्म आशियाना	14,33,224 00
59.	कृष्णा ग्रीन	2,12,709 00
60.	कैलाश विहार-4	11,02,487 00
61.	सस्कार सिटी (कृष्णा गार्डन)	15,13,190 00
62.	सद गुरु धाम (आर०पी०ए०-न० रॉयल स्टेट)	4,76,316 00
63.	नालन्दा टाउन	77,68,683 00

ITEM NO.37

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No. 3546/2023

AGRA DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

DEVANSHU BOSE & ORS.

Respondent(s)

IA No. 247901/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 97706/2023 - EXEMPTION FROM FILING O.T., IA No. 247900/2023 - GRANT OF INTERIM RELIEF, IA No. 51387/2024 - INTERVENTION/IMPLEADMENT, IA No. 121137/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 51390/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 247902/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No. 97703/2023 - STAY APPLICATION)

Date : 03-05-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Appellant(s)

Mrs. Aishwarya Bhati, A.S.G.
Mr. Sudhir Kulshreshtha, AOR
Mr. Abhinav, Adv.

For Respondent(s)

Caveator-in-person, AOR

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.
Mr. Bhuwan Chandra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We direct the appellant - Agra Development Authority¹ to deposit a further sum of Rs.10,00,000/- (Rupees ten lakhs only) in

this Court within a period of two weeks from today. This payment and the earlier deposited Rs.25,00,000/- (Rupees twenty five lakhs

Signature Not Verified
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Deepak Guptani
Date: 2024.05.03
17:46:55 IST
Reason:

1 "ADA", for short

only) will be used for upgradation of the sewage treatment facility in the area in question. The action plan will be filed by the ADA in this regard within a period of four weeks from today.

Mr. Devanshu Bose, respondent no. 1, who appears in person states that the entire untreated sewage is being dumped behind his residence, which is creating hygiene and other problems. The officers of the ADA will visit the location in question and submit an affidavit in this Court within a period of four weeks from today. They will take photographs. The affidavit will also indicate the steps taken by the ADA to remove the sewage etc. In case steps are not taken, appropriate orders will be passed by this Court.

The ADA will state and give details of the internal and external development charges collected from the builder(s)/owners/occupants in the colony in question and the adjacent 60 colonies.

Additionally, the affidavit will indicate the total amount of expenses incurred by the ADA on the sewage drains, the sewage treatment plant(s) etc.

The affidavit will be filed within four weeks from today.

Re-list in the week commencing 05.08.2024.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

ITEM NO.25

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCIVIL APPEAL NO(S). 3546/2023

AGRA DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

DEVANSHU BOSE & ORS.

Respondent(s)

(IA No. 247901/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 97706/2023 - EXEMPTION FROM FILING O.T.
IA No. 247900/2023 - GRANT OF INTERIM RELIEF
IA No. 51387/2024 - INTERVENTION/IMPLEADMENT
IA No. 121137/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 51390/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 247902/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION
IA No. 97703/2023 - STAY APPLICATION)

Date : 09-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SANJAY KUMAR

For Appellant(s) Mrs. Aishwarya Bhati, A.S.G.
Mr. Sudhir Kulshreshtha, AOR
Mr. Sameer Kulshreshtha, Adv.
Mr. Abhinav, Adv.

For Respondent(s) Caveator-in-person, AOR

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.
Mr. Manoj Kumar Sharma, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

Respondent No. 3, Uttar Pradesh Pollution Control Board, will inspect the area and file a status report with regard to the present status of the sewage treatment plan, and whether any untreated sewage is being disposed of within the colony itself.

In the counter affidavit filed by the appellant, Agra

Development Authority¹, it is accepted that a sum of more than ₹23,00,00,000/- (Rupees twenty three crores only) was collected as external development charges. The date on which the said amount was collected and the details of the expenses incurred therefrom year-wise with purpose will be ascertained and stated in form of an affidavit filed by the Vice-Chairman of ADA.

It will be open to ADA to approach the State Government for funds to set up sewage treatment plants.

Demand Draft of ₹10,00,000/- (Rupees ten lakhs only) shall be accepted by the Registry of this Court.

Re-list in the week commencing 18.11.2024.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

¹ For short "ADA"

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 3546/2023

AGRA DEVELOPMENT AUTHORITY APPELLANT(S)

VERSUS

DEVANSHU BOSE AND OTHERS RESPONDENT(S)

O R D E R

1. *Vide* order dated 03.07.2023, while issuing notice in the present appeal, we had directed the appellant, Agra Development Authority¹, to deposit a sum of ₹25,00,000/- (Rupees twenty five lakhs only) with the Uttar Pradesh Pollution Control Board². We also asked the ADA to comply with the directions given in the impugned judgment dated 18.01.2023 passed by the National Green Tribunal, Principal Bench, New Delhi, which directions are in a nature of an interim order. The UPPCB was asked to verify and ascertain and file a status report on compliance/non-compliance with the directions.

2. *Vide* order dated 04.12.2023, we had directed the ADA to ensure that the sewage treatment plant discharge etc., conforms to the statutory requirements. The UPPCB was asked to verify as

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babita pandey
Date: 2024.12.06
16:20:55 IST
Reason: []

- 1 For short, "ADA".
2 For short, "UPPCB".

to whether there are lapses/default, and to rectify the defects and also submit data/test reports as evidence of compliance.

3. In view of the report submitted by the UPPCB, by order dated 03.05.2024, we had directed the ADA to deposit a further sum of ₹10,00,000/- (Rupees ten lakhs only). It was also directed that this amount and the earlier amount of ₹25,00,000/- (Rupees twenty five lakhs only) should be used for the upgradation of the sewage treatment plant. The action plan with regard to the same was directed to be filed by the ADA within a period of four weeks from the date of the said order.

4. The aforesaid order also mentions that respondent No. 1, Devanshu Bose, claimed that the entire untreated sewage was being dumped on land behind his residence. The officers of the ADA were asked to visit the site/location in question and submit an affidavit along with photographs. This order also directed the ADA to furnish the details of the internal and external development charges collected by them from the builder(s)/ owners/occupants in the colony in question and the adjacent colonies. The expenses incurred by the ADA on the sewage drains/sewage treatment plant(s) etc. were directed to be stated.

5. The ADA filed an affidavit stating and accepting that they had

received a sum of over ₹23,50,00,000/- (Rupees twenty three crores fifty lakhs) as external development charges. The details of the expenditure incurred by them of about ₹7,21,00,000/- (Rupees seven crores twenty one lakhs only), have been given. Most of the expenditure is on roads and bridges, etc. The details do not show that any expenditure has been incurred on the sewage treatment plant, sewage drainage etc.

6. The UPPCB in its status report, submitted that the sewage treatment plant at the site/location in question was inspected on 01.10.2024, and was found to be not in operation. Photographs were taken, which show that the effluent had stagnated and also collected near the roadside. The sample collected from the outlet of the sewage treatment plant was not found to be meeting the norms.
7. The stand taken by the ADA is that, on the said date, the sewage treatment plant was not working. The stand, however, does not satisfy us, as it is apparent that the sewage treatment plant is actually not working and functional.
8. The UPPCB had issued a letter to the Vice-Chairman of the ADA, stating that the builder(s) are liable to pay environmental compensation of ₹2,13,98,438/- (Rupees two crores thirteen lakhs ninety eight thousand four hundred thirty eight only).

The Vice-Chairman was requested to take up the steps for the arrangement for setting up the sewage treatment plant or ask the builder(s) to undertake the construction of the same, failing which legal action would be taken by the Board.

9. The ADA will deposit the amount of compensation/cost(s) as directed by the National Green Tribunal³. The amount deposited would be utilized for the sewage treatment plant/drainage etc. In addition, the ADA must ensure that sewage is lifted and transported from the colony so that there is no collection of sewage or effluent in the colony itself. This exercise must be undertaken every week and an affidavit in this regard will be filed by the Vice-Chairman of the ADA before the NGT. In case there is any default and failure to lift and transport the sewage and the sewage treatment plant is not working as per the required parameters, the NGT will be entitled to pass appropriate orders, including imposing costs/compensation as may be required and justified in law.

10. The Vice-Chairman of the ADA will nominate a senior officer of the said authority, who shall be responsible for ensuring compliance with this order as well as the directions given by the NGT. The details, including name and designation of the said officer, will be furnished by the ADA to the NGT within a period of three weeks from today.

3 For short, "NGT."

11. The amount lying in this Court will be sent to the NGT and would be treated as a deposit made towards costs/compensation as awarded.

12. In view of the aforesaid factual background, we are not inclined to interfere with the impugned judgment and, accordingly, the present appeal is dismissed. Pending application(s), if any, shall stand disposed of.

.....CJI.
(SANJIV KHANNA)

.....J.
(SANJAY KUMAR)

NEW DELHI;
DECEMBER 03, 2024.

ITEM NO.8

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No. 3546/2023

AGRA DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

DEVANSHU BOSE & ORS.

Respondent(s)

(IA No. 247901/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 97706/2023 - EXEMPTION FROM FILING O.T.
IA No. 247900/2023 - GRANT OF INTERIM RELIEF
IA No. 51387/2024 - INTERVENTION/IMPLEADMENT
IA No. 121137/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 51390/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 247902/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION
IA No. 97703/2023 - STAY APPLICATION)

Date : 03-12-2024 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR

For Appellant(s) Mrs. Ashwarya Bhati, A.S.G.
Mr. Sudhir Kulshreshtha, AOR

For Respondent(s) Respondent-in-person

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

Permission to appear and argue in-person is granted.

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)

Date: 29/01/2025

Respected / Hon'ble Sir / Madam

Subject: Non-Compliance of Orders of Hon'ble Courts

1. Background of the Complaint

Please find attached herewith the complaint that was forwarded on **08/06/2023**, wherein it was requested to seek a report from the Agra Development Authority (ADA) on the remedial actions taken by ADA as per the directions of the **Hon'ble National Green Tribunal (NGT), New Delhi**, vide its order dated **18/01/2023**.

2. Non-Compliance with Hon'ble NGT and Hon'ble Supreme Court Orders

Despite the directions of the Hon'ble NGT, New Delhi, and even the **Hon'ble Apex Court, New Delhi, in Civil Appeal No. 3546/2023**, which was filed by ADA assailing the aforementioned NGT orders and was dismissed by the **Hon'ble Apex Court on 03/12/2024**, the ground reality remains unsatisfactory.

3. Structural Stability and Quality Concerns of STP in Nalanda Town Colony

The **Structural Stability Certificate/Fitness Certificate** for the **Sewage Treatment Plant (STP)** constructed by **Nalanda Builders in Nalanda Town Colony, Shamshabad Road, Agra**, has neither been provided by the builder nor ensured by ADA, despite repeated complaints.

- The **design parameters** and specifications mentioned in the project report have **not been followed** by the builder.
- The construction appears to have been carried out **as per the builder's convenience** rather than adhering to quality assurance norms.
- Ensuring **structural stability** is a **pre-requisite** for any work executed through tenders, contracts, or work orders.
- **Lack of quality assurance** raises **serious questions** on the credibility of the executing agency and the **competent authority overseeing the work**.

4. Concerns Regarding the Newly Sanctioned Drainage Project

Recently, ADA has finalized a **tender for the construction of drainage from Gate No. 2 of Nalanda Town Colony, Shamshabad Road, Agra, to Bhole Baba Dairy, Shamshabad Road, Agra**. The work has already commenced.

