

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 633/2025

IN THE MATTER OF:

PANKAJ PRASAD

.....APPLICANT

VERSUS

UPPCB & ORS.

.....RESPONDENT(S)

INDEX

S. NO.	PARTICULARS	PAGE NO.
1.	REPLY BY REGIONAL OFFICER UTTAR PRADESH POLLUTION CONTROL BOARD GHAZIABAD IN COMPLIANCE WITH ORDER DATED 12.12.2025 BY THE HON'BLE NATIONAL GREEN TRIBUNAL	3
2.	A COPY OF SITE INSPECTION REPORT DATED 12.02.2026 IS ANNEXED HEREWITH AND MARKED AS ANNEXURE-1	9

3.	COPIES OF PHOTOGRAPHS OF THE DRAIN COLLECTED DURING THE SITE INSPECTION ARE ANNEXED HERewith AND MARKED AS ANNEXURE-2	14
4.	A COPY OF LETTER DATED 03.09.2025 IS ANNEXED HERewith AND MARKED AS ANNEXURE-3	18

THROUGH COUNSEL



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Date: 23.02.2026

Place: NOIDA

BEFORE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 633/2025



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**REPLY BY REGIONAL OFFICER UTTAR PRADESH POLLUTION
CONTROL BOARD GHAZIABAD IN COMPLINACE WITH ORDER
DATED 12.12.2025 BY THE HON'BLE NATIONAL GREEN TRIBUNAL**

I, Ankit Singh, aged about 38 years, S/o Shri Ajit Singh, posted as Regional Officer, Uttar Pradesh Pollution Control Board, presently at Ghaziabad, do hereby solemnly affirm and state as under:

1. That I, the Deponent in the above captioned matter, am fully conversant with the facts of the case and am competent and authorized to swear the present report.
2. That I state that the contents of this report have been drafted by my counsel on my instructions, and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.

23 FEB 2026



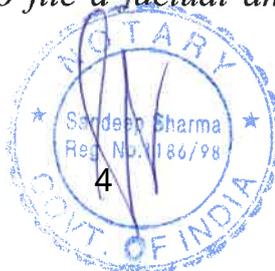
I. BACKGROUND OF THE MATTER

3. That, in the present Original Application, the Applicant has alleged that Respondent No. 6 is undertaking illegal modification of an open natural drain by converting it into an underground closed drain through the laying of 6-feet diameter hume pipes at SidharthVihar, District Ghaziabad. It is alleged that such activity has affected the natural flow, diverted the course of the drain, encroached upon the adjoining green belt without obtaining requisite statutory clearances, and that the drain has been encased over a stretch of approximately 250 meters, thereby causing a substantial reduction in its flow capacity.

4. That, the matter was last listed for hearing on **12.12.2025**, wherein the Hon'ble Tribunal directed as follows:

"...8. Ms. Priyanka Swami, Advocate accepts notice on behalf of the Respondents No. 3. The Applicant is permitted to serve a copy of the OA along with the enclosures to the counsel for the Respondent No. 3 within three days. The Respondent No. 3 is directed to immediately ensure that the Respondent No. 6 does not cover the stream/drain in question in violation of the order of the Tribunal in the case of Shri Hazi Ariffv. State of UP & Ors., supra and further directed to file a factual and action taken report within four weeks.

23 FEB 2026



9. *The Applicant is directed to serve the remaining Respondents and file affidavit of service atleast one week before the next date of hearing.*

10. *List on 24.02.2025...*”

II. REPLY IS AS FOLLOWS

5. That, it is most humbly submitted that for compliance with the directions of the Hon'ble Tribunal, the deponent department conducted the **site inspection** of the area in question on **12.02.2026** in presence of **Mr. Rajesh Aggarwal** (*authorized representative of Respondent 6- M/s Prateek Realtor Pvt. Ltd.*).

A copy of site inspection report dated 12.02.2026 is annexed herewith and marked as *Annexure-1*.

6. That, during the site inspection, it was observed that a natural drain carrying stormwater and sewage from the residential colonies of Vijay Nagar, collected through various smaller drains, passes adjacent to the residential housing project **Prateek Grand City** developed by the Respondent-6 at Siddharth Vihar. The drain thereafter runs along the northern boundary wall of the Jal Nigam (Ganga Water Treatment Plant) and ultimately outfalls into the River Hindon.

