

Listed on. 25-10-2021

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Execution Application No. 20 of 2019  
in  
Original Application No. 308/2015

IN THE MATTER OF :

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

Versus

Divisional Commissioner, Meerut Division & Ors. ... Respondents

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Advocate for the Ghaziabad Nagar Nigam/  
Respondent No. 3

: VISHWAJIT SINGH

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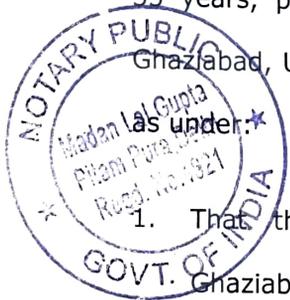
Kaushambi Apartments Residents  
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**COMPLIANCE AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NO.3 GHAZIABAD NAGAR NIGAM,  
GHAZIABAD**

I, Mahender Singh Tawar, son of Sh. Om Prakash Singh Tawar, aged about 33 years, posted as Municipal Commissioner, 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 Municipal Commissioner, 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 aforementioned matter was listed for hearing on 23.08.2021 before the Hon'ble National Green Tribunal. The Hon'ble Tribunal being dissatisfied with the work done with respect to the issues in the matter directed the Divisional Commissioner, Meerut to hold a meeting with the concerned officers in order to take cognizance of the pending issues and plan remedial actions. Moreover, the Hon'ble Tribunal has been pleased to issue a direction for the concerned officers, including the Municipal

Commissioner, Ghaziabad to be present on the next date of hearing i.e. 25.10.2021 by virtual mode.

3. That in compliance of the aforesaid order the Divisional Commissioner, Meerut Division held a meeting on 31.08.2021 through video conferencing. All concerned parties including the Petitioner herein were present at the meeting. After having heard all the parties certain orders were passed.

Consequently, on 9.9.2021 and 8.10.2021, the Ghaziabad Nagar Nigam with the help of the Police force and their cooperation carried out anti encroachment drive in the Kaushambi area, starting from Kaushambi Metro Station, EDM Mall, Anand Vihar Crossing and covering both main roads adjacent to Pacific Mall and near Kaushambi Bas Depot. Similarly, the illegal parking in the aforesaid Area was also removed by the Encroachment Committee constituted for the said purpose with the joint effort of the Police force. Consequently, all the encroachment in the said Area were removed by the said drive and the illegal parking were also demolished. The aforesaid area has been made encroachment free and the Construction Division has the provision for parking of about 300 vehicles on the said vacant land, which they can use it for Parking Purposes.

The following chart shows the course of action taken by the Ghaziabad Nagar Nigam with regard to the issued related to it, in compliance of the orders passed in the aforesaid meeting:

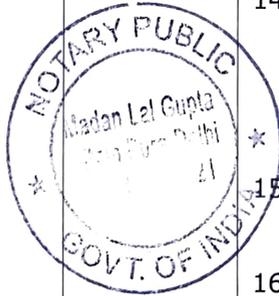
**SHORT TERM :**

Sl. no.	ISSUE	AUTHORITY	COMPLIANCE
02.	It is important to control the private buses and vikram tempos that are	Traffic Police/ Divisional	The S.P, Traffic along with other Departments has to conduct a ground survey

	being operated illegally from the roads on both sides of the bus station as well as the gate of the bus station.	Transport Department /GNN	and submit a Report presenting an estimate of the real time situation about the illegal encroachment and illegally operated private buses etc.
03.	With regard to stopping illegal parking	Traffic Police/GNN	<p>Point 1 (III)</p> <p>1. In compliance of the order passed by the Hon'ble Green Tribunal, no Parking contract has been left out by GNN in the Kaushambi area.</p> <p>2. From time to time GNN writes letters to S.P (Traffic) requesting to take action against all the illegal parking situated in the Kaushambi area.</p> <p>3. following are the parking areas operated by the GNN in the year 2021-22-</p> <ol style="list-style-type: none"> <li>1. Outside Opulent Mall</li> <li>2. R.K Tower in Vaisali</li> <li>3. In Ramte Ram Road Business Complex</li> <li>4. On the service road from Chinchi Restaurant to R.B.L Bank in front of Gaur Mall</li> <li>5. In front of R.T.O office</li> <li>6. In front of the gate of Gaur Mall</li> <li>7. Outside Yashoda</li> </ol>



