

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

**I.A. No. 273 of 2022**

**IN**

**ORIGINAL APPLICATION NO. 287 OF 2022**

**IN THE MATTER OF:**

Amit Kishore & Others

.....Applicants

VERSUS

U.P. Pollution Control Board & Ors.

.....Respondent

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Next Date of Hearing: 23.11.2022

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Dated: 18.11.2022



**(VEERA KAUL SINGH)**

Advocate for Respondent no.3  
Chamber No.81, A.K. Sen Block  
Supreme Court of India - 110001  
Mo. 9310118870-71

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BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

I.A. No. 273 of 2022

IN

Original application No. 287 of 2022

IN THE MATTER OF

Sh. Amit Kishore & Others ... Applicants

Versus

Uttar Pradesh State Pollution Control Board & ORs. ... Respondents

REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.3

UP AVAS EVAM VIKAS PARISHAD

I, Aman Tyagi S/o Anil Kumar Tyagi, aged about 33 years, working as Executive Engineer, C.D.- Ghaziabad-1, U.P. Avas Evam Vikas Parishad, Vasundhara, 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 in the U.P. Avas Evam Vikas Parishad and am well versed with the facts and circumstances of the case and have perused the documents pertaining to the present case and is competent and authorized to swear this affidavit.

2. That I have gone through the contents and various averments made in the Impleadment/ Intervention Application filed by the Applicant/ Venders. It is submitted that all the averments made in the said Application are specifically denied unless they are admitted hereunder.



*(Handwritten signature)*

3. That it is most important to submit here that the Answering Respondent i.e. the Uttar Pradesh Avas Evam Vikas Parishad is the Housing Board of the State of Uttar Pradesh and a Statutory Body created and constituted by the U.P. Avas Evam Vikas Parishad Adhiniyam,1965. The U.P. Avas Evam Vikas Parishad provides affordable housing for the economically weaker sections of the society. The main objective of the U.P. Avas Evam Vikas Parishad is to provide Housing and Development facilities for the benefit of public at large on a no profit no loss basis.
3. That it is submitted here that the present Application pertains to the issue of encroachment of the Green belt situated in Sector 15 and Sector 17 of the Vasundhara Awas Yojna, Vasundhara, Ghaziabad. The Vasundhara Awas Yojna was launched and developed by the Answering Respondent no. 3 i.e. U.P.Avas Evam Vikas Parishad under Housing Scheme No.3. The said Yojna is spread over an area of 1316.86 acres and is divided into 19 sectors. The said Yojna is equipped with all the necessary public services like sewer, water, parks, roads, green belt etc.
4. That is in important to submit here that subsequently, on completion the said Yojna was handed over to Ghaziabad Nagar Nigam, under Section 41 of the U.P Avas Evam Vikas Parishad Adhiniyam, 1965, for the purpose of maintaining the public services vide contract dated 30.10.2002. It is submitted here that the Answering Respondent had handed over the Yojna to Ghaziabad Nagar Nigam along with Rs.340



*Handwritten signature*

lacs and a Sewer jetting machine that was already installed there. It is important to mention here that at the time of handing over the Yojna there were certain lands / area including in Sector-15 and Sector-17, Vasundhra that were marked as Green Belt. Moreover, as per the contract, the said Yojna was handed over with certain terms and conditions. According to the terms and conditions of the contract the Ghaziabad Nagar Nigam could not make any changes to the basic structure, usage, façade and the services provided by the Answering Respondent without a prior written permission. A true and correct copy of the hand over Zonal Plan is marked and annexed as **Annexure A** to this Reply Affidavit. (Pg. 4)

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 17th Day of November, 2022.



**DIPANKAR DAS**  
NOTARY PUBLIC  
R.K. BAGH BLK  
SUPREME COURT

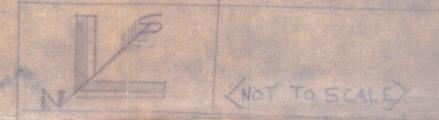
**IDENTIFIED**

DEPONENT

# ZONAL PLAN VASUNDHARA YOJNA AGHAZIABAD

UP.HD. BOARD, LUCKNOW  
TRANSPORTATION LAYOUT PLAN  
SCHEME AREA = 59.21 HECT (1238.00 ACRE)

LEGEND :- SYMBOLS



AKPACHAURI  
B. ARCH. DIP. T.E. (HONS) DIP. R.D.P.  
(THE HAGUE) F.I.T.P. F.I.E.  
CHIEF ARCHITECT PLANNER  
27.7.89

NAGINDER SINGH  
AVAS AUKT. (IAS)

OFFICE OF THE EXECUTIVE-  
ENGINEER, NIRMAN KHAND 16  
UP. AVAS EVAM VIKAS PARISHAD  
VASUNDHARA YOJNA, AGHAZIABAD

D/MAN JE AE EE

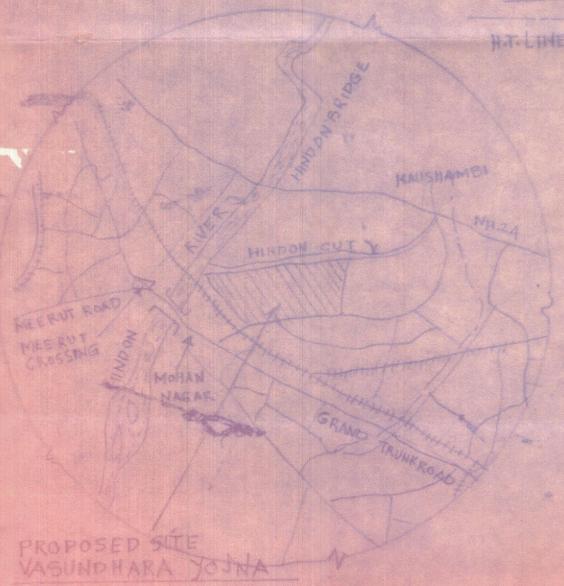


A2-J2	3500x1100	38500.00 Sqm
D1D2D3/A	1160x300	3480.00 sqm
D1D2D3/B	1160x2700	16240.00 "
I1I2I3	1300x300	3900.00 "
J1J2J3	2700x300	8100.00 "
L2L3	750x900	675.00 "
2B,2C	1200x3000	3600.00 "
2A,4&6	1200x3000	3600.00 "
Sector 10	2100x3000	6300.00 "
Sector 12	1250x3000	12750.00 "
Sector 14	325x3000	9750.00 "
Sector 16	400x3000	12000.00 "
Cent. Vage suet 18704	1800x3000	13500.00 "
		550145.00

HANDED OVER  
30.12.2012

TAKEN OVER  
21/1/02

Pump  
AHC  
AHC  
AE  
EE



27/3/89  
AKP