

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 183/2022**

IN THE MATTER OF:

Rajeev Sharma

...Applicant

VERSUS

State of Uttar Pradesh

...Respondent

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THROUGH



BHANWAR PAL SINGH JADON  
STANDING COUNSEL FOR THE STATE OF U.P. (NGT)  
EMAIL- [bhanwar09jadon@gmail.com](mailto:bhanwar09jadon@gmail.com)

**DATE:** 12.12.2024

**PLACE:** GHAZIABAD

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 183/2022**



IN THE MATTER OF:

Rajeev Sharma

...Applicant

VERSUS

State of Uttar Pradesh

...Respondent

**FACTUAL STATUS/ACTION TAKEN REPORT ON BEHALF OF THE  
DISTRICT MAGISTRATE, GHAZIABAD IN COMPLIANCE OF THE  
ORDER DATED 25.11.2024 PASSED BY THE HON'BLE NATIONAL  
GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI**

I, Indra Vikram Singh, aged about 55 years, S/o Late Sunder Singh R/o H. No. 01, Civil Lines, P.S. Sadar Bazar, Tehsil Shahjahanpur, District- Shahjahanpur do hereby solemnly affirm and state as under:

1. That I , Indra Vikram Singh, District Magistrate of Ghaziabad, am fully conversant with the facts of the case and am competent and authorized to swear the present Affidavit.
2. That I state that the contents of the factual/status 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.
3. That I state that the captioned matter is pending before the Hon'ble Tribunal and was last listed on 25.11.2024. That as per the said order it was



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directed by the Hon'ble Authority to submit action taken report on my behalf.

*A Copy of the Order dt. 25.11.2022 has been attached herein as Annexure A/1 for ready reference.*

4. That in the captioned matter Mr. Rajeev Sharma (herein referred to as the "Applicant") resident of Shivam Vihar Colony, Muradnagar, District Ghaziabad, Uttar Pradesh has stated in his application that a multi-storied building namely Shanti Hostel has been constructed in residential area of Shivam Vihar, District Ghaziabad without any proper outlet for discharge of waste water. Consequently, the waste water is being discharged in open causing contamination of the ground water, thereby posing serious health hazards to the inhabitants.
5. That pursuant to the said order a Joint Committee consisting of the Regional Officer of Uttar Pradesh Pollution Control Board and the Naib Tehsildar, Modinagar, Ghaziabad who has been nominated by me for the verification of ground realities and report. The Joint Committee visited the site in question on 07.12.2024 and subsequently an inspection report was prepared by the said committee.

*A Copy of the inspection report dt. 07.12.2024 has been attached herein as Annexure A/2.*

6. That during the inspection it was observed by the members of the Joint Committee that the name of the said Hostel was changed to Urban Homes Girls PG Hostel. That the said Hostel namely Urban Homes Girls PG Hostel (formerly multi-storeyed shanti hostel) is situated at Subh Niwas, 106/1, Village Asalatpur, Shivam Vihar, Muradnagar, opposite Krishna



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Institute of Engineering College, located at Muradnagar, District-Ghaziabad having accommodation facility of 24 rooms which is in the area of Nagar Palika Parishad Murdnagar, Ghaziabad.

7. That it is hereby stated that the hostel in question generates an estimated quantity of domestic wastewater of approximately (3.0 KLD), out of this total, approximately (2.0 KLD) of wastewater, primarily generated from washing and bathing activities, is collected in a 1,000-liter plastic tank. That any excess wastewater, beyond the tank's capacity, is pumped into a nearby drain, which ultimately discharges into a roadside drain located on Meerut Road. That the remaining 1,000 liters per day (1.0 KLD) of wastewater, primarily sewage, is disposed of through a septic tank or soak pit. That it has been reported by the hostel owner that, due to the absence of a gravity flow system, the wastewater collected in the plastic tank is pumped into the drain twice daily. That during the inspection it was observed that there was a pile of soil presently and no water logging was found at the site in question.