7. That, it was further informed during inspection that on 01.05.2025, during excavation for basement construction by Respondent No. 6 near the said



drain, the drain wall was damaged, resulting in severe flooding in the basement of certain occupied towers. In this regard, the Uttar Pradesh Awas Evam Vikas Parishad is stated to have lodged an FIR against the developer.

8. It is humbly submitted that Shri Rajesh Aggarwal (authorised representative of Respondent-6) was present at the time of inspection and apprised the Committee that reconstruction of the damaged portion of the drain had been undertaken by converting it into an underground closed drain through the laying of **RCC hume pipes of 1800 mm (1.8 metre) diameter over an approximate stretch of 180 metres.**

Copies of photographs of the drains collected during the site inspection are annexed herewith and marked as *Annexure-2*.

9. That, it was further apprised that Respondent No. 6, vide letter dated **03.09.2025, furnished a technical report, prepared through its consultant firm,** to the Executive Engineer, Construction Block, Ghaziabad-02, Uttar Pradesh Awas Evam Vikas Parishad, concerning the reconstruction of the damaged drain. **In the said report, it was stated that the hydraulic carrying capacity of the 1800 mm RCC hume pipe is higher than that of the original municipal drain. It was further indicated that the total site discharge is 571.99 litres per second, whereas the pipe capacity at 100% flow is 7838.17 litres per second, thereby asserting that no reduction in drain capacity has occurred.**

23 FEB 2025



A copy of letter dated 03.09.2025 is annexed herewith and marked as ***Annexure-3.***

10. That, it is most humbly submitted that the drain in question falls within the jurisdiction of the **Ghaziabad Nagar Nigam**, which is the competent authority to examine issues relating to encroachment and unauthorized construction thereon. It is further submitted that, with respect to the reconstruction of the drain, the representative of Respondent No. 6 did not produce any permission/approval issued by the competent authority.
11. Hence, this reply is respectfully submitted for kind perusal of this Hon'ble Tribunal.
12. That everything stated above is true and correct to my knowledge, derived from official records, and nothing material has been concealed therefrom.



Sandeep Sharma
DEPONENT

23 FEB 2025

VERIFICATION

Verified at Ghaziabad on this 23 day of February 2026, that the contents of the above affidavit from paragraphs 1 to 12 are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

**DEPONENT****ATTESTED**

(Sandeep Sharma)
Reg. No. 1186/98
NOTARY PUBLIC
Ghaziabad (U.P.)

23 FEB 2026

Inspection of the area in question in compliance to Hon'ble National Green Tribunal, New Delhi order dated 12.12.2025 in the matter of Pankaj Prasad Vs UPPCB & Ors in O.A. 633 of 2025.

1. Background:-

The above referred matter was listed on 12/12/2025 before Hon'ble National Green Tribunal, New Delhi for hearing, the relevant para of the order is as follows:

-

“.....1. In this Original Application (OA), the Applicant alleged that the Respondent No. 6-Prateek Realtors Pvt. Ltd. is illegal converting/modifying open natural drain into an underground close drain by putting 6 feet diameter hume pipes in Sidharth Vihar, District Ghaziabad, UP. Further allegation of the Applicant is that in this process the flow of the natural drain will be affected and infact the course of natural drain is diverted. The Applicant has also alleged that the Respondent No. 6 is encroaching upon green belt on both sides of the drain and no clearance have been taken by the Respondent No. 6.

8. Ms. Priyanka Swami, Advocate accepts notice on behalf of the Respondents No. 3. The Applicant is permitted to serve a copy of the OA along with the enclosures to the counsel for the Respondent No. 3 within three days. The Respondent No. 3 is directed to immediately ensure that the Respondent No. 6 does not cover the stream/drain in question in violation of the order of the Tribunal in the case of Shri Hazi Ariffv. State of UP & Ors., supra and further directed to file a factual and action taken report within four weeks.....”