Since the **quality and size of the STP in this colony are still disputed**, it is humbly requested that:

- **ADA be directed to depute a senior expert technical officer** to monitor the quality of this drainage project.
- The drainage construction should be **strictly in accordance with the parameters and tender conditions** to prevent **future disputes and legal complications**.

-2-

5. Purpose and Limitations of the Drainage Project

It is important to highlight that:

- Several **approved projects** exist in this area where the **drainage is being constructed**.
- The **drainage system is designed for disposing of only rainwater and excess treated unused water** from these approved colonies.
- **It must not be used for disposing of untreated sewage**, as this would defeat its purpose and **pollute underground water sources**.

6. Need for a Dedicated Sewer Line for the Area

There is **no clarity** on whether **ADA has proposed a sewer line** for this area. Hence, it is requested that:

- Authorities **oversee the construction of a dedicated sewer line** for the area.
- All **approved projects** in this area be mandated to construct **proper STPs** to prevent **untreated sewage disposal** into the drainage system.
- Presently, **only a few projects** have proper **STPs and sewage disposal arrangements**.

7. Lack of Implementation of STP Work in 64 Colonies

In compliance with the **Hon'ble NGT orders dated 24/03/2022 and 18/01/2023**, ADA has issued **notices to nearly 64 colonies** in this area. However:

- STP construction in **most of these colonies has either not started or is being carried out merely as a formality to mislead the courts**.
- It is, therefore, **requested that ADA be directed to ensure proper STP construction in all 64 colonies** so that sewage is **not discharged in open areas or drains**, thereby preventing **groundwater pollution**.

8. Request for Immediate Action

In light of the above concerns, I sincerely request due, effective, and **speedy action** in this matter.

Sincerely,



Dori Lal Yadav
277 A Nalanda Town Colony
Shamshabad Road
Agra 282001

Intervener in Ongoing EA 36/2023 in Hon'ble NGT, New Delhi

Dated: 08/06/2023

Respected Sir

Please find attached the following report.

An **Original Application (OA) No. 329/2021** was filed before the **Hon'ble National Green Tribunal (NGT), New Delhi**, by **Mr. Devanshu Bose** of **Nalanda Town Colony, Shamshabad Road, Agra**. In this matter, I had to file **Interlocutory Applications (IA) Nos. 52, 53, and 54**, and based on the facts submitted in the **OA and IAs**, a **penalty of ₹25,00,000/-** was imposed on **ADA** vide order dated **24/03/2022**.

Despite this, **ADA failed to take appropriate action** and instead submitted a **false action taken report** before the **Hon'ble NGT, New Delhi**. Consequently, I had to challenge this false report through **IAs No. 312, 313, and additional documents**. Holding **ADA liable once again**, the **Hon'ble NGT, New Delhi**, imposed a **further penalty of ₹2,00,00,000/-** on **ADA**. This is highly unfortunate and raises **serious concerns** about the **accountability, efficiency, and attitude of higher officials** within the system.

Although the **Hon'ble NGT has disposed of OA No. 329/2021 and related IAs**, it has **demanding an Action Taken Report (ATR)** on the implementation of its orders issued on **18/01/2023**, with a **strict compliance period of six months**.

1. Request to Verify Ground Reality:

In light of the above, it is **requested to ascertain the actual ground situation and seek a comprehensive report from ADA**.

It is important to bring to your kind notice that, so far, **only paperwork has been completed** regarding the construction of the **sewage line and drainage system in the area**. However, there has been **no tangible progress on the ground**. The **proposal for sewage and drainage has merely been forwarded to Lucknow for approval**, and it remains uncertain whether any further action has been taken.

2. Non-Functional STP and Lack of ADA's Oversight

The **Sewage Treatment Plant (STP)** constructed in **Nalanda Town Colony, Shamshabad Road, Agra**, is **not operational**, and **ADA appears to be completely indifferent to this issue**.

It is **mandatory** for all **contractual works** to adhere to **quality standards, obtain structural stability certificates from a competent agency, and ensure proper monitoring by ADA**. However, the **construction of the STP was never monitored by ADA**, raising **serious concerns about substandard construction**.

Despite **repeated requests**, **ADA has failed to take any corrective action** regarding this issue. Given the circumstances, this matter **may have to be escalated through fresh EA/Writ/SLP proceedings**.

-2-

3. Lack of Implementation of STP Work in 64 Colonies

A list of 64 colonies without STPs was submitted before the Hon'ble NGT, which took serious note of the matter. It is possible that notices might have been issued to the respective builders, but there is a strong likelihood that these notices were issued merely as a formality to mislead the Hon'ble Court into believing that action has been taken.

4. Urgent Need for a Genuine Action Taken Report (ATR)

The actual ground reality may be drastically different from what has been reported. Hence, it is requested to obtain an accurate Action Taken Report from ADA on these critical issues.

This is essential to prevent the submission of another misleading ATR before the Hon'ble NGT, New Delhi. If ADA submits another false ATR, it may have to be challenged once again through a fresh OA/IA, further complicating legal proceedings.

5. Request for Immediate Action

In light of the above, it is humbly requested that necessary action be taken at the earliest. If there is no concrete action on this issue, the matter may have to be reported back to the Hon'ble NGT, New Delhi for further necessary directions.

Thank you.

Sincerely,



D. L. Yadav

Address: 277-A, Nalanda Town Colony,
Shamshabad Road,
Agra 282001

Petitioner in Writ No. 58986/2016

Intervenor in IA Nos. 52, 53, 54, 312 & 313

To

Dated 19.02.2025

Respected/Hon'ble Sirs

Subject: Urgent Request for Action on Non-Compliance by Builder and Authorities in Nalanda Town Colony, Agra

With deep regret, I bring to your kind notice the persistent issues in Nalanda Town Colony, Shamshabad Road, Agra, involving:

1. Non-completion of internal development works by the builder.
2. Non-completion of external development works in surrounding areas by the Agra Development Authority (ADA).
3. Non-compliance with orders of Hon'ble courts by ADA, Uttar Pradesh Pollution Control Board (UPPCB), and other officials of the Ministry of Housing and Urban Development and Urban Planning, Uttar Pradesh.
4. Non-deposition of environmental compensation amounts imposed on Nalanda Builders by the UPPCB.
5. Substandard and undersized construction of the Sewage Treatment Plant (STP) in the colony.

Despite numerous complaints and repeated penalties imposed by UPPCB, the issues remain unresolved, causing hardship to the residents and a violation of environmental laws and court orders.

1. Non-Completion of Internal Development Works by Builder

Despite repeated notices from ADA and UPPCB, Nalanda Builders has failed to:

- Complete the long-pending internal development works in Nalanda Town Colony.
- Deposit the environmental compensation amounts of ₹2,13,98,438 (imposed in May 2022) and ₹1054687.5 (imposed in 2023) for violations under the Water (Prevention and Control of Pollution) Act, 1974.

The inaction on the part of ADA and UPPCB, which have not initiated any coercive measures to enforce compliance, appears to reflect their inability or unwillingness to act against the builder.

2. Substandard and Undersized Construction of the Sewage Treatment Plant (STP)

The STP constructed by the builder in the colony does not meet the required standards or the specifications outlined in the project report. Complaints regarding the substandard and undersized construction of the STP, and requests for obtaining a structural stability/fitness certificate from a competent third-party agency, have been ignored. The inaction of ADA and UPPCB in addressing this issue raises concerns over the proper disposal of sewage, leading to the risk of water pollution and health hazards.

3. Non-Completion of External Development Works by ADA

The ADA has failed to complete essential external development works in surrounding areas. While a tender has been finalized for constructing a common drainage system from Nalanda Town Colony to Shamshabad Road, there appears to be no proposal for

-2-

constructing a common sewer line for these areas. In the absence of a sewer line, untreated sewage from approved colonies may either be dumped openly or discharged into the drainage system, causing significant water pollution.

Moreover, ADA's failure to enforce the completion of STPs in 64 approved colonies (subject to litigation in OA 329/2021 and EA 36/2023) violates the provisions of the Water (Prevention and Control of Pollution) Act and the orders of Hon'ble courts.

4. Failure to Recover Environmental Compensation Amounts

UPPCB has imposed penalties on Nalanda Builders, yet:

- The environmental compensation amount of ₹2,13,98,438, imposed in May 2022, remains unpaid.
- The penalty of ₹1054687.5, imposed in 2023 for continuing violations, has not been recovered.

The UPPCB's lack of decisive action to enforce recovery through the District Magistrate or other means undermines its responsibility as a nodal agency for environmental protection.

5. Violation of Court Orders

The inaction by ADA, UPPCB, and other concerned officials in ensuring compliance with the orders of Hon'ble NGT, Hon'ble Apex Court, and Hon'ble High Court Allahabad (Writ C 58986/2016) reflects indifference and negligence towards the public interest and environmental laws.

Prayers

In view of the above, I humbly request the following:

1. Completion of External Development Works:

- Direct ADA to complete all external development works in the surrounding areas.
- Expedite the proposal and construction of a common sewer line for the proper disposal of sewage from approved colonies.

2. Fitness Certificate for STP:

- Direct ADA to ensure that the builder obtains a structural stability/fitness certificate for the STP from a competent third-party agency or undertakes the task itself.

3. Coercive Action Against Builder:

- Direct ADA to take coercive action against Nalanda Builders to complete all pending internal development works, repair and maintain common facilities, and ensure proper operation of the STP, as per the provisions of the UP Apartment Act, 2010.
- Alternatively, ADA should complete these works under Section 33 of the UP Urban Planning and Development Act, 1973, and recover the cost from the builder as land revenue.

-3-

4. Construction of STPs in Approved Colonies:

- Direct ADA to ensure the construction of STPs in all 64 approved colonies subject to litigation in OA 329/2021 and EA 36/2023.

5. Recovery of Environmental Compensation Amounts:

- Direct UPPCB to coordinate with the District Magistrate, Agra, and ensure the recovery of environmental compensation amounts from Nalanda Builders.
- Issue a recovery certificate for the penalty of ₹10,00,000 imposed in 2023.

6. Action Against Erring Officials:

- Direct UPPCB to initiate action against erring officials of ADA and other departments for non-compliance with court orders and environmental regulations.

Timely and appropriate action on the aforementioned issues will be highly appreciated.

Yours sincerely,



Dori Lal Yadav
277A, Nalanda Town Colony
Shamshabad Road,
Agra 282001

- Intervener in ongoing EA 36/2023 in Hon'ble NGT
- Petitioner in ongoing Writ C 7787/2020 in Hon'ble High Court Allahabad

To

Dated: 20/12/2024

The Vice Chairman
Agra Development Authority
Agra

Subject: Request for Compliance with Orders of Hon'ble NGT New Delhi dated 24/03/22 & 18/01/23 and Orders of Hon'ble Apex Court, New Delhi

Respected Sir/Madam,

We most respectfully bring to your kind attention that Civil Appeal No. 3546/23, filed by the Agra Development Authority (ADA) in the Hon'ble Apex Court, New Delhi, against the aforementioned orders of the Hon'ble NGT New Delhi to stay the environmental compensation penalty, has been dismissed by the Hon'ble Apex Court. This dismissal was due to non-compliance with the aforementioned orders, and the case has been remanded back to the Hon'ble NGT New Delhi for further necessary action.