***Copies of the photographs of the site in question has been attached herein as Annexure A/3(Colly)***

8. That during inspection joint team also collected ground water samples from hand pumps situated near the hostel and analyzed in Regional Laboratory, Uttar Pradesh Pollution Control Board, Ghaziabad. That subsequently the analysis of the ground water took place and an analysis report dt. 07.12.2024 was prepared. That as per the above mentioned analysis report the ground water samples collected from hand pump parameters are complying with the drinking water standards. That the analysis results of ground water samples have been reproduced here for ready reference:-



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✓

8

S. No.	Sampling Point	pH	Turbidity (N.T.U.)	Colour	Odour	Cond. ( $\mu$ S/cm)	T.D.S (mg/l)	Total Hardness (as CaCO <sub>3</sub> ) (mg/l)	Ca. (as Ca) (mg/l)	Mg. (as Mg) (mg/l)	Total Alkalinity (mg/l)
1	Choudhary D.S. Malik, H.No.-43, Shivam Vihar, Gzb	7.14	Nil	Colourless	Odourless	891.0	579.0	362.0	104.0	24.79	100.0
2	Urban Homes Girls P G Hostel, Shivam Vihar, Gzb	7.16	Nil	Colourless	Odourless	670.0	435.0	282.0	84.8	17.0	92.0
3	Shri. Ram Kr. Tyagi, H.No.-11, Shivam Vihar, Gzb	7.08	Nil	Colourless	Odourless	932.0	607.0	332.0	118.4	8.75	111.0
<b>Drinking Water Standards</b>		<b>6.5-8.5</b>	<b>-</b>	<b>5-15 Hz</b>	<b>-</b>	<b>-</b>	<b>500-2000</b>	<b>200-600</b>	<b>75-200</b>	<b>30-100</b>	<b>200-600</b>

*A Copy of the Analysis Report dt. 07.12.2024 has been attached herein as Annexure A/4.*



12 DEC 2024 ✓

*(Handwritten signature)*

- 9. That the Joint Committee directed the Applicant to submit an approved map/building plan of the aforesaid hostel issued from Competent Authority and also proper management for the disposal of waste water generated to avoid water logging in future.
  
- 10. Hence, the present affidavit is being filed for the kind consideration and perusal of this Hon'ble Tribunal.
  
- 11. That I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

  
11/12/24  
✓

**DEPONENT**

**VERIFICATION**

Verified at Ghaziabad on this 12 day of December, 2024, that the contents of the above affidavit from paragraphs 1 to 10 are believed to be 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. 1136/98  
NOTARY PUBLIC  
Chazlaabad (U.P.)

12 DEC 2024

## Annexure-A/1

Item No. 11

Court No. 2

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

Original Application No. 183/2022

Rajeev Sharma

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 25.11.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

**ORDER**

1. This Original Application has been listed since order dated 19.04.2022 has not been complied with by District Magistrate, Ghaziabad as no compliance report has been submitted as directed by this Tribunal.
2. Tribunal entertained a letter petition exercising *suo-moto* jurisdiction complaining about construction of a multi-storeyed hostel in a residential area without proper outlet for discharge of waste water and the same was being discharged in open causing contamination of ground water and creating health hazard. Tribunal considered the application on 19.04.2022 and disposed of the matter passing following order:-

*"1. The grievances in the present letter petition sent by Mr. Rajeev Sharma resident of Shivam Vihar Colony, Muradnagar, District Ghaziabad, Uttar Pradesh is that multi-storey Shanti Hostel has been constructed in residential area of Shivam Vihar, District Ghaziabad without any proper outlet for discharge of waste water. Consequently, the waste water is being discharged in open causing contamination of the ground water, thereby posing serious health hazards to the inhabitants.*

*2. In view of the grievance made in the letter petition, we consider it appropriate that the District Magistrate, Ghaziabad be directed to verify the factual position, look into the grievances of the applicant and take remedial action in accordance with law after following due process. Accordingly, the District Magistrate, Ghaziabad is directed to visit the site, verify the factual position, look into the grievances of the applicant and take requisite remedial action within one month from the date of receipts of the order. Factual and action taken report may be furnished within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF,*

