

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Execution Application No. 73 / 2025

In the matter of : -

Ashish Sharma ... Applicant  
Versus  
State of U. P. & ors. ... Respondents

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Place: New Delhi  
Date: 09.01.2026

Drafted & Filed by:  
  
(SHIVAM SAKSENA)  
Advocate for Respondent No.5,GNIDA  
210, Lawyers Chamber,  
C.K. Daphtary Block,  
Supreme Court, New Delhi-01  
MOB : 99718 85963

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REPLY ON BEHALF OF  
RESPONDENT NO.5,  
GREATER NOIDA INDUSTRIAL  
DEVELOPMENT AUTHORITY.

Most Respectfully Showeth:

1. The passing of the order dt 16.8.2024 by this Hon'ble Tribunal is a matter of record and all parties, including the answering Respondent is duty bound to ensure its compliance.

2. It is respectfully submitted that the place where the OWC Machine is to be shifted has to be decided by the project proponent in consultation with the Apartment Owners Association. The answering Respondent has no role in selection of the place to which the said machine is to be shifted to. That is a matter between the project proponent and the Apartment Owners Association.

3. It is submitted that in order to ensure transparency the Building Bye laws provide that every application that is to be sent to the Planning Department must be submitted online. The project proponent did not submit any such application / letter identifying the location to which the OWC machine is to be shifted to so that post sanction of the OC, slight modification therein could be approved. Nevertheless, when the project proponent, vide its letter dated 8.9.2025, suggested two locations for shifting of the said machine, the same was replied vide letter dated 30.9.2025 to make the application online.

4. For the first time, the online application was made on 18.12.2025 proposed two locations whereto the OWC Machine could be shifted. Upon examination of these two proposed locations it was noticed that both these locations fall within the set backs. Under the Building Bye Laws it is not permissible to locate the OWC Machine within the set backs, as this area has to be left totally free for movement of emergency vehicles. The suggested locations are also near the 60mt wide road and the petrol pump. However, the answering respondent, vide letter dated, 8.1.2026 (Annexure R-5/1), informed the project proponent about a possible location that would be permissible. However, if the project proponent and the Apartment Owners Associaton have any other suggested location(s) then they are free to approach the answering

respondent for approval. After inspection, if the location to be suggested by the project proponent and the apartment Owners Association is permissible under the Building Bye laws, then necessary approval would be granted expeditiously. The project proponent and the Apartment Owners Association may act accordingly. It may be noticed that after handing over of the project, the said Association alone is to look after the maintenance etc. of the complex.

In the premises, it is respectfully submitted that this Hon'ble Tribunal may be pleased to pass such appropriate directions to the project proponent and the Apartment Owners Association of the complex in question.

NEW DELHI

Dated: 09.01.2026

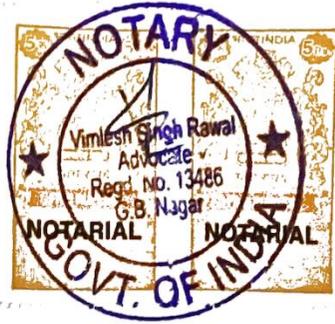
Respondent No.5-GNIDA

Through



(SHIVAM SAKSENA)

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... Applicant

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... Respondents

AFFIDAVIT

I, Sudhir Kumar S/o Late P.L. Katiyar aged about 55 years, office at Plot No.1, Knowledge Park IV, Greater Noida, do hereby solemnly affirm and state as under:

1. I am presently posted as Sr. Manager (Planing) of the Greater Noida Industrial Development Authority and as such authorised and competent to depose on behalf of the answering Respondent.

2. I state that the accompanying Reply to the Execution Application has been drafted under my instructions and I state that the contents thereof are true and correct to my knowledge as derived from the records of the case.

The Annexure is a true copy of its original.

VERIFICATION:



DEPONENT

Verified at Gr. Noida on this the \_\_\_\_ day of Jan., 2026 that the contents of this affidavit are true and correct to my knowledge as derived from the records of the case and nothing stated therein is false and nothing material has been concealed there from.