2. Compliance

The applicant has described that an open natural drain (Nallaha) exceeding 3.5km in length designed to carry storm water, sewage and effluent discharge from Vijay Nagar Municipal Zone of Ghaziabad passes the western side of Ghaziabad Railway Station and it terminates at a recently established effluent treatment plant in Siddartha Vihar for discharge of its contents to the Hindon River. According to the applicant illegal modification of the drain in Siddarth Vihar by developer M/s Prateek Realtor Pvt. Ltd. have resulted encroachment of the drain causes environmental degradation.

Persuant to the direction of Hon'ble National Green Triubnal, New Delhi order dated 12.12.2025, inspection of the area in question was carried out on 12/02/2026 to ascertain the correct status. The detailed findings of inspection are as follows:-

- I. A natural drain carrying storm water and sewage from residential colonies of Vijay Nagar collected through various small drains from these localities passes adjacent to residential housing project Prateek Grand City developed by M/s Prateek Realtor Pvt. Ltd. in Siddharth Vihar. There after this drain passes the northern side boundary wall of the Jal Nigam (Ganga Water treatment plant) and ultimately meets the Hindon River.
- II. It was observed that along the boundary wall of Jal Nigam (Ganga Water Treatment Plant) the developer M/s Prateek Realtor Pvt. Ltd. has constructed the boundary wall of Prateek Grand City a multi storey housing project which is spread over in Siddarth Vihar.

- III. According to original application submitted by the applicant before Hon'ble National Green Tribunal, New Delhi, on 01/05/2025 while digging basement by Prateek Grand City adjacent to this drain, the drain was damaged due to which severe flooding in the basement of occupied towers was occurred. In this regards the Uttar Pradesh Awas Evam Vikas Parishad (U.P) has lodged a FIR against developer. Copy of same is attached here with as Annexure-1
- IV. During the visit it was observed that the developers has re-constructed the damaged drain. At the time of inspection shri Rajesh Aggarwal as a representative of Prateek Grand City was present at site. It was apprised by them that re-construction of damaged drain has been done into an underground closed drain by placing RCC Hume pipe of diameter 1800mm (1.8meter) in a stretch of 180 meter approximately. Photographs of drain taken during the visit are as follows.



(1) Drain adjacent to Prateek Grand City



(2) Drain near Jal Nigam Ganga Water Treatment



(3) Drain after end point of Hume pipe near Jal Nigam Ganga Water Treatment



(4) Drain before meeting Hindon River

- V. The developer M/s Prateek Realtor Pvt. Ltd. got made a report propounding diameter of RCC Hume pipe used for re-construction of drain situated along Plot No. 4/BS-1 and 4/BS-5 at Siddharth Vihar Ghaziabad from their consultant and submitted to The Executive Engineer, Construction Block, Ghaziabad-02 Uttar Pradesh Awas Evam Vikas Parishad, Sector-16A, Vsundhara Complex, Ghaziabad. Copy of same is attached here with as Annexure-2
- VI. The developer revealed its assesment of the drain by saying that the RCC Hume pipe used for the re-construction of drain of diameter 1800 mm, there by having a higher hydraulic carrying capacity than the original municipal drain, hence the concern of reduction in drain size does not arise. It further revealed that as per the design of drain with calculations total site discharge is 571.99 Lit/Sec and actual pipe capacity at 100% flow is 7838.17 Lit/Sec.
- VII. It is also pertinent to mention that the drain lies within the domain of Ghaziabad Nagar Nigam and Ghaziabad Nagar Nigam is the authority to check the encroachment and unauthorized construction on the drain. As regards re-construction of drain no permission issued from competent authorities were provided.

The Above report is submitted for kind persual and necessary action please.



(S.P. Singh)
A.E.E.



(Vipul Kumar)
A.E.E.











Prateek Group
Creating Landmarks, Setting Benchmarks

Date: 03-09-2025

To,
The Executive Engineer,
Construction Block, Ghaziabad-02,
Uttar Pradesh Awas Evam Vikas Parishad,
Sector-16A, Vasundhara Complex, Ghaziabad – 201012

Subject: Submission of clarification regarding pipe diameter used for reconstruction of drain situated along Plot No. 4/BS-1 and 4/BS-5, Siddharth Vihar, Ghaziabad.