1



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(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

12 DEC 2024

*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.*

*The application is disposed of.*

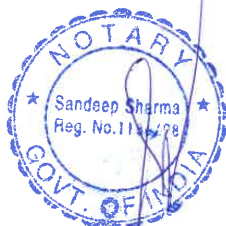
*A copy of this order, along with a copy of the complaint, be forwarded to the District Magistrate, Ghaziabad by e-mail for compliance.”*

3. The above order shows that District Magistrate, Ghaziabad was directed to look into the grievance, visit the site, collect factual information and submit an action taken report within two months.
4. More than two and a half years have passed but no such report has been received from District Magistrate, Ghaziabad. This approach on the part of District Magistrate, Ghaziabad cannot be appreciated.
5. Recording our strong disapproval, we direct District Magistrate Ghaziabad to comply with order dated 19.04.2022 and submit report within two weeks, failing which it shall appear on the next date before Tribunal.
6. List on 13.12.2024.
7. Registry shall communicate this order to District Magistrate, Ghaziabad by e-mail for compliance.
8. Since the Original Application has already been disposed of, therefore, Registry is directed to register its office report prepared for filing in the matter before us for further proceedings.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 25, 2024  
Original Application No. 183/2022  
SN



ATTESTED

(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Chaziabad (U.P.)

12 DEC 2024

**Inspection of multi-storey Shanti hostel (New Name urban lodge), Village Asalatpur, Shivam Vihar colony, Muradnagar, District Ghaziabad, Uttar Pradesh with respect to order passed on 25.11.2024 by Hon'ble National Green Tribunal, New Delhi in O.A. No. 183/2022 in the matter of Rajeev Sharma Versus State of Uttar Pradesh.**

**Background:-**

Hon'ble National Green Tribunal, New Delhi in O.A. No. 183/2022 Rajeev Sharma Versus State of Uttar Pradesh has passed order on 25.11.2024 considering the grievances in the present writ petitions sent by Mr. Rajeev Sharma resident of Shivam Vihar Colony, Muradnagar, District Ghaziabad disposed of vide order dated 19.04.2024. The main portion of the order are reproduced here:-

".....1. *The grievances in the present letter petition sent by Mr. Rajeev Sharma resident of Shivam Vihar Colony, Muradnagar, District Ghaziabad, Uttar Pradesh is that multi-storey Shanti Hostel has been constructed in residential area of Shivam Vihar, District Ghaziabad without any proper outlet for discharge of waste water. Consequently, the waste water is being discharged in open causing contamination of the ground water, thereby posing serious health hazards to the inhabitants.*

2. *In view of the grievance made in the letter petition, we consider it appropriate that the District Magistrate, Ghaziabad be directed to verify the factual position, look into the grievances of the applicant and take remedial action in accordance with law after following due process. Accordingly, the District Magistrate, Ghaziabad is directed to visit the site, verify the factual position, look into the grievances of the applicant and take requisite remedial action within one month from the date of receipts of the order. Factual and action taken report may be furnished within two months by e-mail at judicial-*

Shantosh  
(A/E)

W  
NT



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(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

12 DEC 2024

*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.*

*The application is disposed of.*

*A copy of this order, along with a copy of the complaint, be forwarded to the District Magistrate, Ghaziabad by e-mail for compliance.....”*

**Compliance:-**

In compliance to aforesaid direction of this Hon’ble Tribunal, inspection of multi-storied hostel in question was carried out by joint team comprising officials from Tehsildar, Ghaziabad and Regional Officer, Uttar Pradesh Pollution Control Board, Ghaziabad on 07.12.2024. During inspection Mr. Anuj kumar (owner of hostel) was present at the site. Observations made during inspection are as follows:-