			<p>Hospital</p> <p>8. 4 parking spots have been designated for Freight Carrying Vehicles parked on the streets in the industrial area of Kavinagar, Vijaynagar, Vashundhar and City Zone.</p> <p>9. Parking area in Tulsi Niketan Bhaupura</p> <p>10. In front of main Post Office in Navyug Market</p> <p>11. In front of Punjab National Bank in Navyug Market</p> <p>12. Sri Krishna Vatika Sector 3 Vaisali</p> <p>13. Form Meeta Company to World Square Mall in Mohan Nagar</p> <p>14. Outside Mohan Nagar Sardar Patel Sanstha (on both sides of the road)</p> <p>15. Mother Dairy Tehsil Compound</p> <p>16. Purani Sabji Mandi</p> <p>17. On G.T Road in front of Shiva Tower</p>
03	Municipal Solid Waste should be segregated and disposed properly and GNN should be directed to do the same	GNN	<p>1. Both dry and wet waste is collected from door to door by the vehicles of Ghaziabad Nagar Nigam and is sent for proper disposal.</p>

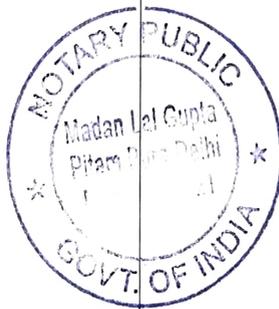


		<p>2. Roads are swept with the help of sweeping machines twice a week.</p> <p>3. GNN regularly cleans the road from Dabur Mod to the Delhi border as per the Nightly Cleaning Arrangement.</p> <p>4. The 8 main drains situated in Kaushambi, are cleaned both through cleaning machines as well as manually, on a monthly basis.</p> <p>5. Fogging of the entire area is done from time to time to fight the growth of the mosquitoes.</p> <p>6. For the purpose of garbage collection in Kaushambi, several dustbins have been installed from which garbage is shifted a into big vehicles and taken for disposal daily.</p> <p>7. As per the direction of the Allahabad High Court, GDA handed over the two Garbage Collection Centres situated in Kaushambi. During a hearing the Divisional Commissioner, Meerut on 19.12.2019 directed the GDA to immediately</p>
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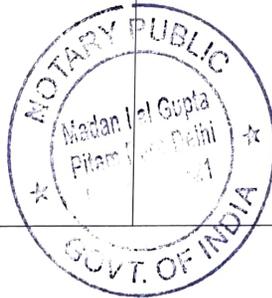


conduct a ground survey to find out if the dumping ground is situated on the Green Belt and if so than shift the same immediately. However, till date GDA has not provided for any alternative space for the Secondary Garbage Collection Centre. Despite the aforesaid GNN has closed both the Secondary Garbage Collection Centres.

Two garbage factories (Rait mandi and Shihani Garage) are being operated for segregation and disposal of the waste. In order to increase the efficiency of garbage collection, tenders have been invited for employing 100 door to door vehicles (on rent) in Kaushambi, Vaishali and Vasundhra area. In order to further increase the efficiency of door to door collection, awareness is being spread in Societies/ Commercial centres, that fall in the category of Bulk Waste Generators and action is being taken as per the MSW Rules, 2016.



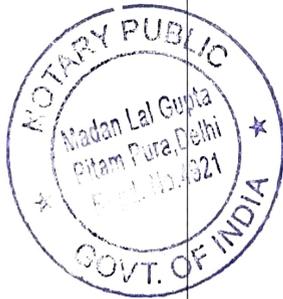
			Awareness with regard to segregation of wet and dry waste in being spread with the help of NGO amongst citizens. Tenders have been invited for collection of Gobar from dairies situated in the area from amongst the dairies itself.
04.	Maintenance and upkeep of all drains and sewer lines	GNN	Work of construction of sewer lines and roads has been completed. Unhindered flow of effluents is being insured. All small and big drains in Kaushambi are cleaned on daily, as per necessity. Proposal has been made for construction of drains at certain places.



