

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 447/2018

IN THE MATTER OF :

Kaushambi Apartments Residents
Welfare Association (KARWA) ... Applicant

Versus

District Magistrate, Ghaziabad & Anr. ... Respondents

**COMPLIANCE AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO.2 GHAZIABAD NAGAR NIGAM,
GHAZIABAD**

I, Deshraj, son of Sri Chohal Singh, aged about 47 years, posted as Executive Engineer, Ghaziabad Nagar Nigam, Ghaziabad, U.P. presently at New Delhi do hereby solemnly affirm and state as under:

1. That the deponent is working as the Executive Engineer, Ghaziabad Nagar Nigam and is well conversant with the facts and circumstances of the case and hence, competent to swear this affidavit.
2. That the Ghaziabad Nagar Nigam had filed an Affidavit of Compliance on 29.1.2020 followed by an application for extension of time which was filed on 7.5.2020. Along with the aforesaid application for extension of time, the Ghaziabad Nagar Nigam had also filed a status report depicting the exact position of the work done by them till that date and the reason as to why

they were praying for further extension of time to complete the said work.

3. That this Hon'ble Tribunal vide order dated 12.5.2020 was pleased to allow the aforesaid application for extension of time filed by the Ghaziabad Nagar Nigam and directed that all the pending work be completed positively by 31.8.2020. The Hon'ble Tribunal had further directed the Ghaziabad Nagar Nigam to ensure that there was no stagnate water in the drains as the same may be source of damage to the public health. A further direction was issued to properly maintain the drains. The Hon'ble Tribunal directed the Ghaziabad Nagar Nigam to file a further compliance report on or before 15.9.2020.
4. That the Ghaziabad Nagar Nigam has been engaged in taking all remedial actions for repair and maintenance of the drains and as on date all the repair work has been completed so far as the drain from Udaigiri Apartment to Panchmani Apartment is concerned (in the earlier Status Report it was clearly informed to this Hon'ble Tribunal that 85% of the work had been completed at that point of time). Similarly, the repair work on the drain running from Sumeru Apartment to Malaygiri Apartment wherein 85% of the work was completed as per the earlier Status Report dated 7.5.2020, has now been completely repaired and is functioning in normal and clean manner.
5. That it is relevant to submit here that the construction of the RCC drain behind the Metro Station Ganesh Hanuman Temple to Wave Mall has also now been completed as the said work order had been given to M/s Shantanu Construction on 21.10.2019. In

other words, the drain running from Central Park to Wave Cinema is complete in all respect and is functioning in consonance with the procedure established in law.

6. That it is important to bring to the notice of this Hon'ble Tribunal that so far as the repair of the drain and Dens road from Nanda Tower via Shivalik Tower to Kumudgiri Tower is concerned, the work has now been completed upto 60%. In the earlier Status Report dated 7.5.2020, it was clearly mentioned that as on that date only 20% work was completed. It is pertinent to mention here that so far as the repair work of aforesaid drain is concerned, the Ghaziabad Nagar Nigam most humbly submits that it has almost been completed. It is only the construction of Dens Road which is now in progress and could not be completed due to intermittent rains and availability of less workforce due to Covid-19 pandemic. However, the Ghaziabad Nagar Nigam is not leaving any stone unturned to ensure that the said work which has been given to M/s Shivaji Infra-Project Pvt. Ltd. is completed as soon as possible preferably within 15 days after the Monsoon ends. Therefore, the Ghaziabad Nagar Nigam would most humbly be praying to this Hon'ble Tribunal to grant an extension of about 45 days more for completion of only this part of construction work as the rainy season is really heavy this year and due to Covid-19 pandemic the work force is not as large as it generally used to be. A true and correct copy of the chart reflecting the extent of completion of work is marked and annexed as **Annexure A-1** to this Affidavit.