Ref.: Your Letter No. 2254 dated 30/08/2025

Respected Sir,

With due respect, we acknowledge the receipt of your above-mentioned letter regarding the reconstruction of the damaged drain near Plot No. 4/BS-1 and 4/BS-5 at Siddharth Vihar, Ghaziabad.

In this regard, we would like to submit the following for your kind consideration:

1. The RCC Hume pipes used for the reconstruction of the drain are of diameter 1800 mm. thereby having a **higher hydraulic carrying capacity** than the original municipal drain. Hence, the concern of reduction in drain size does not arise.
2. As instructed by you we are enclosing the design of drain line with brief calculations for your furtherance.
3. The revised drain has been constructed keeping in view the future load and rainfall conditions to ensure that no waterlogging or inconvenience is caused to the residents of Siddharth Vihar and surrounding areas.

We assure you of our full cooperation in all civic matters and confirm that all works are being carried out strictly in accordance with the approved design and directions of the concerned authorities.

We request you to kindly acknowledge the submission of reply of letter which we received from you..

Thanking you,

Yours sincerely,

[Authorized Signatory]

For Prateek Realtors India Pvt. Ltd.



04/09/25

Encl.: Copy of Approval Letter from Concerned Authority

PRATEEK REALTORS INDIA PRIVATE LIMITED

Corporate Office: Prateek PRO-MENAGE, A-42, Sector - 67, Noida | Ph.: +91 120-6788300 | Email: info@prateekgroup.com
Regd. Office: Plot No: 101-102, Himalaya Palace, 65 Vijay Block, Laxmi Nagar, G Block Shakarpur Delhi- 110092
CIN : U70101DL2009PTC197028