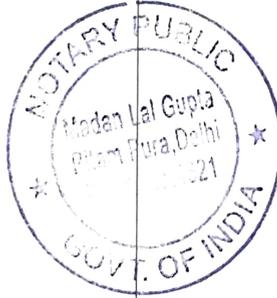
**LONG TERM:**

05	With regard to implementation of the 2-Bin System Municipal Solid Waste Disposal	U.P.S.R.T. C/ GNN	Communication has been established with U.P.S.R.T.C to install 2 Bin System in the Kaushambi Bus Stand. The work is being processed by them.
06	With regard to stopping operation of illegal shops and parking of buses and autos on the road near Kaushambi bus stand.	U.P.S.R.T. C/ GNN/ Traffic Police	On 12.8.2021, encroachment removal drives for removal of approx. 200 illegal shops, Vendors and temporary shacks was carried out near Kaushambi Metro Station, Aanad Vihar and E.D.M Mall

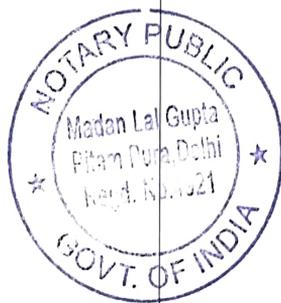
		<p>near the main road.</p> <p>8.10.2021 has been fixed for carrying out another anti-encroachment drive at Kaushambi and Anand vihar. Concerned Officers shall be given the responsibility of insuring that the encroachments do not resurface in compliance of the order latter-1112/NA/2021-22 dated 6.10.2021 passed by the Municipal Commissioner.</p> <p>A Joint Committee at the district level has been constituted by the Divisional Commissioner, Meerut Division, comprising of Additional District Magistrate (City), S.P. Traffic, Divisional Transport Officer, Regional Manager, U.P.S.R.T.C. The said committee has to submit a Spot Survey Report about the fixation of a designated place for running of diesel/ non electric inter-state buses. It is also significant that the Special Secretary, State of U.P., Town Planning Department-9, has vide letter no. 1812/9-9-2019-178J/2019 dated 3.12.2019, nominated the Project Director Unit-28 Construction</p>
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		<p>and Design Services Uttar Pradesh, Jal Nigam Ghaziabad, as the working committee for construction of Charging Station and Shade Construction under the plan of operating AC electric buses in all the cities of the State. Kindly peruse the letter of the firm having letter no. 2061/ work-80/ 34 dated 23.12.2020. In the aforesaid letter it has been mentioned that for the aforesaid project a sum of Rs. 508.56 for executing civil work and Rs. 421.06 for executing electricity work has been demanded for payment for the said work. The said payment has already been made by the GNN within the time frame.</p> <p>In compliance of the instructions issued by the directors of local bodies with respect to the construction of charging stations for 50 electric buses, for an inspection by a third party an amount of Rs. 2,21,250 was given as consultation charges to I.I.T Kanpur for third party inspection/audit. Apart from this a total sum of Rs. 15,07,400 has been</p>
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		<p>demande for electricity works. The payment of the aforesaid amount has already been done by the GNN. At present there are no pending dues against the GNN.</p> <p>Vide letter no. 54/Prakash/2021 dated 22.9.2021, with respect to the aforesaid project, the Project Director of Unit-28, Construction and Design Services, U.P Jal Nigam, Ghaziabad has been directed to complete all civil and electricity work meticulously before the expiry of the time period wherein the fixed date for completion of work is 26.9.2021.</p> <p>After receiving the aforesaid letter, the Project Director Unit-28, Construction and Design Services, U.P. Jal Nigam, Ghaziabad provided an information orally with respect to the stage of the aforesaid work with an assurance that the said work is likely to be completed very soon.</p>
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4. That it is important to bring to the notice of this Hon'ble Tribunal that in compliance of the order dated 24.3.2021 by the Hon'ble Supreme Court, the concerned authorities in a meeting called upon by the Divisional Commissioner, Meerut Division for important decisions with

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respect to the management of traffic and encroachment of the city of Ghaziabad. For the perusal and convenience of this Hon'ble Tribunal a chart depicting the entire strategy is being placed before this Hon'ble Tribunal which would clearly reflect that all the concerned authorities have joined hands to carry out the directions issued by the Hon'ble Supreme Court as well as this Hon'ble Tribunal. A true and correct copy of the aforementioned chart is marked and annexed as **Annexure-1** to this Compliance Affidavit.