7. That it is most humbly submitted that a perusal of the above paragraphs would clearly go on to show that the Ghaziabad Nagar Nigam has taken all proper and adequate steps to comply with the directions of this Hon'ble Tribunal in true letter and spirit. The Answering Respondent has worked very hard during the pandemic and made tremendous efforts to ensure that the order/directions passed by this Hon'ble Tribunal with regard to the repair and maintenance work of the drains is completed as soon as possible. As mentioned above, the construction of the Dens Road which was to be completed by 31.8.2020 has been delayed due to reasons beyond the control of Ghaziabad Nagar Nigam and the Ghaziabad Nagar Nigam will make all efforts to get the same completed at the earliest without causing further inconvenience in this regard. Nevertheless, the Ghaziabad Nagar Nigam tenders an unconditional apology to this Hon'ble Tribunal for the delay caused in completion of the construction of aforesaid Dens Road.



DEPONENT

VERIFICATION:

I, the deponent above named do hereby solemnly swear and verify that the contents of above mentioned paragraphs of this affidavit are true to my knowledge; and are based on the perusal of record and on legal advice which all I believe to be true and no part of it is false and nothing material has been concealed.

Verified at New Delhi on day of August, 2020.



DEPONENT

माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली के समक्ष विचाराधीन ओ0ए0 सं0 447/2018 कौशाम्बी वेलफेयर एसोसिएशन बनाम जिलाधिकारी व अन्य के सम्बन्ध में नाले निर्माण कार्य की अद्यतन स्थिति

जोन	वार्ड संख्या	कार्य का विवरण	बजट शीर्षक	आगपन घनांक (रु0 मं)	टेकदार/फर्म का नाम	कार्यादेश जारी किये जाने की तिथि	भौतिक प्रगति (प्रतिशत मं)
वसुधरा	D-5	वार्ड-72, कौशाम्बी में मैट्रो स्टेशन के पीछे गणेश हनुमान मन्दिर से लेकर वैव मॉल तक आर0सी0सी0 नाला निर्माण।	अवस्थापना निधि 2018-19	4984000.00	शान्तानु कन्स0	28/Oct/19	पूर्ण
वसुधरा	D-6	वार्ड-72, कौशाम्बी में नन्द टावर से सतपडा होते हुए गंगा टावर तक डेस द्वारा सड़क सुधार कार्य तथा नन्दा टावर से शिवालय टावर होते हुए कामधगिरी टावर तक नाला निर्माण एवं डेस द्वारा सड़क सुधार।	अवस्थापना निधि 2018-19	12995000.00	श्रीजी इन्फ्रा प्रोजेक्ट प्रा0लि0	21/Oct/19	60 प्रतिशत
वसुधरा	D-7 D-5	वार्ड-72, कौशाम्बी में मैट्रो स्टेशन के पीछे कामधगिरी से मैट्रो पिलर न0-179 तक आर0सी0सी0 नाला निर्माण।	अवस्थापना निधि 2018-19	4985000.00	श्रीजी इन्फ्रा प्रोजेक्ट प्रा0लि0	21/Oct/19	पूर्ण
वसुधरा	D-2,3	वार्ड-72, कौशाम्बी में विद्यांचल से धोलगिरी अपार्टमेन्ट तक डेस द्वारा सड़क सुधार तथा सुमेरु टावर से मलगिरी व उदयगिरी टावर से पंचमणी टावर तक नाला निर्माण एवं डेस द्वारा सड़क सुधार।	अवस्थापना निधि 2018-19	13827000.00	पी.पी. रियलकॉन प्रा.लि.	21/Oct/19	पूर्ण
वसुधरा	D-4	वैव मॉल से आई.सी.आई.सी.आई. बैंक होते हुए सम्राट होटल की ओर नाली निर्माण एवं टावर के पीछे डेस द्वारा सड़क सुधार।	अवस्थापना निधि 2018-19	14900000.00	आर.जी.बिल्डटैक इन्जी.लि.	5/Apr/19	पूर्ण
वसुधरा	D-1	मौवापुर से उदय गिरी टावर की ओर आर.सी.सी. नाला निर्माण तथा डेस द्वारा सड़क सुधार।	अवस्थापना निधि 2018-19	21094000.00	आर.जी. बिल्डटैक इन्जी.लि.	15/Jun/19	पूर्ण

नोट :- वर्षा रितु के कारण नाले व डेस का कार्य नहीं हो पा रहा है, वर्षा रितु के उपरान्त 15 दिवस में कार्य पूर्ण करा दिया जायेगा।


 देशरत्न सिंह
 अधिशासी अभियन्ता
 गालियादाद नगर निगम