

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW  
DELHI

ORIGINAL APPLICATION NO.287 OF 2022

**IN THE MATTER OF:**

Sh. Amit Kishore & Others ..... Applicant

Versus

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

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ADVOCATE FOR THE RESPONDENT NO.3 : MS. VEERA KAUL SINGH

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REPLY ON BEHALF OF RESPONDENT NO. 3 - UTTAR  
PRADESH AVAS EVAM VIKAS PARISHAD TO THE  
WRITTEN ARGUMENTS DATED 10.07.2023 AND  
ADDITIONAL WRITTEN ARGUMENTS DATED 10.09.2023  
FILED ON BEHALF OF THE APPLICANTS

PARA WISE REPLY

1. That the contents of paragraphs 1 and 2 of Written Arguments filed by the Applicants dated 10.07.2023 are a matter of record which need no reply.
2. That the contents of paragraphs 3 to 5 & 9 to 17 are denied as false and incorrect for the reasons already stated in paragraphs 2 to 14 of the Reply filed on behalf of the Answering Respondent No. 3 dated 25.09.2023 to the

Interim Application No. 619 /2023 filed on behalf of the Applicants on 08.07.2023 and are not being repeated for the sake of brevity.

3. That with respect to the contents of paragraph 6 it is submitted that the Zonal Map referred to by the Applicants (filed by Answering Respondent No. 3 on 18.11.2022) is a duly signed map. The context of the order of the Hon'ble Tribunal was to the effect that the subsequent developments are not reflected in the same. The said Zonal Map is the handover map and is very relevant as it entails the details of the handover done by the Answering Respondent No. 3 to Respondent No. 2. As far as the Layout Map (2004) relied upon by Respondent No. 7 to 48 is concerned, it is neither signed nor approved by the relevant authority.
4. That as far as the contents of paragraph 7 are concerned, the same has been answered by the Answering Respondent No. 3 in the Reply filed on behalf of the Answering Respondent No. 3 dated 25.09.2023 to the Interim Application No. 619 /2023 filed on behalf of the Applicants on 08.07.2023 and are not being repeated for the sake of brevity.
5. That the contents of paragraphs 8, 18 & 19 are denied as false and incorrect for the reasons already stated in the Reply filed on behalf of the Answering Respondent No. 3 dated

25.09.2023 to the Interim Application No. 619 /2023 filed on behalf of the Applicants on 08.07.2023 and are not being repeated for the sake of brevity.

6. It is further submitted that the allegations made qua Sh. Aman Tyagi, Executive Engineer, U.P. Avas Vikas Parishad alleging him of misleading this Hon'ble Tribunal and giving false evidence before this Hon'ble Tribunal are based on surmises and conjectures and are being made with a view to prejudice this Hon'ble Tribunal. The Answering Respondent No. 3 has stated what is true and correct to the best of its knowledge and has made no contradictory statements as is being alleged by the Applicants.
7. That the contents of paragraph 1 & 2 of the Additional Written Arguments dated 10.09.2023 being a matter of record need no reply.
8. That the contents of paragraph 3 of the Additional Written Arguments dated 10.09.2023 are denied as false and incorrect qua Answering Respondent No. 3 for the reasons already stated in the Reply filed on behalf of the Answering Respondent No. 3 dated 25.9.2023 to the Interim Application No. 619 /2023 filed on behalf of the Applicants on 08.07.2023 and are not being repeated for the sake of brevity.

9. That it is important to bring to the notice of this Hon'ble Tribunal that in paragraphs B (I) of the Additional Written Arguments filed by the Applicants on 10.09.2023 it has been stated that there is a contradiction in the list of allottees tendered by the Vendors with that of the list given by Respondent No. 2 and Respondent No. 3. It is most humbly stated that this statement is false qua Answering Respondent No. 3 as no such list of allottees was tendered by Respondent No. 3 before this Hon'ble Tribunal.
10. That the contents of paragraph 5 to 18 and 20 to 25 do not concern the Answering Respondent No. 3 and hence no reply is needed.
11. That the contents of paragraph 19 of the Additional Written Arguments dated 10.09.2023 are denied as false and incorrect qua Answering Respondent No. 3. It is important to reiterate herein that subsequent to the development of Vasundhara Avas Yojana by the Answering Respondent No. 3, the same was handed over to Respondent No. 2, Ghaziabad Nagar Nigam vide handover contract dated 30.10.2002 for the purpose of maintenance. Therefore, changes or developments, if any, subsequent to the handover will lie within the knowledge of the Respondent No. 2.

12. That the contents of paragraph 26 of the Additional Written Arguments filed on behalf of the Applicants on 10.09.2023 are denied qua Respondent No. 3 as false and misleading. It is most important to state herein that once the handover has taken place, the Ghaziabad Nagar Nigam is in charge of maintaining the said area. It is not the perquisite of the Answering Respondent No. 3 to either allot, setup or to demolish the kiosks. Subsequent to the handover on 30.10.2002, the Vasundhara Avas Yojana was being maintained by the Ghaziabad Nagar Nigam. Therefore, the procedure in which the allotment and demolition of the kiosks was done can only be clarified by them. It is wrong to say that the Kiosks were removed at the behest of Respondent No. 3 as the Respondent No. 3 had absolutely no role to play in the allotment of the said kiosks and the subsequent ejection.
13. That the contents of paragraph 27 to 34 do not concern the Answering Respondent No. 3 and hence no reply is needed.
14. That the contents of paragraph 35 need no reply.

Dated : 25.9.2023

(VEERA KAUL SINGH)  
Advocate for the Respondent No.3