Execution Application (EA) No. 36/2023, in which we are interveners, is still pending before the Hon'ble NGT New Delhi as compliance has not yet been ensured. We wish to discuss all related issues with you in person.

In light of the above, we humbly request you to take the following actions:

1. Quality Assessment of STP:

- The STP constructed by the builder is substandard, and the parameters of the project report have not been followed. We request you to get its quality assessed by a third-party competent expert agency.
- Please ensure that a fitness certificate is issued to the competent authority and that the cost of this assessment is recovered from the builder, as they are responsible for this default.

2. Operation of STP by Builder:

- The builder is not properly operating the STP, despite repeated directions from ADA to do so until the issuance of a Completion Certificate (CC) after the completion of all internal development works.
- Please ensure that the STP is operated by the builder until ADA issues the CC.

3. Proper Capacity of STP:

- The STP is undersized. As per the project report, its capacity must be 351 KLD, but the STP constructed has only a 200 KLD capacity, which fails to meet legal requirements as directed by the Hon'ble Apex Court.
- Kindly ensure that the STP is upgraded to the proper capacity.

4. Recovery of Environmental Compensation:

- The Uttar Pradesh Pollution Control Board (UPPCB) imposed a penalty of ₹2,13,98,438/- on the Director of Nalanda Builders and Developers India Limited for violating provisions of the Water (Prevention and Control of Pollution) Act, 1974.
- Despite more than two years having elapsed, this amount has not yet been recovered. Only after continuous follow-ups was a Recovery Certificate (RC) issued against the builder.
- We request that you ensure the recovery of this amount so it can be utilized to mitigate environmental damage.

5. Utilization of Recovered Amount for Internal Development Works:

- ADA recovered ₹52,80,000/- from the builder in partial compliance with the Hon'ble High Court Allahabad's order dated 15/12/2016 in Writ (C) 58986.
- However, only a nominal portion of this amount has been utilized for sewerage disposal in the colony, while the remaining amount lies unutilized.
- Please direct the utilization of this amount to complete the pending internal development works, as the colony's condition is deteriorating.

6. Construction of Sewer Lines and Drainage System:

- The Hon'ble Apex Court directed that the environmental compensation of ₹35 lakhs, deposited by the ADA, be utilized for sewerage and related issues.
- Kindly ensure this amount is used to construct proper sewer lines and a drainage system in Nalanda Town Colony, in compliance with the project report parameters.

7. Utilization of Environmental Compensation Penalty:

- The environmental compensation of ₹2,13,98,438/- recovered from the builder should also be utilized for completing all pending internal development works in the colony.

8. Monitoring of Concrete Nala Construction:

- It has come to our knowledge that the tender process for constructing the concrete nala from Nalanda Town Colony to Ekta Chowki has been finalized and the work is likely to begin soon.
- We humbly request you to monitor the quality of this work to avoid issues similar to those faced with the constructed STP.

In view of the above, we request you to take the necessary steps to resolve all environment-related issues effectively. We shall remain grateful for your kind assistance in this matter.

Sincerely,

Dori Lal Yadav
277A, Nalanda Town Colony
Shamshabad Road Agra 282001

Mahendra Kumar Saraswat
67A, Nalanda Town Colony
Shamshabad Road Agra 282001.

Interveners

- OA 329/21 & EA 36/2023 in Hon'ble NGT
- Impleaders in Civil Appeal No. 3546/23 in Hon'ble Apex Court

Date:04/03/2025

Subject: Substandard and Undersized Construction of STP in Nalanda Town Colony, Its Non-Operation, and Delay in Recovery of EC Penalty from Nalanda Builders

Respected/Hon'ble Sirs,

I wish to bring to your attention the issue of the substandard and undersized construction of the Sewage Treatment Plant (STP) in Nalanda Town Colony, Shamshabad Road, Agra, and its non-operation by Nalanda Builders. Despite multiple complaints, no effective action has been taken by the Agra Development Authority (ADA) and the Uttar Pradesh Pollution Control Board (UPPCB) to ensure the quality, proper size, and operational status of the STP. As a result, untreated sewage continues to be discharged from the STP.

Inspection Reports and Imposition of Penalty

After repeated complaints and directions from the Hon'ble National Green Tribunal (NGT), New Delhi, the UPPCB inspected the STP twice in 2022 and 2023. It was found to be inoperative, with untreated sewage accumulating inside and outside the colony. Consequently, the UPPCB imposed a penalty of Rs. 10,54,657.50 on Nalanda Builders. This was in addition to the Environmental Compensation (EC) penalty of Rs. 2,13,98,438/- imposed in May 2022 for violations of the Water (Prevention and Control of Pollution) Act, 1974, as per the Hon'ble NGT's order dated 24/03/2022 in OA 329/2021.

Excessive Delay in Recovery of EC Penalty

Despite repeated complaints, the Recovery Certificate (RC) for the EC amount of Rs. 2,13,98,438/- was issued by UPPCB to the District Magistrate (DM), Agra, after a delay of more than two years. It was the statutory obligation of UPPCB to ensure prompt recovery, especially as the penalty was imposed in compliance with the Hon'ble NGT's orders. However, despite the issuance of the RC and multiple follow-ups, the recovery has not been ensured. The UPPCB has failed to actively pursue this matter with the DM, Agra. The issuance of the RC appears to be a mere formality to mislead complainants and the court, indicating non-compliance with the Hon'ble NGT's directives.

Additionally, for the penalty of Rs. 10,54,657.50 imposed on the builder for the non-operation of the STP and the discharge of untreated sewage, only a formal notice has been issued. No RC has yet been issued to the DM, Agra, for its recovery.

Failure of Regulatory Authorities

The construction of an STP is an essential internal development work in any residential project and must be completed by the builder. The failure to construct a functional STP in Nalanda Town Colony highlights the incompetence of ADA as the competent authority, as well as the negligence of UPPCB and the Directorate of Environment, Uttar Pradesh, which serve as nodal agencies for environmental protection.

Despite clear provisions under the Ministry of Environment, Forest, and Climate Change (MoEF) guidelines and existing regulations that mandate prior Environmental Clearance (EC) and a No Objection Certificate (NOC) from UPPCB for projects exceeding 20,000 square meters, the authorities have failed to enforce compliance. The Directorate of Environment and UPPCB were responsible for monitoring the implementation of environmental safeguards, but their inaction has led to prolonged environmental degradation and hardship for the residents of Nalanda Town Colony.

Lack of Certification and Compliance of STP

Despite repeated complaints, the STP's quality and proper sizing have not been certified by any third-party expert agency. No fitness certificate has been obtained. Under no circumstances can the builder or ADA impose a substandard, undersized, and uncertified STP on the colony, as this would violate legal provisions.

Legal Obligations Under UP Apartment Act, 2010

As per the provisions of the UP-Apartment Act, 2010, and Clause 14 of the agreement between ADA and the builder (a legally binding document), the builder must maintain all common facilities, including the STP, for one year after the completion of all internal development works and the receipt of Completion Certificate (CC) from ADA.

Since most internal development works remain incomplete, ADA cannot issue a CC until these works are finished. Therefore, the builder is legally bound to maintain the STP until all pending development works are completed and the CC is obtained.

Repeated complaints to the Vice-Chairman, ADA, and higher officials have led to multiple notices being issued to the builder (dated 09/05/2013, 06/06/2013, 24/09/2013, 23/03/2017, and the latest on 17/10/2023), directing them to maintain all common facilities. However, these notices appear to be mere formalities intended to mislead complainants and the courts, as the builder has completely stopped maintaining common facilities since 2013.

Pending Case Before the Hon'ble NGT

It is highly concerning that despite the case of substandard and undersized construction of the STP and its non-operation being pending before the Hon'ble NGT in EA 36/2023, and despite the builder being penalized multiple times for violations of the Water (Prevention and Control of Pollution) Act, 1974, there has been no accountability. The builder remains indifferent to constructing an STP as per prescribed standards and obtaining certification. ADA and UPPCB have failed to take coercive action against the builder.

Requests for Immediate Action

In view of the above, I request the following actions:

1. **Ensuring Proper STP Construction and Certification:** ADA, UPPCB, and the Directorate of Environment must take coercive action against the builder to ensure that the STP is constructed in compliance with legal provisions, meets prescribed standards, and undergoes certification by a third-party expert agency, including obtaining a fitness certificate.
2. **Ensuring Proper Operation of the STP:** As per the UP-Apartment Act, 2010, and Clause 14 of the agreement between ADA and the builder, ADA and UPPCB must take coercive action to ensure the proper operation of the STP for at least one year after the CC is obtained from ADA.
3. **Expedited Recovery of EC Penalty:** The UPPCB must actively pursue the recovery of the EC penalties amounting to Rs. 2,13,98,438/- and Rs. 10,54,657.50 with the DM, Agra, and request immediate coercive action against the builder.

Failing action on the above points, all unaddressed issues will be brought to the kind notice of the Hon'ble NGT, New Delhi, through additional submissions in the pending EA 36/2023. The consequences of such inaction will rest with ADA and other responsible authorities.

I look forward to swift and effective action on these critical issues.

Sincerely,



Dori Lal Yadav

Intervener in EA 36/2023 before the Hon'ble NGT, New Delhi

Respected Sir / Madam

Dated: 27/01/25

Subject: Misleading Information by ADA Officials on Pending Internal Development Works in Nalanda Town Colony, Agra

1. Reference to Post on X

Kindly refer to my post dated 25/01/25 on X regarding the cited subject. Due to word limitations on the platform, detailed information regarding the misleading submissions by Agra Development Authority (ADA) officials could not be provided. The same is now being submitted here for your kind consideration.

2. Background of Nalanda Town Colony

- Nalanda Town Colony, located on Shamshabad Road, Agra, is an approved project of Agra Development Authority (ADA).
- The project was approved in 2006, with an initial validity period of 5 years (until 2011), later extended for one year.
- Nalanda Builders and Developers India Limited, the project developer, was obligated to complete the project, including all internal development works, by 2012.

Despite these requirements, the builder sold most units without completing mandatory common facilities and internal development works, in violation of regulations. ADA failed to monitor the completion and quality of these works.

3. Violation of Provisions of the Uttar Pradesh Apartment Act, 2010

- Construction work should commence only after the issuance of a commencement certificate by the competent authority. This certificate was not issued by ADA before the start of construction.
- The builder was required to submit monthly progress reports to the competent authority, enabling monitoring of works. Neither the builder submitted these reports, nor did ADA ensure compliance.
- ADA's negligence allowed the builder to complete the works as per his convenience, resulting in several statutory violations and substandard development.

4. Long-Pending Internal Development Works

The following common facilities and internal development works remain incomplete or substandard, causing prolonged suffering to residents:

4.1 Water Harvesting System (WHS)

- WHS construction does not meet the design parameters in the project report submitted during approval.
- Rainwater harvesting has never functioned properly, leading to wastage of rainwater and depletion of groundwater levels, in violation of the Environment Protection Act.

4.2 Water Treatment Plant (WTP)

- A WTP has not been provided, leaving residents dependent on high-TDS water, unfit for human consumption or other use.

-2-

4.3 Solid Waste Management

- No proper solid waste management system exists in the colony. Garbage heaps are frequently visible, causing health hazards and pollution.