  
DEPONENT



No. 99 ..... Date 9.1.26 Time 7:30 PM Certified The  
 Sh/Smt. Sudha Kumar  
 S/o Sh. Lt. Sh. P.L. Katiyar  
 R/o Creator Noida  
 Identified by Shri. Ravindra Kumar  
 Presented his affidavit before the today date and  
 verified the Contents of Documents

**ATTESTED**

  
 Vimlesh Singh Rawal  
 Advocate (Notary)  
 Lt. Gautam Budh Nagar

## ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण

प्लाट नं0-01, सेक्टर नॉलेज पार्क-4,

ग्रेटर नोएडा सिटी, जिला गौतम बुद्ध नगर

पत्रांक संख्या-नियोजन/2026/1918

दिनांक: 08 जनवरी 2026

सेवा में,

मैसर्स गौरसन्स प्रोमोटर्स प्रा0 लि0,  
पता-गौरबिज पार्क, प्लाट नं-1, अभयखण्ड-2,  
इन्द्रापुरम गाजियाबाद।

महोदय,

आपके द्वारा भूखण्ड संख्या-जी0एच0-03/जी0सी0-14, सेक्टर-16सी के टॉवर-आई में सोलिड वेस्ट मेनेजमेंट हेतु प्लांट लगाया गया था वहाँ के आवंटियों द्वारा माननीय एन0जी0टी0 में रिट याचिका दायर कर दी दिनांक 16.08.2024 में माननीय एन0जी0टी0 द्वारा आदेश दिये गये कि विकासकर्ता को सोलिड वेस्ट मेनेजमेंट सिस्टम को अन्यत्र स्थान पर स्थानान्तरित करें। इस सम्बन्ध में प्राधिकरण द्वारा दिनांक 21.08.2024 व 30.09.2025 को विकासकर्ता को पत्र प्रेषित किया गया कि स्थल पर सोलिड वेस्ट मेनेजमेंट सिस्टम को अन्यत्र स्थानान्तरित करते हुए नक्शा अनुमोदित करवाया जाए।

आपके द्वारा मानचित्र स्वीकृति हेतु एस.सी.आर.-26613 दिनांक 18.12.2025 को ऑनलाइन के माध्यम से तलपट मानचित्र में सोलिड वेस्ट मेनेजमेंट सिस्टम का स्थान चिन्हित करते हुए प्राधिकरण में प्रस्तुत किये गये। उक्त सन्दर्भित तलपट मानचित्र की जाँच के उपरान्त यह पाया गया कि सोलिड वेस्ट मेनेजमेंट हेतु दोनों स्थान जो तलपट मानचित्र में चिन्हित किये गये हैं वे सेटबैक में स्थित हैं तथा प्राधिकरण की 60 मीटर चौड़ी सड़क व पेट्रोल पम्प के समीप हैं।

प्राधिकरण की भवन विनियमावली-2010 के प्राविधानों के अनुसार सेटबैक में सोलिड वेस्ट मेनेजमेंट प्लान्ट लगाया जाना अनुमन्य नहीं है।

यह प्रकरण माननीय एन0जी0टी0 से सम्बन्धित है।

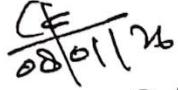
अतः तलपट मानचित्र पर सोलिड वेस्ट मेनेजमेंट सिस्टम को इंगित कर दिया गया है। जिसके आसपास सघन पेड लगाये जाने होंगे। कृपया उपरोक्तानुसार स्थल पर सोलिड वेस्ट मेनेजमेंट प्लान्ट निर्मित करने की कार्यवाही करवाने का कष्ट करें।

कृपया अवगत होना चाहें।

संलग्नक: उपरोक्तानुसार।

प्रतिलिपि:-

प्रभारी विधि, ग्रेटर नोएडा प्राधिकरण को सूचनार्थ।

  
08/01/26  
प्रभारी महाप्रबन्धक (नियोजन)

प्रभारी महाप्रबन्धक (नियोजन)