A perusal of the aforesaid chart would reveal that the Ghaziabad Nagar Nigam is continuously making all efforts to do its statutory duties and ensure compliance of all the directions issued by this Hon'ble Tribunal as well as the Hon'ble Apex court. The Ghaziabad Nagar Nigam is making sincere efforts to ensure that the public utility system is kept neat, clean and functional and will continue to try and do its best. However, if inadvertently any aspect of the system is missed out, an unconditional apology is tendered before this Hon'ble Tribunal with an assurance that the Ghaziabad Nagar Nigam will do its best to rectify the said inadvertent error/ mistake at the earliest in the most quick and efficient manner.

  
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 18th day of October, 2021.

  
DEPONENT

**ATTESTED**  
  
NOTARY PUBLIC DELHI  
GOVT. OF NCT OF DELHI

18 OCT 2021

**Annexure-A1**

Sl. No.	ISSUE	PLAN	REPORT
5.1.1.1	Dr. Burman Road-Wave interaction remains Congested due to heavy traffic movement from nearby Kaushambhi Metro Station and Commercial area, Mall and Hospitals. There is a need of proper planning of 2 U-Turn on Dr Burman Road and close this intersection provides smooth traffic movement.	Two U-Turn will be constructed on Dr Burman Road 100 Mtrs. Toward left and 200 Mtrs. Towards right to cater the traffic for both side which will avoid traffic load in the intersection from all side.	At the proposed place where a U-turn is to be created, presently, a temporary U-turn is being constructed between the divider. For construction of permanent U-turn, a detailed design/drawing will be prepared. For closing the cut near the Wave Cinemas a detailed plan has been prepared and sent for approval of the appropriate authority.
5.1.1.2	There is a U Turn in front of Pacific mall which create congestion due to haphazard movement of traffic passing from U Turn in and direction which create risk of accidents also. Solution : Proper Planning of right of way at U -Turn or U-Turn should be shifted.	The U-Turn in front of Pacific Mall will be extended by 100 Mtr. Of extended separate lane so that the movement of traffic will be controlled while entering the road.	A detailed estimated plan has already been prepared with respect to closing down of the U-turn at Pacific Mall. For construction of a permanent U-turn, a detailed design/ drawing is under preparation. Thereafter, the estimated plan will be presented for approval.
5.1.1.3	Many unplanned U-Turn on Kaushambi roads creating haphazard movement.	Maharajpur T-Point will be closed to avoid many u-turn which are not needed after	The process of closure of the U-turn in front of Maharaja T-point has already started and is continuing.

		planned U-turns.	
5.1.1.4	The Auto Rickshaw's have created their own space on the road to park their auto's which block the road by narrowing the passage and results in jams at the junction. Proper place should be allocated for the Auto parking.	In Kaushambi area (Delhi Border - way to Anand Vihar) the vacant land is allocated for auto parking and vending zone for the street vendors. The proper auto parking is planned to avoid auto parking on the road which is resulting in Traffic Jams on the road.	With respect to the vacant places in front of the Delhi border a detailed design/ drawing is under preparation for placement of autos and vendors.
5.1.1.5	Towards Kaushambi Bus stand from Anand Vihar the auto parking as a major issue due to Pacific Mall and ISBT creating a major hindrance in movement of traffic movement. It is also a turning junction to Delhi. Proper allocation of auto parking space at Kaushambi depot and Pacific Mall road is needed. Also the autos should be properly regulated to not park or wait for the passenger on road. The passenger should come to the allocated space to avail the service of	For the parking issue in front of mall and Kaushambi depot at the turning junction, the space for auto parking is allocated at the Saur Urja Marg, Kaushambi Bus stand Gate no 01. The Auto's will be parked there only and will carry the passenger from the allocated place.	The Tempo parking nearly Kaushambi bus stand will be removed and shifted to Saur Urja Road and with respect to the same a detailed design/ drawing is under preparation. Thereafter, the estimated plan will be presented for approval.