PROJECT : PARTEEK GRAND CITY**DESIGN OF DRAIN LINE**

Total Site Discharge = 49.42 MLD
= 2,059 Cu M / Hour
or 571.99 Lit/sec

Drain Pipe Design

Final Drain Pipe Dia Selected = 1800 mm
Slope (1 in 300) = 300

Drain Design as per Manning Formula

$$V = \frac{3.968 \times 10^{-3} \times D^{2/3} \times S^{1/2}}{n}$$

$$V = 3.08 \text{ m/sec}$$

$$D = \text{Dia (mm)} = 1800 \text{ mm}$$

$$S = \text{Slope} = 300$$

$$n = \text{Manning Coefficient} = 0.011$$

$$V = \text{Velocity (m/sec)}$$

$$\text{Actual Pipe Capacity (Q) at 100\% flow} = \frac{\pi D^2 \times V}{4}$$

$$= 7.838170 \text{ m}^3/\text{sec}$$

$$Q = 7838.17 \text{ Lit/sec}$$

Where -

$$D = \text{Dia (mm)} = 1800 \text{ mm}$$

$$V = \text{Velocity (m/sec)} = 3.08$$

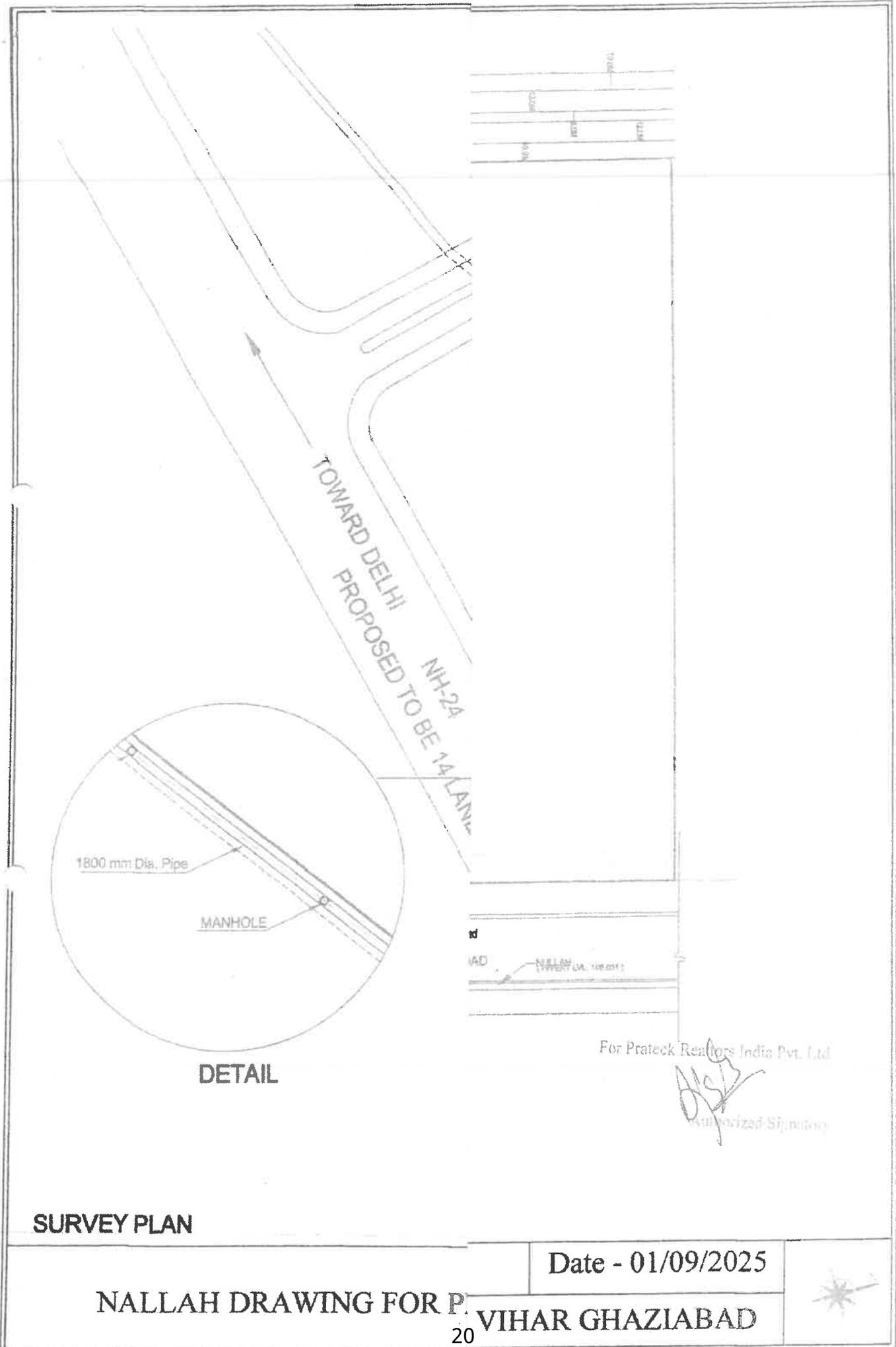
$$Q = \text{Pipe Capacity (at full flow) m}^3/\text{sec}$$

Total Site Discharge = 571.99 Lit/sec

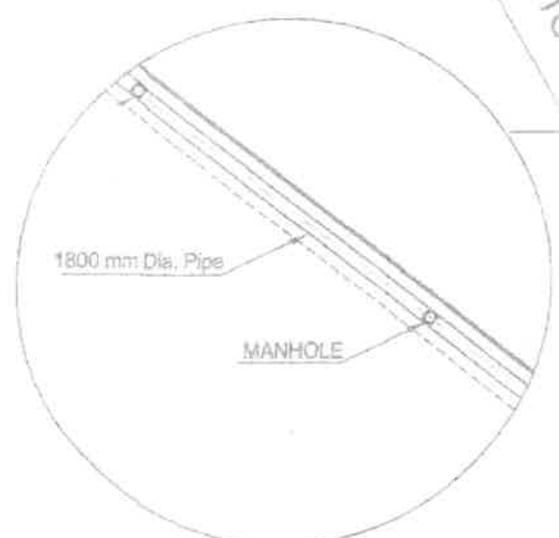
Actual Pipe Capacity at 100% flow = 7838.17 Lit/sec

Total Site discharge is less the pipe capacity, hence 1800 mm Pipe Dia is OK





TOWARD DELHI
 PROPOSED TO BE 14 LANES



DETAIL

For Prateck Realtors India Pvt. Ltd.

[Signature]
 Authorized Signatory

SURVEY PLAN

Date - 01/09/2025

NALLAH DRAWING FOR P. VIHAR GHAZIABAD

