

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 332 OF 2024**

**IN THE MATTER OF**

ATS ONE HELMET APARTMENTS OWNERS ASSOCIATION  
..APPLICANT/PETITIONER

Versus

GOVERNMENT OF U.P & ORS. ..RESPONDENTS

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**RESPONDENT NO.3**

THROUGH

*Abhay Tayal*

**PLACE:** NEW DELHI  
**DATE:** 10.07.2024

**(ABHAY KUMAR TAYAL)  
ADVOCATE FOR THE RESPONDENT NO.3**

## संयुक्त जाँच रिपोर्ट

माओ राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या 332/2024 ATS One Hamlet Apartment Owner Association Vs. Government of Uttar Pradesh & ors. में पारित आदेश दिनांक 03-04-2024 एवं प्रभागीय बनाधिकारी, गौतमबुद्धनगर की पत्र संख्या 1302/35-1 दिनांक 20-06-2024 के अनुपालन में शिकायत महर्षि योगी आश्रम ट्रस्ट, महर्षि नगर, सेक्टर-110 नोएडा द्वारा अवैध रूप से पेड काटने एवं गौतमबुद्धनगर के सेक्टर-104, नोएडा में स्थित पुष्प हाउसिंग सोसायटी से सटे भूखण्ड पर ग्रीन बेल्ट को नष्ट कर उस पर अवैध निर्माण करने की शिकायत पर दिनांक 26-06-2024 को संयुक्त जाँच की गयी। संयुक्त जाँच में ज्ञात हुआ कि सेक्टर-104, नोएडा में मोके 0.51 हे० आश्रम की भूमि पर जै०सी०बी० के माध्यम से रोड निर्माण करने हेतु मुख्यतः सूबकूल, प्रोसोपिस ज्यूलीफ्लोरा, सिरस, नीम, बेल, आम पीपल आदि प्रजाति के कई वृक्ष का दिना अनुमति पातन किया गया, जिसका आकलन उक्त भूमि से सटे स्थल एवं इस खंडे वृक्षों में सम्पल प्लांटिंग (16X16 मीटर) किया गया। सैपलिंग के आधार पर पातित वृक्षों में से सोलह वृक्ष नीम, एक बेल, दो आम, एक पीपल प्रतिबंधित प्रजाति के पाये गये। उक्त समस्त वृक्ष महर्षि योगी आश्रम ट्रस्ट, महर्षि नगर की निजी भूमि पर स्थित थे।

उत्कम विभागीय कार्यवाही करते हुए वन अपराध संख्या 08/2024-25 इजरा कर वृक्ष संरक्षण अधिनियम 1976 की धारा 4/10 के अन्तर्गत विधिक कार्यवाही कर प्रतिकर रु० 2,00,000.00 प्राप्त किया गया एवं उ०प्र० अभिवहन नियमावली 1978 की धारा 3/28 में निहित प्राविधानों के अन्तर्गत विधिक कार्यवाही अगल लाते हुए रु० 50000.00 प्राप्त किया गया। कुल प्रतिकर एस बैंक द्वारा जारी डीमाण्ड ड्राफ्ट संख्या 253435 दिनांक 04-07-2024 द्वारा रु० 2,50,000.00 प्राप्त कर जमा कराया गया।

अतः रिपोर्ट महोदय की सेवा में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- संलग्नक-1. भूमि अभिलेख की प्रति।  
2. प्रतिकर प्राप्त करने संबंधी आदेश की प्रति।  
3. फोटोग्राफ।

4/06/24  
RFO, Noida

05/07/2024  
AD (M&A)  
NOIDA

05/07/2024  
RFO-CC

05/07/24  
PRASHANT KUMAR  
(JAN DAROGA)

05/07/2024  
(P.P. Singh)  
U.P. Bikaner Govt. Engg.  
NOIDA

पत्रांक / दिनांक।

प्रतिलिपि प्रभागीय बनाधिकारी, गौतमबुद्धनगर की सेवा में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(F.C.)  
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**TRUE TRANSLATED COPY****Joint Investigation Report**

In Compliance of the Order dt. 03/04/2024 passed in O.A. No. 332/2024 ATS One Hamlet Apartment Owner Association Vs. Government of Uttar Pradesh & Ors. filed before the Hon'ble National Green Tribunal, New Delhi and Letter No. 7302/35-1 dt. 20/06/2024 of Divisional Forest Officer, Gautam Budh Nagar, the joint investigation was conducted on 26/06/2024 for destroying the green belt on the Land close to Group Housing Society located in Sector 104 of Gautam Budh Nagar, Noida and by illegally cutting the trees, upon complaint by Maharshi Yogi Ashram Trust, Maharshi Nagar, Sector – 110 Noida. It was found in the Joint Investigation that mainly Subul, Prosopis Juliflora, Seerus, Neem, Beil, Mango, Peepal etc. species of trees were cut down without permission for construction of the road by J.C.B. on the land of 0.51 Hectares of Ashram in Sector – 104, Noida, the estimation whereof was done by the said land close to the site and Sample Planting (16 X 16 Meter) was done in these standing trees. On the basis of the Sampling, out of the chopped trees, 16 trees, Neel, one Beil, 2 Mango, one PPeepal were found to be of restricted species. All the said Trees were located on the private land of Maharshi Yogi Ashram Trust, Maharshi Nagar.

For taking immediate Departmental Action, execution of Forest Crime No. 08/2024-25 U/S 4/10 of the Forest Conservation Act 1976, after taking legal action, Compensation of Rs. 2,00,000.00 was obtained and Rs. 500000.00 was obtained while taking legal action under the provisions mentioned in Section 3 / 28 of the U.P. Transport Rules 1978. The Total Compensation for Rs. 2,50,000.00 was obtained and deposited by Demand Draft No. 253435 dt. 04/07/2024 issued Yes Bank.



# Vakalatnama

Original Application No. 332/2024

ATS One Hamlet Apartments Owners Association

Vs

Government of Uttar Pradesh & ors.

I/we New Okhala Industrial Development Authority, PO- NOIDA, Distt. Gautam Budh Nagar, UP Through its chief legal Advisor the undersigned do hereby nominate and appoint **Mr. Abhay Kumar Tayal, Advocate** to be counsel in the above matter and for me/us and on my/our behalf to appear, plead act and answer in the above Court or any appellate Court or any Court to which the business is transferred, to sign and file petitions, statements accounts, exhibits, and whatsoever, in connection with the said matter arising therefrom and to receive all documents or copies of document, deposits, notices, summons and other writs of subpoena and to apply for and get issued any arrest attachment of other execution warrant or order and to carry out all other duties that may arise thereout and to apply for and receive payment of all costs and charges in the above matter to arbitration.

Provided, However, if any part of the Advocate's fees are payable before the first hearing of the case or if any hearing of the case be fixed beyond the limits of the town, then, and in such and event my/our said advocate shall not be bound to appear before the court and if my/our said advocate doth appear in the said case he shall be entitled to an outstation fee and other expenses of traveling, lodging, etc. Provided ALSO that if the case be dismissed by default, or if it be proceeded ex-parte, the said advocate (s) shall not be held responsible for the same. And all whatever my/our said advocate (s) shall I lawfully do. I do here by agree to and shall in future ratify and confirm.



*Abhay Tayal*

**Abhay Kumar Tayal**  
Advocate on Record  
Supreme Court of India  
AOR Code : 3013  
Mob. 9719047830

ACCEPTED:-

I. *Abhay Kumar Tayal* ..... Advocate

*19/5/24*

Signature of Client.....

For and on behalf of New Okhla Industrial Development Authority Distt. Gautam Budh Nagar

(R-3)