	Auto.		
5.1.1.6	At present autos are permitted on the area basis (16km) due to which they roam freely in whole permitted area. Solution : proper management of autos and E-Rickshaws should be done as per the carrying capacity of the area and no more permits should be given.	<p>A. Any more auto rickshaws should not be permitted.</p> <p>B. Permit given on area basis should be reconsidered to give permit on 'Route basis' and a color should be issued on each route. It will be convenient for management and user both.</p> <p>C. Number of E-Rickshaws should be defined and upcoming E-Auto Route shall be considered and planned properly as well.</p>	Not concerned with Ghaziabad Nagar Nigam
5.1.2.1	Inappropriate Bus movement at Kaushambi depot to enter the Bus depots and carrying the commuters.	<p>A. The entries of the buses will be open from Kaushambi Bus Stand Gate no 1 (Saur Urja Marg) and exit will be from Gate No. 2 (Pacific Mall).</p> <p>B. Also, the exit No.2 of Bus stand will be designed and constructed angular so that the buses won't create hindrance for the traffic coming from Delhi Side.</p> <p>C. Color coding will</p>	Concerned Authority is U.P.S.R.T.C

		also be done for creating different path for private buses. (UPSRTC)	
5.1.2.2	The issue of wrong way movement of buses is prominent at Dr. Burman Road (Saur Urja Marg near Hanuman Mandir).	For the same, low height barriers will be placed on the entrance of Saur Urja Marg so that buses cannot enter from wrong side.	Work is in progress at the spot and would be completed very soon.
5.1.2.3	Bus movement on the Kaushambi road is unplanned due to which the road is congested and frequent jam can be seen.	Routes are fixed on enter the Depot A. The Buses entering from U.P. Gate (from Dabur Tiraha at Dr. Burman Road) will now be entering from different route (from Link road to Saur Urja Marg) and will enter from Kaushambi Depot Gate No 1. B. The Roadways buses entering from Mohan Nagar/ CISF Road will follow different Route to avoid traffic and will enter from Vasundhra flyover underpass towards Saur Urja Marg and enter Kaushambi Depot Gate no 1.	Concerned Authority is U.P.S.R.T.C
5.1.3.1	In Kaushambi area at EDM Mall, the MCD Toll and police	Joint Inspection teams has decided to shift these booths	Concerned Authority is E.D.M.C

	<p>booth is blocking the road on left and making Right of way narrow and obstructing the traffic movement. Due to which Vehicle passing takes time and Pollution level is also increased MCD toll booth should be removed or replaced to make right of way towards left free.</p>	<p>20 meters farther and widen the left lane to make the left turn free. (EDMC)</p>	
5.1.3.2	<p>Since there is no road divider at EDM Mall Road, it leads to unmanaged Traffic movement. In Kaushambi area the road leading to Delhi via EDM Mall was proposed to make one way but this found to be unsuitable as there is no alternative for the same.</p>	<p>There is need to construct a divider on EDM Mall Road so that proper lane for both side traffic can be managed.</p>	<p>Concerned Authority is E.D.M.C</p>
5.1.3.3	<p>EDMC toll booth, MCD post and prepaid booth are present at the entrance to Anand Vihar from Kaushambi. These booths are narrowing the roads which create bottle neck for the traffic flow. Also the traffic</p>	<p>A. Covering the drain/ nallah and construction of slip roads to achieve two more lanes and create the left free movement to ease the traffic flow and avoid all kinds of congestion. B. Permissions from</p>	<p>A detailed design/ drawing is under preparation with respect to the entry point from the border of Ghaziabad Nagar Nigam at Kaushambi going towards Anand Vihar. Thereafter, the proposed plan will be presented for approval.</p>

	<p>coming from Seemapuri creates a T Point junction with traffic coming from Kaushambi which ultimately creates a block in movement and leads to pollution.</p> <p>These three (Booths and police post) needs to be shifted 20 Mtrs. towards Delhi and widen the road for 'left free movement'.</p>	<p>forest department will be obtained to remove two trees to construct two lane on SLIP road.</p> <p>C. Prepaid booth will be shifted near petrol pump.</p> <p>D. Delhi police post and EDMC post will be shifted on left side from the right side.</p>	
5.1.3.4	<p>While coming from Anand Vihar to Maharajpur (The only available Road):</p> <p>There are jersey barriers adjacent to Kaushambi Bus Depot of Delhi which has narrowed the way.</p> <p>On the left lane there are Local vendors, Stalls, Autos, Mini Buses etc due to which the left lane is always blocked.</p>	<p>A. It is necessary to remove the jersey Barriers and make 'Left-Turn' free.</p> <p>B. Joint inspection team has decided to shift the encroachments on the side EDMC and GNN accordingly by the concerned authorities and make the left lane free and usable.</p> <p>C. Height Barriers will be extended towards left till side wall of Kaushambi Bus depot. (EDMC)</p>	Concerned Authority is E.D.M.C
5.1.3.5	<p>The EDMC parking located near petrol pump on the road No. 56 is unsuitable for the traffic flow.</p>	<p>As per the decision of joint inspection team, the parking shall be shifted so that it won't obstruct</p>	Concerned Authority is E.D.M.C