4.4 Roads

- Roads were constructed with poor quality and have deteriorated rapidly. Most remain damaged, except where residents have repaired them at their own expense.

4.5 Fire Hydrants

- Firefighting arrangements, including fire hydrants, have not been provided. The builder's claim that such systems are unnecessary for simplex/duplex and G+2 buildings is illogical and unacceptable.

4.6 Sewer Lines and Drainage System

- Sewer lines are substandard, often overflowing and mixing with drainage water, leading to contamination of underground water.

4.7 Solar Panels

- Solar panels, as per the agreement, have not been installed. ADA has ignored this non-compliance.

4.8 Sewerage Treatment Plant (STP)

- The STP constructed recently, following Hon'ble NGT orders, is undersized and substandard. Sewer lines connected to the STP are also of poor quality and damaged.

4.9 Dalab Ghar (Garbage Collection Facility)

- No separate Dalab Ghar has been established for garbage collection and disposal.

5. Misleading Submissions by ADA Officials

- Despite repeated complaints and court orders, ADA officials claim that only 10% of internal development works are pending.
- This contradicts prior notices issued by ADA to the builder, which detailed the extent of pending works.
- ADA's false submissions dishonour court orders and reflect a deliberate attempt to mislead residents and authorities.

6. Chronology of ADA Notices and Court Orders

- ADA issued multiple notices to the builder between 2013 and 2023, directing the completion of pending works.
- Orders from the Hon'ble High Court of Allahabad (Writ C 58986/16, order dated 15/12/2016), followed by a notice issued by the VC ADA to the builder in compliance with this order on 23/03/2017, as well as orders of the Hon'ble NGT, New Delhi (OA 329/21, IA 52, 53, 54, 312 & 313, orders dated 24/03/2022 and 18/01/2023), and subsequent notice issued by the ADA to the builder on 17/10/2023 in compliance with these orders, along with orders of the Hon'ble Apex Court, New Delhi (Civil Appeal No. 3546/23, orders dated 03/07/2023 and final order dated 03/12/2024), have repeatedly emphasized the need to address these issues. Despite

-3-

this, the builder has not complied, and the ADA has utterly failed to enforce the orders effectively.

- Despite this, the builder has not complied, and ADA has failed to enforce the orders effectively.

7. ADA's Failure to Fulfil Statutory Obligations

- ADA officials, in collusion with the builder, have neglected their statutory duties, as evidenced by repeated reprimands and penalties from courts.
- Their actions violate the Uttar Pradesh Apartment Act, 2010, and undermine the rights of residents.

8. Prayer for Immediate Action

In light of the above:

1. Call for all notices issued to the builder and analyze compliance status.
2. Direct the Vice-Chairman, ADA, to complete all pending internal development works and ensure the quality of the constructed STP.
3. Warn ADA officials against further misleading submissions and hold them accountable for past lapses.

If ADA fails to act promptly, additional documents highlighting these failures will be submitted to the Hon'ble courts for further action.

9. Conclusion

Residents of Nalanda Town Colony have suffered for over a decade due to the negligence of ADA and the builder. Immediate remedial action is essential to address these long-pending issues and ensure compliance with legal obligations.

Sincerely,



Dori Lal Yadav,
277 A, Nalanda Town Colony,
Shamshabad Road,
Agra 282001.

Intervener, EA 36/2023, Hon'ble NGT, New Delhi
Petitioner, Writ(C) 7787/2020, Hon'ble High Court, Allahabad



Fwd: Request for transfer of cited matters to Directorate of public grievance cell of Hon'ble CM UP in view of involvement of elements of fraud and collusion

1 message

Dori Lal Yadav <dlyadavconcor@gmail.com>
To: MAHENDRA SARASWAT <m.kr.saraswat@gmail.com>

Wed, 19 Mar 2025 at 8:37 pm

----- Forwarded message -----

From: **Dori Lal Yadav** <dlyadavconcor@gmail.com>

Date: Thu, Jan 9, 2025, 2:00 PM

Subject: Request for transfer of cited matters to Directorate of public grievance cell of Hon'ble CM UP in view of involvement of elements of fraud and collusion

To: Chief Secretary GoUP <csup@nic.in>, <contact@yogiadityanath.in>

Hon'ble sirs 09/01/25

In Nalanda Town Colony Shamsabad road Agra , colony developed by Nalanda Builders and Developers India Limited at Agra, map for shopping complex on mortgaged commercial plots C-7 to C - 11 was approved in favor of Nalanda Builders by ADA officials.

Since this approval involved material irregularity/ illegality, followed by fraud and collusion, it warrants investigation on the basis of merit and fixing of liability of builder and ADA officials as well.

Keeping in view of seriousness of issues ,the matter may kindly be transferred to Directorate of public grievance cell of Hon'ble CM UP.

Due and appropriate action into the matter will be highly appreciated.

Regds

**Fwd: Reminder to ensure action against erring officials of ADA and wrongs doer builder and compliance of Hon'ble court's orders.**

1 message

Dori Lal Yadav <dlyadavconcor@gmail.com>
To: MAHENDRA SARASWAT <m.kr.saraswat@gmail.com>

Wed, 19 Mar 2025 at 8:39 pm

----- Forwarded message -----

From: **Dori Lal Yadav** <dlyadavconcor@gmail.com>

Date: Tue, Jan 14, 2025, 11:33 AM

Subject: Reminder to ensure action against erring officials of ADA and wrongs doer builder and compliance of Hon'ble court's orders.

To: Chief Secretary GoUP <csup@nic.in>, <contact@yogiadityanath.in>, <psawasup@gmail.com>, <psecup.urbandev@nic.in>, <commagr@nic.in>

Respected/ Hon'ble sirs 14/01/25

Please find attached cited complaint wherein following sensitive issues were raised -

- 1- Commencement of construction in Nalanda Town Colony Shamsabad road Agra by Nalanda builder and Developers India Limited Agra without commencement certificate by ADA, violation of provisions of UP APARTMENT ACT 2010.
- 2- Sale of simplex /duplex / G+2 apartments without completion of internal development works, violation of condition precedent for sale.
- 3- Non submission of monthly progress report by builder and quality negligence by ADA officials , violation of provisions of UP APARTMENT ACT 2010.
- 4- Release of almost all mortgaged plots without ensuring completion of internal development works for which these plots were mortgaged as security, violation of existing provisions.
- 5- Inadequate mortgage of fresh plots by builders in exchange of disputed mortgaged plots token of collusion of ADA officials with builder.
- 6- Construction and sale of commercial complex on mortgaged plots , token of collusion of ADA Officials with builder.
- 7- Sale of mortgaged plots reserved for nursery school, token of collusion of ADA officials with builder and violation of provisions.
- 8- Lack of action against builder despite repeated court's orders, token of nexus.
- 9- ADA's repeated negligence leading to penalty by Hon'ble NGT New Delhi on ADA in OA 329/21 and by Hon'ble Apex court as well in Civil Appeal no 3546/23 , token of gross violations of statutory obligations and duties by ADA officials.
- 10- Request for immediate investigation and action in all issues.

Since it appears from attitude of ADA officials / builder that no any investigation has been ordered into these matters and action taken against erring officials of ADA and builders as well and ground position is more or less same as was earlier, it is therefore humbly requested again to please do needful , get all these matters investigated and ensure action against all erring officials and builders else complications in all issues will increase and may be against credit of government as well.

Looking forward for immediate fair investigation and action into these matters.

Sincerely

D L YADAV

Intervener in ongoing EA 36/23 in Hon'ble NGT NEW DELHI

**Subject: Request for Investigation and Compliance of Court Orders
– Issues Concerning Builder's Irregularities and ADA's Lapses**

Date: 03/10/2024

Respected Sir/Madam,

With deep regret and humility, I wish to bring to your kind attention the persistent wrongdoings, gross irregularities, omissions, and fraudulent activities of the above-mentioned builders, which have been reported multiple times in writing and verbally to various VCs and higher officials of the Agra Development Authority (ADA). Unfortunately, most of these issues remain unresolved, with only a few partially addressed after the intervention of the Hon'ble Courts.

Below is a detailed list of these irregularities and wrong doings:

1. Construction without Commencement Certificate:

The **Nalanda Town Colony** project on Shamshabad Road, Agra, was developed by the said builder and approved by ADA. However, after the approval, the commencement certificate was never issued by ADA, yet the builder continued construction. ADA failed to take appropriate action against this violation.

2. Non-Submission of Progress Reports and Quality Negligence:

As per regulations, builders are required to submit **monthly progress reports** for ongoing construction, which should be verified by ADA officials. However, the builder neither submitted any such reports, nor did ADA officials visit the site for verification. This negligence resulted in substandard construction and deviation from approved layouts, designs, and specifications

3. Sale of Units Before Completing Internal Development Works:

The builder sold almost all units without completing the necessary **internal development works and common facilities**, a clear violation of regulations. Despite over 700 complaints and various court cases, ADA officials did not enforce completion of these works, leaving residents in distress.

4. Release of Mortgaged Plots Without Ensuring Completion:

At the time of project approval, over 100 plots were mortgaged with ADA as security for completing internal development works. ADA released these plots

-2-

without verifying whether the builder had fulfilled their obligations. Despite repeated complaints, no substantial action was taken against the concerned officials.

5. Construction and Sale of Commercial Complex on Mortgaged Plots:

The builder illegally constructed a **shopping complex on mortgaged commercial plots (C/7 to C/11)** and sold all shops. ADA approved the construction maps on mortgaged plots, which is prohibited. Instead of penalizing the builder, ADA allowed them to substitute other plots for the mortgaged ones, furthering the irregularities.

6. Inadequate Mortgage of Fresh Plots:

When ADA allowed the builder to mortgage fresh plots in place of commercial ones, the builder proposed residential plots, measuring only **800 square meters** against the original **1200 square meters** commercial plots. ADA officials failed to object, further worsening the situation.

7. Sale of Mortgaged Plot Reserved for Nursery School:

The builder sold a **plot reserved for a nursery school** (503 sq meters), which was mortgaged with ADA as a guarantee for completing internal development works. This act of fraud went unnoticed by ADA officials, further highlighting their neglect.

8. Lack of Action Against Builder Despite Court Orders:

Despite multiple orders from courts, including a formal notice from ADA to mortgage **additional plots (1120 sq meters)**, the builder did not comply. No criminal action was taken against the builder for repeated frauds, which further demonstrates the laxity of ADA officials.

9. ADA's Negligence Leading to Penalty by NGT:

In **OA 329/21**, the Hon'ble **NGT, New Delhi**, imposed a penalty of **Rs. 2,25,00,000** on ADA for negligence. The casual and dilatory attitude of ADA

-3-

officials in handling these matters are a key reason for the imposition of this penalty. Compliance with statutory obligations could have avoided these penalties, but the indifference continued.

Request for Immediate Investigation and Action:

In view of these alarming irregularities, I humbly request the following:

- **Thorough investigation** into all the above-mentioned wrongdoings and irregularities on the part of the builder and ADA officials.
- **Fixing accountability** of all erring officials responsible for neglecting their statutory duties.
- **Enforcement of compliance** with the orders of:
 - Hon'ble **High Court Allahabad** in **Writ (C) 58986/2016**,
 - Hon'ble **NGT, New Delhi** in **OA 329/21**, and
 - Hon'ble **Apex Court, New Delhi** in **Civil Appeal 3546/23**.

