

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH

Original Application No. 331/2022

Om Prakash

Applicant

Versus

State of Haryana & Ors.

Respondent

ACTION TAKEN REPORT BY WAY OF AFFIDAVIT OF JITENDER YADAV, IAS, DEPUTY COMMISSIONER, FARIDABAD IN COMPLIANCE OF ORDER DATED 13.05.2022

I, Jitender Yadav, IAS, Deputy Commissioner, Faridabad, do hereby solemnly affirm and state as under: -

1. That the deponent is presently posted as Deputy Commissioner, Faridabad and is fully authorized to swear and depose the facts of the present case before this Hon'ble Court.
2. That this Hon'ble Court on 13.05.2022 has passed the following Directions, the relevant extract of which is reproduced below: -

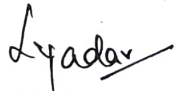
“We accordingly constitute Joint Committee of State PCB, DFO and Deputy Commissioner, Faridabad and direct the same to verify the factual position, look into the grievances of the applicant and take remedial action in accordance with law by following due process. The Deputy Commissioner, Faridabad will be the nodal agency for co-ordination and compliance. Factual and action taken report may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF before the Ld. Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before the Bench for further directions.”

3. That in compliance of the above Order of the Hon'ble Tribunal, SDM (Faridabad) was nominated as nominee of the deponent to verify the factual position alongwith RO, HSPCB, Faridabad and DFO, Faridabad vide Memo No. LFA-II/2022/580 dated 08.06.2022. A copy of the said letter dated 08.06.2022 is annexed herewith as ANNEXURE-R/1.

J Yadav

4. That it is submitted that Regional Officer of Haryana State Pollution Control Board, Faridabad Region in its report dated 30.06.2022 stated that a joint inspection was conducted of the site by the constituted team, i.e., SDM (Faridabad), RO, HSPCB, Faridabad Region & DFO and on appraisal of document submitted by the complainant on the spot it was found that the land in question is a park which is being maintained by Municipal Corporation, Faridabad. A copy of the report dated 30.06.2022 is annexed herewith as **ANNEXURE R/2**.
5. Therefore, it is humbly submitted that the concerned authority to address the grievance of the complaint is Municipal Corporation, Faridabad and appropriate directions may be issued to the Municipal Corporation, Faridabad in order to tackle the alleged illegal encroachment or construction.

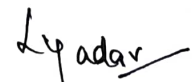
Place: Faridabad
Dated: 13.07.2022


DEPONENT
(Jitender Yadav, IAS)
Deputy Commissioner,
Faridabad

VERIFICATION

Verified that the contents of my aforesaid affidavit are true and correct to my knowledge based on the official record. No part thereof it is false and nothing material has been kept concealed therefrom.

Place: Faridabad
Dated: 13.07.2022


DEPONENT
(Jitender Yadav, IAS)
Deputy Commissioner,
Faridabad

Office of The Deputy Commissioner, Faridabad

कार्यालय उपायुक्त, फरीदाबाद

Telephone no. 0129-2227936, 2226604 Email:- dcfbd@hry.nic.in

Annexure R1

To

Sub Divisional Officer (C),
Faridabad.

NO. LFA-II/2022/ 580 Dated: 08/06/22

Sub:- Order Dated 13/05/2022 of Hon'ble NGT on OA No. 331/2022
Om Prakash V/s State of Haryana & Ors.

Please find enclosed herewith a copy of Order dated 13/05/2022 of
Hon'ble N.G.T. on OA No. 331/2022 in the Case of Om Prakash V/s State of Haryana &
Ors.

You are hereby nominated as nominee of Ld. Deputy Commissioner,
Faridabad to comply the directions of Hon'ble N.G.T to verify the factual position
alongwith RO, HSPCB, Faridabad and D.F.O., Faridabad. As such you are requested to
call other persons for field visit of the site and submit the report in week's time
positively.


For Deputy Commissioner
Faridabad.

Endrst No.LFA/2022/ 581-82

Dated: 08/06/22

A Copy of above is sent to the following for information & necessary action please.

1. D.F.O., Faridabad.
2. RO, HSPCB, Faridabad.


for Deputy Commissioner
Faridabad

JOINT INSPECTION

Sub:-

Order dated 13.05.2022 of Hon'ble NGT on OA no.331/2022Om
Prakash versus State of Haryana.

Ref:-

Deputy Commissioner letter no. LFA/2022/581-82 dated 08.06.2022.

In this connection, it is submitted that in compliance of subject noted above and direction issued vide under reference, the constituted team of the officers i.e., Regional Officer, Haryana State Pollution Control Board, Faridabad Region, District Forest Officer, Faridabad & Sub Divisional Officer (C), Faridabad inspected the site along-with complainant Sh. Narender on dated 29.06.2022 and during visit, it has been observed that:

1. This is a public park known as "Tubewell No. 2 Park" situated at Hira Mandir Road, Near Neemka Ped Chowk, Ahirwala, Baselwa, Old Faridabad, Haryana & used by nearest residents of the Ahirwala, Baselwa, Old Faridabad.
2. During inspection it was found there is a walking track, swings and few trees, small temple.
3. Construction activity was found there and construction material was also found lying in the park.
4. The complainant has submitted few document on the spot i.e. Letter written to SHO, Sadar Thana, Old Faridabad by Executive Engineer (Hon.), Municipal Corporation, Faridabad for lodging FIR against Sh. Dungar Singh (Contractor) & Yatender Bhati (Contractor) for cutting 10 to 15 green trees without permission in the said park. The letter proves the land in question is a park which is being maintained by Municipal Corporation, Faridabad.

The committee is of view that Municipal Corporation, Faridabad may be asked to take necessary action to maintain the land in question (Park) as per their Revenue Record.

Kanodia
29/06/22
Regional Officer,
HSPCB, Faridabad Region

Raj
29/06/22
District Forest Officer,
Faridabad

[Signature]
Sub Divisional Officer (C),
Faridabad