		the movement happening due to parking of buses.	
5.2.1.1	<p>Kaushambi metro is the last metro of Ghaziabad to enter Delhi and the parking capacity isn't enough. As parking is required by workers of nearby hospitals, commercial areas, commuters of metro, the parking capacity isn't enough and the vehicles are parked in the Service Lane. There should be proper parking at Kaushambi Metro Station to cater the required parking need for hospital, working population and metro commuters.</p>	<p>The Multi Level Parking will be provided by DMRC at Kaushambi Metro to cater the problem of parking due to insufficient parking at metro. (DMRC)</p>	<p>Concerned Authority is E.D.M.C</p>
5.2.1.2	<p>Yashoda Hospital, Meenaxi Hospital, Kamal Hospital, Banks, Malls, Hotels and Other commercial activities are located at Kaushambi Road. People working/visiting here use the Service Lane for parking due to</p>	<p>A. Multi Level Car Parking to be developed. (GDA)                  B. Kaushambi and Sahibabad commercial and industrial establishments to be notified to park their vehicle in their own premises and to have their own</p>	<p>Concerned Authority is G.D.A</p>

	<p>inappropriate parking place which blocks the road and also violates the orders of Hon'ble NGT.</p>	<p>parking.</p> <p>4. To avoid encroachment of road by vehicle on road, Kaushambi Bus Depot will be developed as integrated Bus port in PPP mode in which underground parking will provide parking space for two-wheeler and four wheeler parking facility.</p> <p>5. For CNG buses regulated from Maharajpur, an Alternative parking is required (GNN)</p>	
5.2.2.1	a.	<p>Joint Inspection has decided to vacate the left side of Foot Over Bridge on road No. 56 and shift the DTC bus stop till the wall of Kaushambi Bus Depot. (DTC)</p>	
	b.	<p>Although this is green belt, this has two High Tension pillars which needs to be shifted towards left (Electricity Department Delhi). There is a Public Urinal of EDMC which is narrowing the road. This also</p>	

		needs to be shifted.	
	c.	These measures will clear up the left side and widen the road which will be used for getting On/Off from buses and will ease the traffic flow and lower the pollution flow.	
	d.	The Escalator of Foot Over Bridge is located on footpath. Also, the pillar of FOB is on footpath. So the escalator and pillar need to be shifted on left side to widen the road. As FOB has heavy footfall, there is a need of parallel Foot Over Bridge need to be constructed so that traffic can move with ease.	
	e.	There is one public toilet need to be shifted to clear the road and widen it. Joint inspection team has decided to shift the Escalator, pillar and public toilet to make left free road and ease the traffic movement by widening the road.	
5.2.2.2	At present the buses	Digitalization of	The work regarding

	<p>taken lot of time at depot for various reasons which makes other buses to wait on road No. 56 and block the road. Therefore, there is an urgent need of Digitalization.</p>	<p>entry/ exit of proposed so that the time at depot can be fixed and monitored. From this, overstay of buses at the depot can be avoided which can further avoid the road blockage by avoiding the waiting of buses on the road No. 56.</p> <p>1. In Relation to remove encroachment, the action will be taken by Ghaziabad District Administration, Ghaziabad Nagar Nigam and Ghaziabad Development Authority.</p> <p>2. Work of Traffic Enforcement will be done by traffic police, Thana Link Road, Thana Kaushambi and Delhi Traffic Police on behalf of Delhi.</p>	<p>digital licensing has to be carried out by the Traffic Police as well as U.P.S.R.T.C. The work of removal of encroachment has to be done by the zonal in charge of the Nagar Nigam in accordance with the Government Order No. 108M.J/9-3-2019-30C.M/ 2016 Lucknow dated 19.8.2019 and order of the Municipal Commissioner with respect to the encroachment vide order no. 605/N.AA/2020-21 dated 16.9.2020</p>
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