I would be extremely grateful if you could kindly review these issues and ensure swift and suitable action.

Sincerely,



Dori Lal Yadav
277A, Nalanda Town Colony, Shamshabad Road,
Agra - 282001

- **Petitioner in Writ (C) 58986/2016**
- **Petitioner in Ongoing Writ (C) 7787/2020**
- **Intervener in OA 329/21**
- **Impleader in Civil Appeal 3546/23**

पत्रांक 1246/ओजी-334/2022

दिनांक 16/12/2022

पंजीकृत

प्रेषक,

जनसूचना अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
पता:-14, सेक्टर-3बी, आवास विकास सिकन्दरा योजना,
आगरा-282007

सेवा में,

श्री डोरी लाल यादव
277ए, नालंदा टाउन, कॉलोनी, शमशाबाद रोड,
आगरा-282001

विषय:- जन सूचना अधिकार अधिनियम, 2005 के अन्तर्गत सूचना उपलब्ध कराये जाने के सम्बन्ध में।
महोदय,

कृपया उपरोक्त विषयक अपने जन सूचना अधिकार अधिनियम, 2005 के अन्तर्गत ऑनलाईन आवेदन पत्र सं०-
DSPCB/R/2022/80102 दिनांक 05.12.2022 जो इस कार्यालय में दिनांक 05.12.2022 को प्राप्त हुआ है, का संदर्भ ग्रहण करने का कष्ट
करें। आपके सूचना अधिकार आवेदन पत्र का परिशीलन किया गया। आप द्वारा चाही गयी बिन्दुवार सूचना निम्नवत् है-

क्रम सं०	मागी गयी सूचना	सूचना का विवरण
1	माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में दायर OA 329/2021 में माननीय राष्ट्रीय हरित अधिकरण द्वारा दिये गये आदेश दिनांक 24.03.2022 के तहत राज्य पोल्युशन कंट्रोल बोर्ड, लखनऊ द्वारा नालंदा बिल्डर्स एण्ड डेवलपर्स इण्डिया लि०, आगरा के निदेशक भवन निर्माता श्री राधेश्याम शर्मा पर पर्यावरण संरक्षण उल्लंघन के लिए 21398437 रूपए का जुर्माना लगाया किया गया जिसे भवन निर्माता द्वारा जमा किए न किए जाने पर राज्य पोल्युशन कंट्रोल बोर्ड द्वारा दिनांक 18 मार्च 2022, 16 जून 2022 और 31 अक्टूबर 2022 को उक्त धनराशि जमा किए जाने हेतु बार-बार पत्र प्रेषित किए गए, उक्त पत्रों की प्रतियां उपलब्ध कराई जाएं।	मै० नालन्दा बिल्डर्स एण्ड डेवलपर्स इण्डिया लि०, आगरा के निदेशक भवन निर्माता श्री राधेश्याम शर्मा पर पर्यावरण संरक्षण उल्लंघन के लिए ₹०-2,13,98,437/- की पर्यावरण क्षतिपूर्ति को जमा कराये जाने हेतु कार्यालय द्वारा दिनांक 18.05.2022, 16.06.2022 एवं 31.10.2022 को भेजे गये पत्रों की छायाप्रतियाँ संलग्न हैं।
2	माननीय राष्ट्रीय हरित अधिकरण द्वारा ऊपर वर्णित ओए में दिये गये आदेश दिनांक 24.03.2022 के तहत राज्य पोल्युशन कंट्रोल बोर्ड को पर्यावरण संरक्षण का उल्लंघन करने वालों के विरुद्ध उत्पीड़नात्मक कार्यवाही के निर्देश भी दिए गए थे, उक्त आदेश के मुताबिक भवन निर्माता द्वारा जुर्माना की आरोपित धनराशि के अदा न किए जाने की स्थिति में राज्य पोल्युशन कंट्रोल बोर्ड द्वारा यदि भवन निर्माता के खिलाफ कोई उत्पीड़नात्मक कार्यवाही या आरसी/रिकवरी सर्टिफिकेट जारी किया गया हो तो उस की प्रति उपलब्ध कराएं।	आर०सी० की कार्यवाही प्रस्तावित है।
3	माननीय राष्ट्रीय हरित अधिकरण में प्रस्तुत एक्शन रिपोर्ट के अनुसार उक्त भवन निर्माता द्वारा पर्यावरण संरक्षण उल्लंघन के लिए उस पर राज्य पोल्युशन कंट्रोल बोर्ड द्वारा अधिरोपित की गई जुर्माना की धनराशि को कंटेस्ट किया गया है, कृपया भवन निर्माता द्वारा उस पर अधिरोपित किए गए जुर्माना की धनराशि को कंटेस्ट किए जाने संबंधी कार्यवाही का पूरा विवरण उपलब्ध कराया जाए।	विवरण उपलब्ध नहीं है।
4	पर्यावरण संरक्षण के उल्लंघन के लिए यदि किसी पर कोई जुर्माना अधिरोपित किया जाता है और उसे जमा किया जाता है तो जमा किए जाने के बाद उक्त धनराशि का उपयोग जिस उद्देश्य के लिए किया जाता है उसका पूरा विवरण उपलब्ध कराया जाए, यह प्रश्न पहले भी पूछा जा चुका है जिसका ब्रामक जबाब दिया गया था और जिसमें प्रक्रिया का उल्लेख किया गया था कृपया प्रक्रिया संबंधी सूचना न देकर उक्त धनराशि जिस मद में खर्च की जाती है उसका पूरा विवरण उपलब्ध कराया जाए।	अधिरोपित पर्यावरणीय क्षतिपूर्ति में जमा धनराशि के उपयोग हेतु सम्बन्धित विभाग द्वारा प्रस्ताव तैयार कर बोर्ड मुख्यालय स्तर से नियमानुसार केन्द्रीय प्रदूषण नियंत्रण बोर्ड/ना० राष्ट्रीय हरित अधिकरण, नई दिल्ली अनुमोदन हेतु भेजा जाता है, तदनुसार कार्यवाही की जाती है।

उपरोक्तानुसार सूचना आपको प्रेषित है तथा आपके ऑनलाईन आवेदन पत्र दिनांक 05.12.2022 को इस कार्यालय से निस्तारित किया जाता है। यदि आप उपर्युक्त उत्तर से संतुष्ट नहीं हैं तो आप सम्बन्धित अधिनियम की धारा 19(1) के अधीन इस पत्र के प्राप्त होने के दिनांक से तीस दिन के भीतर प्रथम अपीलीय प्राधिकारी के समक्ष अपील दायर कर सकते हैं, जिनका पता निम्नवत् है :

प्रथम अपीलीय अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
भवन संख्या-14, सेक्टर-3बी, आवास विकास कालोनी,
सिकन्दरा, आगरा।

भवदीय,

16/12/22
जनसूचना अधिकारी
9C



406
क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड,
भवन सं० 14, सेक्टर 3बी, आवास विकास सिकन्दरा योजना, आगरा।

पत्रांक - 851/04-673/2022

दिनांक - 31/10/2022

सेवा में,

श्री राधे श्याम शर्मा पुत्र श्री राम आसरे शर्मा,
 डायरेक्टर,
 मै० नालन्दा टाउन, शमसाबाद रोड, आगरा
 105, फ्रेण्डस विहार, पैराडाइस, खन्दारी,
 आगरा।

विषय:- मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रवाह को टाउनशिप के गेट के बाहर जमीन पर छोड़े जोन के कारण पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक इस कार्यालय के पूर्व प्रेषित पत्रांक 147/ओजी-640/2022 दिनांक 18.05.2022 एवं पत्रांक 316/ओजी-676/2022 दिनांक 16.06.2022 का संदर्भ ग्रहण करने का कष्ट करें। जिसके द्वारा मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रवाह को टाउनशिप के गेट के बाहर जमीन पर छोड़े जोन के कारण मै० नालन्दा बिल्डर्स एण्ड डवलपर्स के डायरेक्टर श्री राधे श्याम शर्मा पुत्र श्री राम आसरे शर्मा, 105, फ्रेण्डस विहार पैराडाइस खन्दारी, आगरा के विरुद्ध पर्यावरणीय क्षतिपूर्ति रू०-2,1398438/- (रूपये दो करोड़ तेरह लाख अट्ठानवे हजार चार सौ अड़तीस मात्र) अधिरोपित की गयी है। उक्त अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ को बैंक खाता सं०-701502010002104 IFSC CODE UBIN0570150 में एक सप्ताह के अन्दर जमा कराये जाने हेतु निर्देशित किया गया था, परन्तु अभी तक आप द्वारा उक्त अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि जमा नहीं करायी गयी है।

अतः आपको पुनः निर्देशित किया जाता है कि अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ के बैंक खाता सं०-701502010002104 IFSC CODE UBIN0570150 में एक सप्ताह के अन्दर जमा कराया जाना सुनिश्चित करें तथा जमा की गयी धनराशि का साक्ष्य इस कार्यालय को भी प्रेषित करें, जिससे सूचना बोर्ड मुख्यालय प्रेषित की जा सके। अन्यथा की दशा में अधिरोपित पर्यावरणीय क्षतिपूर्ति की वसूली राजस्व वसूली की भाँति किये जाने हेतु जिला प्रशासन को संदर्भित कर दिया जायेगा, जिसका सम्पूर्ण उत्तरदायित्व स्वयं आपका होगा।

भवदीय

(Handwritten Signature)

(डा० विश्वनाथ शर्मा)
 क्षेत्रीय अधिकारी (प्र०)

प्रतिलिपि:-

1. उपाध्यक्ष, आगरा विकास प्राधिकरण, आगरा को सूचनार्थ सादर प्रेषित।
2. मुख्य पर्यावरण अधिकारी(वृत्त-4), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ सादर प्रेषित।

(Handwritten Signature)
 31/10/22
 क्षेत्रीय अधिकारी (प्र०)
(Handwritten Signature)



क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड,
भवन संख्या 14, सेक्टर-3बी, आवास विकास सिकन्दरा योजना, आगरा।

पत्रांक - 31.6./ओ०जी०-676/2022

दिनांक - 16/06/2022

महत्वपूर्ण

सेवा में,

श्री राधे श्याम शर्मा पुत्र श्री आसरे शर्मा,
डायरेक्टर,
मै० नालन्दा टाउन, शमसाबाद रोड, आगरा,
105, फ़ेण्डस विहार, पैराडाइस, खन्दारी,
आगरा।

विषय:- मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रवाह को टाउनशिप के गेट के बाहर जमीन पर छोड़े जाने के कारण पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक इस कार्यालय के पूर्व प्रेषित पत्रांक 147/ओजी-640/2022 दिनांक 18.05.2022 का संदर्भ ग्रहण करने का कष्ट करें। जिसके द्वारा मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रवाह को टाउनशिप के गेट के बाहर जमीन पर छोड़े जाने के कारण मै० नालन्दा बिल्डर्स एण्ड डवलपर्स के डायरेक्टर श्री राधे श्याम शर्मा पुत्र श्री राम आसरे शर्मा, 105, फ़ेण्डस विहार पैराडाइस खन्दारी, आगरा के विरुद्ध पर्यावरणीय क्षतिपूर्ति रू०-2.1398438/- (रूपये दो करोड़ तेरह लाख अठ्ठानवे हजार चार सौ अड़तीस मात्र) अधिरोपित की गयी है। उक्त अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ को बैंक खाता सं०-701502010002104 IFSC Code UBIN0570150 में एक सप्ताह के अन्दर जमा कराये जाने हेतु निर्देशित किया गया था, परन्तु अभी तक आप द्वारा उक्त अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि जमा नहीं करायी गयी है।

अतः आपको पुनः निर्देशित किया जाता है कि अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ के बैंक खाता सं०-701502010002104 IFSC Code UBIN0570150 में एक सप्ताह के अन्दर जमा कराया जाना सुनिश्चित करें तथा जमा की गयी धनराशि का साक्ष्य इस कार्यालय को भी प्रेषित करें, जिससे सूचना बोर्ड मुख्यालय प्रेषित की जा सके।

भवदीय,

(डॉ० विश्वनाथ शर्मा)
क्षेत्रीय अधिकारी(प्र०)

प्रतिलिपि :

1. उपाध्यक्ष, आगरा विकास प्राधिकरण, आगरा को सूचनार्थ सादर प्रेषित।
2. मुख्य पर्यावरण अधिकारी (वृत्त-4), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ सादर प्रेषित।

(डॉ० विश्वनाथ शर्मा)
क्षेत्रीय अधिकारी(प्र०)



क्षेत्रीय कार्यालय प्रदूषण नियंत्रण बोर्ड,
भवन सं० 14, सेक्टर 3बी, आवास विकास सिकन्दरा योजना, आगरा।

पत्रांक -147/154-640/2022

दिनांक -16/05/2022

सेवा में,

श्री राधे श्याम शर्मा पुत्र श्री राम आसरे शर्मा,
डायरेक्टर,
मै० नालन्दा टाउन, शमसाबाद रोड, आगरा,
105, फ़ैण्ड्स विहार, पैराडाइस, खन्दारी,
आगरा।

पंजीकृत

विषय:- मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रेषण को टाउनशिप के गेट के बाहर जमीन पर छोड़े जाने के कारण पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के पत्रांक एच75360/सी-4/एन०जी०टी०-141/2022 दिनांक 10.05.2022 का संदर्भ ग्रहण करें। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-329/2021 देवांशु बोस बनाम आगरा विकास प्राधिकरण एवं अन्य में दिनांक 24.03.2022 को पारित आदेश के क्रम में अपर मुख्य सचिव, वन, पर्यावरण एवं जलवायु परिवर्तन-विभाग, उ०प्र० शासन द्वारा दिये गये निर्देश के अनुपालन में मै० नालन्दा टाउन, शमसाबाद रोड, आगरा में एस०टी०पी० का निर्माण किये बगैर अशुद्धिकृत सीवेज उत्प्रेषण को टाउनशिप के गेट के बाहर जमीन पर छोड़े जाने के कारण मै० नालन्दा बिल्डर्स एण्ड डेवलपर्स के डायरेक्टर श्री राधे श्याम शर्मा पुत्र श्री राम आसरे शर्मा, 105, फ़ैण्ड्स विहार पैराडाइस खन्दारी, आगरा के विरुद्ध पर्यावरणीय क्षतिपूर्ति रु०-2,1398438/- (रुपये दो करोड़ तेरह लाख अठ्ठानबे हजार चार सौ अड़तीस मात्र) अधिरोपित की गयी है।

उक्त अधिरोपित पर्यावरणीय क्षतिपूर्ति की धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ को बैंक खाता सं०-701502010002104 IFSC Code UBINO570150 में एक सप्ताह के अन्दर जमा कराना सुनिश्चित करें। जमा की गयी धनराशि का साक्ष्य इस कार्यालय को भी प्रेषित करें, जिससे सूचना बोर्ड मुख्यालय प्रेषित की जा सके।

भवदीय

(डा० विश्वनाथ शर्मा)
क्षेत्रीय अधिकारी (प्र०)

प्रतिलिपि:-मुख्य पर्यावरण अधिकारी (वृत्त-4), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।

क्षेत्रीय अधिकारी (प्र०)

कार्यालय जनसूचना अधिकारी/तहसीलदार (सदर), आगरा 64

पत्रांक 3838/वा0वा0न0

दिनांक 28.10.2024

विषय :- जन सूचना अधिकार अधिनियम-2005 के अन्तर्गत सूचना उपलब्ध कराये जाने के सम्बन्ध में।

श्री महेन्द्र कुमार सारस्वत,
निवासी 67-ए नालन्दा टाउन,
शमशाबाद रोड़ आगरा।
Email ID-m.kr.saraswat@gmail.com

ANNEXURE 16

उपरोक्त विषयक जनसूचना अधिकार अधिनियम 2005 के अन्तर्गत आपके द्वारा ऑनलाईन आवेदन पत्र संख्या डी.एम.ओ.ए.आर/आर/2024/60230 दिनांक 19.09.2024 जो इस कार्यालय में दिनांक 26.09.2024 को प्राप्त हुआ है, के द्वारा प्रार्थना पत्र प्रस्तुत कर सूचना चाहीं गयी है। जिसका विवरण निम्नप्रकार है:-

क्र० सं०	चाही गयी सूचना का विवरण	चाही गयी सूचना का उत्तर
1	यूपीपीसीबी लखनऊ या आरओ आगरा ने आपके कार्यालय को मुआवजा राशि 21398438/रू0 वसूलने के लिए अनुरोध किया गया था, जो कि यूपीपीसीबी लखनऊ द्वारा निदेशक नालन्दा बिल्डर्स एंड डेवलपर्स इंडिया लि0 आगरा श्री राधेश्याम शर्मा पर जल निवारण और प्रदूषण नियंत्रण अधिनियम-1974 के प्रावधानों का उल्लंघन करने और मा0 एनजीटी नई दिल्ली के आदेश दिनांक 24.03.2022 के अनुपालन में भू-राजस्व के रूप में लगाया गया था। कृपया उक्त राशि की वसूली या उस राशि को जमा करने में विफल रहने पर विल्डर के विरुद्ध की गयी कार्यवाही की अद्यतन स्थिति से अवगत कराने एवं सिविल अपील नं0 3546/23 मा0 सर्वोच्च न्यायालय नई दिल्ली में लम्बित है जिसमें सुनवाई हेतु माह नवम्बर-2024 नियत है।	प्रश्नगत प्रकरण में भू-राजस्व की भांति वसूली किये जाने हेतु मांग पत्र कार्यालय में अप्राप्त है। वसूली प्रमाण पत्र प्राप्त होते ही वॉछित कार्यवाही अमल में लायी जायेगी।

उक्त सूचना आपकी ईमेल आई0डी0 m.kr.saraswat@gmail.com पर भी प्रेषित की जा रही है। तत्कम में सूचित होने का कष्ट करें।



जनसूचना अधिकारी/
तहसीलदार सदर,
आगरा।

कार्यालय जनसूचना अधिकारी/तहसीलदार (सदर), आगरा।

पत्रांक 3867 / वा0वा0न0

दिनांक 27.12.2024

विषय :- जन सूचना अधिकार अधिनियम-2005 के अन्तर्गत सूचना उपलब्ध कराये जाने के सम्बन्ध में।

श्री डोरी लाल यादव

पता 277ए नालंदा टाउन आगरा-282001

Email ID-diyadavconcor@gmail.com

उपरोक्त विषयक जनसूचना अधिकार अधिनियम 2005 के अन्तर्गत आपके द्वारा ऑनलाईन आवेदन पत्र संख्या डी.एम.ओ.ए.आर/आर/2024/60276 दिनांक 14.10.2024 जो इस कार्यालय में दिनांक 22.11.2024 को प्राप्त हुआ है, के द्वारा प्रार्थना पत्र प्रस्तुत कर सूचना चाही गयी है। जिसका विवरण निम्नप्रकार है:-

क्र० सं०	चाही गयी सूचना का विवरण	चाही गयी सूचना का उत्तर
1	<p>1-नालंदा बिल्डर्स एण्ड डेवलपर्स इंडिया लिमिटेड आगरा के निदेशक श्री राधे श्याम शर्मा पर लगाए गये 21398438/रु० की मुआवजा राशि की वसूली की वर्तमान स्थिति से अवगत कराये।</p> <p>2-अवगत वसूल की गयी राशि की पूरी जानकारी प्रदान करें ?</p> <p>3-यदि उक्त राशि बिल्डर द्वारा एक बार में जमा नहीं की जा सकी हो तो किरतों में हुई वसूली का पूरा विवरण प्रदान करें।</p> <p>4-यदि बिल्डर ने अभी तक कोई राशि जमा नहीं की है तो कृपया वसूली सुनिश्चित करने के लिये बिल्डर के खिलाफ शुरु की गयी कार्यवाही की जानकारी दें।</p> <p>5-यह जानकारी सिविल अपील सं० 3545/23 जो मा० सर्वोच्च न्यायालय नई दिल्ली में विचाराधीन है में प्रस्तुत करने के लिये आवश्यक हो सकती है और पर्यावरण संरक्षण और ध्यापक जनहित की सुझा के लिये आवश्यक है।</p>	<p>उपरोक्त प्रश्न निर्यंत्रण बोर्ड द्वारा राधेश्याम पुत्र श्री राम आसरे शर्मा डायरेक्टर 105 फेडस विहार पिराडाइज खन्दारी आगरा पर बकाया मु० 2.13,98,438/रु० का वसूली प्रमाण पत्र वसूली हेतु दिनांक 07.12.2024 को प्राप्त हुआ है, जिसमें श्री छीतर सिंह राना संग्रह अमीन द्वारा बाकीदार के विरुद्ध दिनांक 13.12.2024 को साटेसन जारी कराया गया है। बकायेदार के विरुद्ध वसूली की कार्यवाही प्रचलन में है।</p>

उक्त सूचना आपकी ईमेल आईडी-diyadavconcor@gmail.com पर भी प्रेषित की जा रही है। तत्कम में सूचित होने का कष्ट करें।

जनसूचना अधिकारी/
तहसीलदार सदर,
आगरा।

ANNXURE 18

5/19



क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड,
सं० 14, सेक्टर 3बी, आवास विकास सिकन्दरा योजना, आगरा।

Umai.vasara@uppcb.in

पत्रांक - 1982/ओजी-673/2023

दिनांक - 18 / 12 / 2023

महत्त्वपूर्ण
मा० सर्वोच्च न्यायालय/मा० एन०जी०टी० प्रकरण

सेवा में
उपाध्यक्ष,
आगरा विकास प्राधिकरण,
आगरा।

विषय:- मा० सर्वोच्च न्यायालय द्वारा सिविल अपील संख्या-3546/2023 आगरा विकास प्राधिकरण बनाम देवाशु बोस एवं अन्य में पारित आदेश दिनांक 04.12.2023 एवं मा० राष्ट्रीय हरित अधिकरण में योजित ओ०ए० संख्या-329/2023 देवाशु बोस बनाम आगरा विकास प्राधिकरण एवं अन्य में दिनांक 18.01.2023 एवं ई०ए० संख्या 36/2023 देवाशु बोस बनाम आगरा विकास प्राधिकरण एवं अन्य में दिनांक 09.10.2023 को पारित आदेश के अनुपालन के सम्बन्ध में।

महोदय

कृपया उपरोक्त विषयक सदर्थ ग्रहण करने का कष्ट करें। आप अवगत है कि श्री देवाशु बोस निवासी नालन्दा टाउन, शमसाबाद रोड, आगरा द्वारा नालन्दा टाउन से जनित सीवेज उत्प्रवाह को पम्पिंग सेट के माध्यम से नालन्दा टाउन गेट न०-2 के बाहर सड़क किनारे जमीन पर डिस्चार्ज किये जाने के सम्बन्ध में याचिका मा० राष्ट्रीय हरित अधिकरण में दाखिल की गई थी। जिसमें मा० अधिकरण द्वारा समय-समय पर आदेश पारित किये गये हैं। तत्कम में राज्य प्रदूषण नियंत्रण बोर्ड द्वारा मा० नालन्दा बिल्डर्स एण्ड डवलपर्स के डायरेक्टर श्री राजे श्याम शर्मा पुत्र श्री राम आसरे शर्मा 105 फ्रेण्ड्स विहार पैराडाइस खन्दारी, आगरा के विरुद्ध पर्यावरणीय क्षतिपूर्ति ₹०-2,13,98,438/- (रुपये दो करोड़ तेरह लाख अट्ठानवे हजार चार सौ अठतीस मात्र) कार्यालय के पत्र संख्या: एच75360/सी: 4/एन०जी०टी०-141/2022 दिनांक 10.05.2022 द्वारा अधिराजित की गयी थी तथा वर्तमान में आर०सी० जारी किये जाने की कार्यवाही प्रगतिमान है।

मा० राष्ट्रीय हरित अधिकरण द्वारा ओ०ए० संख्या-329/2021 देवाशु बोस बनाम आगरा विकास प्राधिकरण एवं अन्य में दिनांक 24.3.2022 को आगरा विकास प्राधिकरण को अंतरिम क्षतिपूर्ति के रूप में ₹०-25,00,000/- (रुपये पच्चीस लाख मात्र) जिलाधिकारी महोदय आगरा के पास जमा कराये जाने के सम्बन्ध में निर्देश जारी किये गये थे। जिसके क्रम में आगरा विकास प्राधिकरण द्वारा अंतरिम क्षतिपूर्ति उ०प्र० प्रदूषण नियंत्रण बोर्ड में दिनांक 28.07.2023 को जमा करायी गयी है। मा० अधिकरण द्वारा दिनांक 18.01.2023 को पारित आदेशों में आगरा विकास प्राधिकरण को पर्यावरण को हानि नुकसान की भरपाई के सम्बन्ध में ₹०-2,00,00,000/- (रुपये दो करोड़ मात्र) क्षतिपूर्ति राज्य प्रदूषण नियंत्रण बोर्ड के पास जमा कराये जाने के निर्देश दिये गये हैं।

अवगत कराना है कि कार्यालय के प्राधिकारियों द्वारा दिनांक 23.11.2023 को क्षेत्रीय निरीक्षण के समय नालन्दा टाउन गेट न०-2 के बाहर सड़क पर नालन्दा टाउन कॉलोनी से जनित सीवेज उत्प्रवाह पूर्व की भाँति एकत्रित पाया गया जोकि जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 का स्पष्ट उल्लंघन दर्शाता है।

Fwd: Request to provide copy of ACTION TAKEN REPORT filed by ADA / UPPCB in Hon'ble Apex court in compliance with orders of Hon'ble apex court dated 03/05/24 and earlier orders

1 message

Dori Lal Yadav <dlyadavconcor@gmail.com>
To: MAHENDRA SARASWAT <m.kr.saraswat@gmail.com>

Wed, 19 Mar 2025 at 8:52 pm

----- Forwarded message -----

From: **Dori Lal Yadav** <dlyadavconcor@gmail.com>

Date: Thu, Aug 8, 2024, 5:17 AM

Subject: Request to provide copy of ACTION TAKEN REPORT filed by ADA / UPPCB in Hon'ble Apex court in compliance with orders of Hon'ble apex court dated 03/05/24 and earlier orders

To: vice chairman ada <vcadaagra@gmail.com>

Cc: <commagr@nic.in>, RO Agra <roagra@uppcb.com>, <ms@uppcb.com>, <chairman@uppcb.in>, Chief Secretary GoUP <csup@nic.in>, <kulshreshthasassociates@yahoo.com>, <pradeepmisra@yahoo.com>

Respected sir/ sirs Dated 08/08/24

I alongwith Mr Mahendra Kumar Saraswat are impleaders in civil appeal no 3546/ 2023 (Agra Development Authority v/s Debanshu Bose & ors).

Our common application / request for impleadment and to appear and argue in person has been accepted by Hon'ble apex court , interaction with Hon'ble registrar has been completed and our application has been registered as IA 51387 & 51390 , hence we are like other Respondent applicants in the said case.

In view of the above, copies of ACTION TAKEN REPORT / ACTION TAKEN by ADA & UPPCB to be provided to us also but not being provided hence impleaders are unable to know the reality of reports ,submitted by ADA & UPPCB and can't apprise the court if reports are different from ground reality and in violation of directions/ orders of Hon'ble courts.

In view it is humbly requested to please send copy of ATR / REPORT submitted by ADA and UPPCB on my undercited email id so that Hon'ble court may be apprised of ground reality and deviation if any.

My email id

dlyadavconcor@gmail.com

I shall be highly grateful to you for kind and due action into the matter.

Regds

DORI LAL YADAV

Impleader in civil appeal no 3546/2023



आगरा विकास प्राधिकरण, आगरा

पत्रांक:-183/अव-1/11-22-
प्रेषक,

दिनांक:-22/02

अधीक्षण अभियन्ता(भवन)
आगरा विकास प्राधिकरण,
आगरा।

सेवा में,

श्री डोरी लाल यादव
निवासी-277, नालन्दा टाउन,
आगरा।

सन्दर्भ-समन्वित शिकायत निवारण प्रणाली संदर्भ सं०-40014621043493 के सम्बन्ध में।

महोदय,

कृपया समन्वित शिकायत निवारण प्रणाली (आई०जी०आर०एस) के अन्तर्गत प्राप्त संदर्भित शिकायत संख्या-40014621043493 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें आपके द्वारा नालन्दा टाउन कालोनी में आन्तरिक विकास कार्य न कराये जाने के सम्बन्ध में है।

इस सम्बन्ध में अवगत कराना है कि शासनादेश संख्या-1/2020/129/चौतीस-लो०शि०-05/2020-05 लो०शि/2019 दिनांक 17.02.2020 के बिन्दु संख्या-6(क);iii के अन्तर्गत मा० न्यायलय में विचारधीन से सम्बन्धित प्रकरण जन शिकायत की श्रेणी में नहीं आते हैं। आप द्वारा चाही गयी सूचना " मा० न्यायलय में विचारधीन " से सम्बन्धित है। अतः आपके आवेदन पर विचार किया जाना सम्भव नहीं है।

तदनुसार अवगत होने का कष्ट करें।

भवदीय

अधीक्षण अभियन्ता(भवन)
आगरा विकास प्राधिकरण,
आगरा।

प्रतिलिपि:-

1. नोडल अधिकारी, (आई०जी०आर०एस०) आ०वि०प्रा०, आगरा को सूचनार्थ प्रेषित।

अधीक्षण अभियन्ता(भवन)

दिनांक 04/09/2024

पत्रांक 558/ओजी-334/2024

पंजीकृत

प्रेषक:
जनसूचना अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
पता -14, सेक्टर-3बी, आवास विकास सिकन्दरा योजना,
आगरा-282007

सेवा में,
श्री डोरी लाल यादव,
277ए नालदा टाउन,
आगरा-282001
(मो० न०-6396583077)

विषय:- जन सूचना अधिकार अधिनियम, 2005 के अन्तर्गत सूचना उपलब्ध कराये जाने के सम्बन्ध में।
महोदय,

कृपया उपरोक्त विषयक अपने जन सूचना अधिकार अधिनियम, 2005 के अन्तर्गत ऑनलाईन आवेदन पत्र स०-DSPCB/R/2024/80044 दिनांक 16.08.2024 द्वारा इस कार्यालय में दिनांक 27.08.2024 को प्राप्त हुआ, का सदर्भ ग्रहण करने का कष्ट करें। आपके सूचना अधिकार आवेदन पत्र का परिशीलन किया गया। आप द्वारा चाही गयी बिन्दुवार सूचना निम्नवत् है-

क्रम सं०	मांगी गयी सूचना	सूचना का विवरण
1	Please provide copy of affidavit of compliance submitted in honourable Apex Court New Delhi in civil appeal 3546/23 on behalf of UPPCB Lucknow in compliance with order dated 04/12/23.	संदर्भित वाद का शपथ पत्र की प्रति मा० न्यायालय से प्राप्त की जा सकती है।
2	Please provide copy of analysis report of samples of water collected by UPPCB team from Nalanda town colony Shamshabad Road Agra in the month of Nov 2023 and Feb. 2024 in compliance with orders of aforementioned civil appeal.	विश्लेषण आख्यायें संलग्न है।
3	Please provide ground on the basis of which penalty of Rs. 1054687.50 was calculated and imposed on director of Nalanda builders after aforementioned analysis report for two months only despite continuity of water pollution till aforesaid inspection after final orders of honourable NGT New Delhi dated 18/01/23.	केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की मार्गदर्शिका के अनुसार संदर्भित संस्था का द्वितीय बार ₹०-10,54,687.50/- की पर्यावरणीय क्षतिपूर्ति जारी की गयी है।
4	Please intimate criteria of calculation of aforementioned penalty per day basis.	केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की मार्गदर्शिका के अनुसार
5	Please intimate whether imposed penalty of Rs. 1054687.50 was calculated at normal rate which is imposed in the case of commission of first offence or at enhanced rate which is applied in cases of continuance of pollution and in cases of repeated offences or continuance of offences.	केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की मार्गदर्शिका के अनुसार संदर्भित संस्था का द्वितीय बार ₹०-10,54,687.50/- की पर्यावरणीय क्षतिपूर्ति जारी की गयी है। प्रथम बार संदर्भित संस्था के विरुद्ध ₹०-21358438/- की पर्यावरणीय क्षतिपूर्ति जारी की गयी है।

Replies Highlights Articles Media Likes



Dori Lal Yadav @ArduousWarrior · 23 Jan

@myogiadityanath

@myogioffice

@UPGovt

@ChiefSecyUP

Sirs

This complaint with other of 2014 fwd on 3/1/25 to you , others & Hon'ble CM UP for due action

About 800 complaints on public interests digested by your officials w/o resolution , good governance ?

commagr@nic.in

Date 3 Jan 2025, 3:57 pm

See security details

Hon'ble/ Respected sirs

Kindly refer my complaint which was forwarded in 2014 whereon no any action has yet been taken by ADA officials, more than 750 such complaints have been forwarded by me against irregularities, frauds ,wrongs and illegal recoveries resorted by builders but except issuance of fimal notices no criminal or tough action has yet been initiated against builder/ builders.

More surprising is that for defaults or wrongs of builder ,ADA has been penalized repeatedly but ADA officials are not ready to initiate action against builder , is this not token of strong nexus between builders and officials of development authorities and other higher authorities, High handedness of officials and their direct or indirect support to wrong doer builders is leading to more and more legal cases which is highly unfortunate and condemnable.

In view it is requested to please order investigation in all these matters through only honest officers and ensure toughest action against erring/ incompetent/ inefficient casual/ careless / corrupt officials.

← Reply



Dori Lal Yadav @ArduousWarrior · 24 Jan

@ChiefSecyUP

@myogiadityanath

ANNEXURE 23

Sirs

Can anything be done to control wrong doer builders and their supporters bureaucrats??

Date: Thu, 23 Jan, 2023, 2:01 pm

Subject: Non compliance of orders of Hon'ble NGT New Delhi, Hon'ble High Court Allahabad and Hon'ble Apex court New Delhi

To: <vcadaagra@gmail.com>, <vcada@rediffmail.com>, <commagr@nic.in>, <psecup.urbandev@nic.in>, <csup@nic.in>, Chief Minister Office Uttar Pradesh <cmup@nic.in>

Respected/Hon'ble sirs

23/01/25

Please look into attached complaint on cited subject and do needful to ensure compliance of orders of Hon'ble courts, completion of all internal development works in Nalanda town colony shamsabad road agra, and ensure quality assurance of STP constructed by Nalanda Builders and Developers India Limited which is substandard and undersized and which has not been constructed as per parameters of project report, which is also not yet functional.

Please also ensure maintenance of all services of Nalanda town colony shamsabad road agra and operation of STP by Nalanda Builders till completion of all pending internal development works and receipt of CC by ADA which is not being done by cited builder.

Failing which failures may be brought into kind notice of Hon'ble NGT New Delhi in ongoing EA 36/2023.

Looking forward for due and effective action into the matter.

Regds

D L YADAV



Dori Lal Yadav @ArduousWarrior · 24 Jan

← Reply

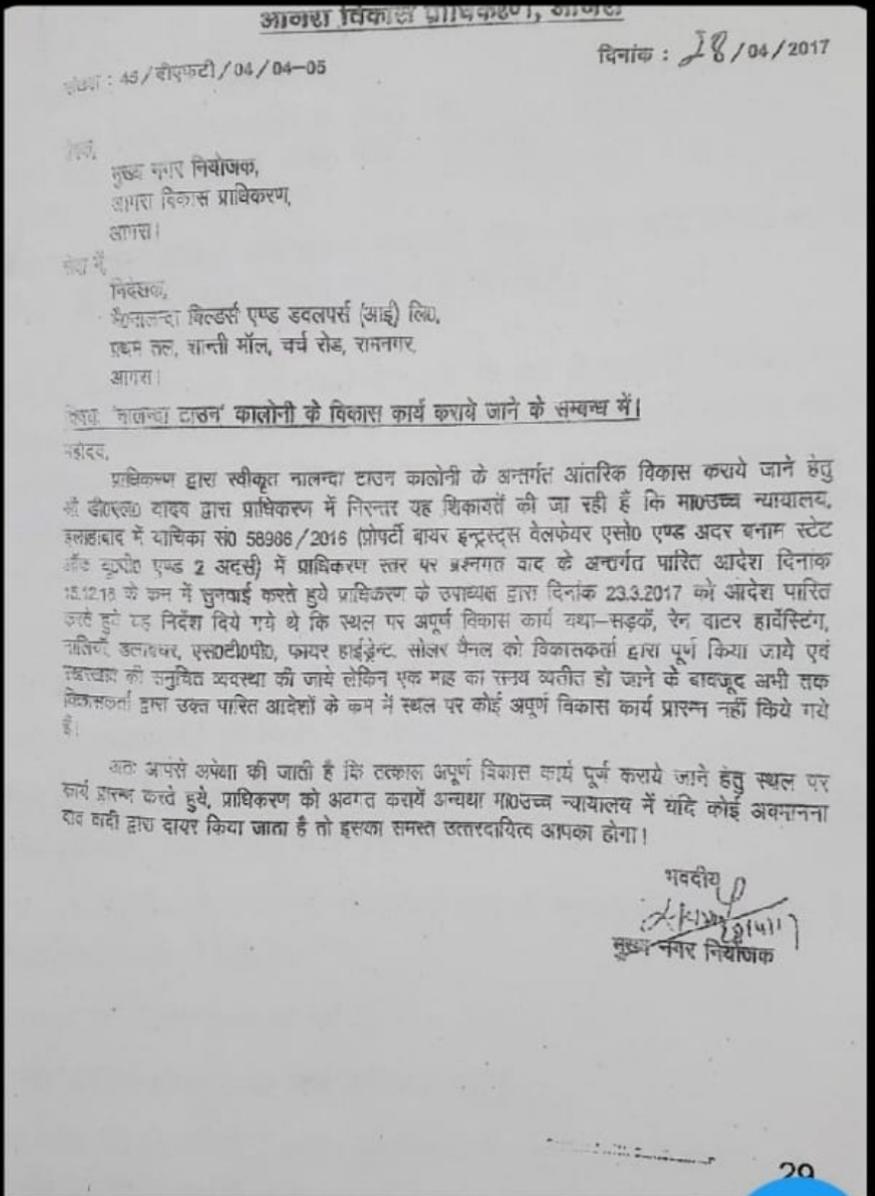


Dori Lal Yadav @ArduousWarrior · 30 Jan
 @vcadaagra @CommissionerAgr @UPGovt
 @ChiefSecyUP @myogiadi

ANNEXURE 24

Sirs

Pl refer notice having pending internal development works, works still pending & ADA officials misleading that 10% works pending, token of nexus with builder.



29

Dori Lal Yadav @ArduousWarrior · 30 Jan

Reply



Dori Lal Yadav @ArduousWarrior · 30 Jan

@vcadaagra @CommissionerAgr
@ChiefSecyUP @myogiadityanath

Hon'ble sirs

Despite elapse of more than 1 & 1/2 yrs and repeated complaints on this issue, structure stability certificate/ fitness certificate not yet ensured by expert agency.



Dori Lal Yadav 30/3/2023

to vcadaagra, commagr, ...



Respected sir

Please refer order of Hon'ble NGT DELHI dated 18/01/23 in respect of OA 329/2021, IA 312, 313 and other additional documents wherein issue of substandard quality of STP , dilatory attitude of ADA regarding checking of quality of STP, it's operation and maintenance was raised and wherein penalty of Rs 20000000 was imposed on ADA ,in addition to imposition of Rs 2500000/ penalty which was imposed in earlier order dated 24/03/22 .

Despite imposition of aforesaid penalty and annoyance, shown by Honorable NGT DELHI, no action seems to have been taken by ADA to check quality of STP, it's operation and maintenance, which may again have to be raised during EA.

It's humble request to kindly do needful to avoid further litigation.

Regds

D L YADAV.
277A NALANDA TOWN COLONY
SHAMSABAD ROAD AGRA
282001





23

**Dori Lal Yadav** @ArduousWarrior · 30 Jan

@UPPCBLKO

@ChiefSecyUP

@myogiadityanath

Respected sir

Recovery status of EC imposed on Director of Nalanda Builders Agra in compliance with orders of Hon'ble NGT New Delhi is not yet known despite elapse of more than 2 & 1/2 yrs, pl do needful

EC for Rs 21398438 ,imposed on Director Nalanda Builders and Developers India Limited Agra Shri Radhey Shyam Sharma [Add label](#)



D

Dori Lal Yadav 11:11 pm

to RO, psforest2015, ms, ... ^



From Dori Lal Yadav · dlyadavconcor@gmail.com

To RO Agra · roagra@uppcb.in
psforest2015@gmail.com
ms@uppcb.in
chairman@uppcb.in
Chief Secretary GoUP · csup@nic.in
cmup@nic.in
contact@yogiadityanath.in

Date 30 Jan 2025, 11:11 pm

[See security details](#)

Reply





Dori Lal Yadav @ArduousWarrior · 03 Feb
@ChiefSecyUP @myogiadityanath @UPGovt
Sirs

Pl look into this & other 12 on the issue, neither acknowledged nor action taken to address issue, does system watch patience of complainants to subside irrelevantly to favor wrong doers? Is system collapsing?



Dori Lal Yadav 7:17 am

to Dm, RO, commagr, CE... ^



From Dori Lal Yadav · dlyadavconcor@gmail.com

To Dm Agra · dmagra.agra@gmail.com

RO Agra · roagra@uppcb.in

commagr@nic.in

CEO 4 · ceo4@uppcb.in

ms@uppcb.in

chairman@uppcb.in

psforest2015@gmail.com

contact@yogiadityanath.in

cmup@nic.in

Date 3 Feb 2025, 7:17 am

[See security details](#)

Respected/Hon'ble sirs

03/02/25

Please find attached undercited complaint in pdf format and ensure swift recovery of compensation amount cited under subject.

Regds

D L. Yadav

Today, 5:17 am

Pl look at cited complaint fwd on email on non completion of internal/ external development works/ non compliance of orders of Hon'ble courts & other issues, pl do needful.

9:36

71%



D

Dori Lal Yadav 9:24 AM

to psawasup, psecup.urb... ^



From Dori Lal Yadav · dlyadavconcor@gmail.com

To psawasup@gmail.com
psecup.urbandev@nic.in
psforest2015@gmail.com
ms@uppcb.in

chairman@uppcb.in

Dm Agra · dmagra.agra@gmail.com

Chief Secretary GoUP · csup@nic.in

contact@yogiadityanath.in

Cc commagr@nic.in

vice chairman ada · vcadaagra@gmail.com

vcada@rediffmail.com

adaagrabhawan@gmail.com

adaagra map · adaagramap@gmail.com

RO Agra · roagra@uppcb.in

Date Feb 19, 2025, 9:24 AM

Post your reply



Reply



**Dori Lal Yadav**

3,775 posts

ANNEXURE 27

Posts

Replies

Highlights

Articles

Media

**Dori Lal Yadav** @ArduousWarrior · 03 Mar

@UPGovt

@UPPCBLKO

@ChiefSecyUP

@myogiadityanath

@mygioffice

Sirs

Email regarding non compliance of orders of Hon'ble NGT New Delhi and other issues related to protection of environment and larger public interests sent ondate. Pl do needful.

**Dori lal yadav** 9:54 PM

to vcadaagra, vcada, dm...



From Dori lal yadav - dlyadavconcor25@gmail.com

To vcadaagra@gmail.com
vcada@rediffmail.com
dmagra.agra@gmail.com
roagra@uppcb.in
commagr@nic.in
psawasup@gmail.com
psecup.urbandev@nic.in
psforest2015@gmail.com
ms@uppcb.in
chairman@uppcb.in
doeuplko@yahoo.com
up.seiaa@yahoo.com
csup@nic.in
contact@yogiadityanath.in

Date Mar 3, 2025, 9:54 PM

[View security details](#)

← Post

ANNEXURE 28



Dori Lal Yadav
@ArduousWarrior

@vcadaagra @CommissionerAgr @UPGovt
@myogioffice @myogiadityanath
@CMOfficeUP

Hon'ble sir

Fwd complaint on issue of sale of mortgaged plots and wrongs thereon on your email today ,warrants investigation and appropriate action into matter,pl do needful.



Dori lal yadav 9:27 AM

to vcadaagra, vcada, co... ^



From Dori lal yadav · dlyadavconcor25@gmail.com

To vcadaagra@gmail.com
vcada@rediffmail.com
commagr@nic.in
psawasup@gmail.com
psecup.urbandev@nic.in
csup@nic.in
contact@yogiadityanath.in

Date Mar 8, 2025, 9:27 AM

Post your reply