1. During inspection it was observed that the Hostel namely Urban Homes Girls PG Hostel (formerly multi-storeyed shanti hostel) is situated at Subh Niwas, 106/1, Village Asalatpur, Shivam Vihar, Muradnagar, opposite Krishna Institute of Engineering College, located at Muradnagar, District-Ghaziabad having accommodation facility of 24 rooms which is in the area of Nagar Palika Parishad Murdnagar, Ghaziabad.
2. Owner of the hostel Urban Homes Girls PG Hostel (formerly multi-storeyed shanti hostel) is Shri Anuj kumar. The sale deed of land is attached herewith as **Annexure-I**.
3. The hostel provides accommodation to the girls student of M/s Krishna Institute of Engineering College (KEIT), located at Muradnagar, District-Ghaziabad. Mess facility does not exists in the hostel, however the students manage themselves their need of fooding from outside.

*Anuj kumar*  
(AEE)



*W*  
NT

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12 DEC 2024

(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

4. That in the said hostel estimated quantity of waste water generated from domestic purposes is approximately 3.0 KLD. Out of which 2.0 KLD waste water generated from washing and bathing is collected in plastic tank of capacity 1000 litre and overflow of the tank is pumped into nearby drain which ultimately meets in road side drain situated at Meerut road. While the remaining quantity of sewerage water approximately 1.0 KLD is disposed of through septic tank/soak pit. During inspection it was informed by the owner of hostel that due to not being gravity flow waste water is pumped into drain in twice a day.
5. During inspection joint team also collected ground water samples from hand pumps situated near the hostel and analyzed in Regional Laboratory, Uttar Pradesh Pollution Control Board, Ghaziabad. The analysis results of ground water samples is given here:-

S. No.	Sampling Point	pH	Turbidity (N.T.U.)	Colour	Odour	Cond. ( $\mu$ S/cm)	T.D.S (mg/l)	Total Hardness (as CaCO <sub>3</sub> ) (mg/l)	Ca. (as Ca) (mg/l)	Mg. (as Mg) (mg/l)	Total Alkalinity (mg/l)
1	Choudhary D.S. Malik, H.No.-43, Shivam Vihar, Gzb	7.14	Nil	Colourless	Odourless	891.0	579.0	362.0	104.0	24.79	100.0
2	Urban Homes Girls P G Hostel,	7.16	Nil	Colourless	Odourless	670.0	435.0	282.0	84.8	17.0	92.0

*Sandeep*  
(AEE)



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(Sandeep Sharma)  
Reg. No. 1138/98  
NOTARY PUBLIC  
Ghaziabad (U.P.)

	Shivam Vihar, Gzb										
3	Shri. Ram Kr. Tyagi, H.No.-11, Shivam Vihar, Gzb	7.08	Nil	Colourless	Odourless	932.0	607.0	332.0	118.4	8.75	111.0
	<b>Drinking Water Standards</b>	6.5-8.5	-	5-15 Hz	-	-	500-2000	200-600	75-200	30-100	200-600

**Remark:-**As per analysis results of the ground water samples collected from hand pump parameters are complying with the drinking water standards. That the Lab Report dt.07.12.2024 of the said analysis is attached herewith as Annexure-II.

6. During inspection owner of the hostel has not provided the approved map/building plan of the said hostel issued by Competent Authority. That the layout plan attached within the Sale deed provided is not approved by the concerned Authority.
7. During inspection no domestic waste water was found being discharged in open on land.
8. During inspection photograph taken given below:-

*Prakash*  
(AEE)



*W*  
*NT*

12 DEC 2024


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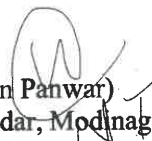
(Sandeep Sharma)  
Reg. No. 1136/98  
NOTARY PUBLIC  
Chaziya (U.P.)



Considering above facts joint team is view of that the owner of hostel in question may be directed to submit approved map/building plan of the said hostel issued from Competent Authority and also proper management for the disposal of waste water generated from the hostel so that there will be no possibility of water logging takes place.

Therefore the above compliance report is submitted before this tribunal for kind consideration and further necessary action as the tribunal.

  
(Kunwar Santosh Kumar)  
A.E.E.  
U.P. Pollution Control Board,  
Ghaziabad.

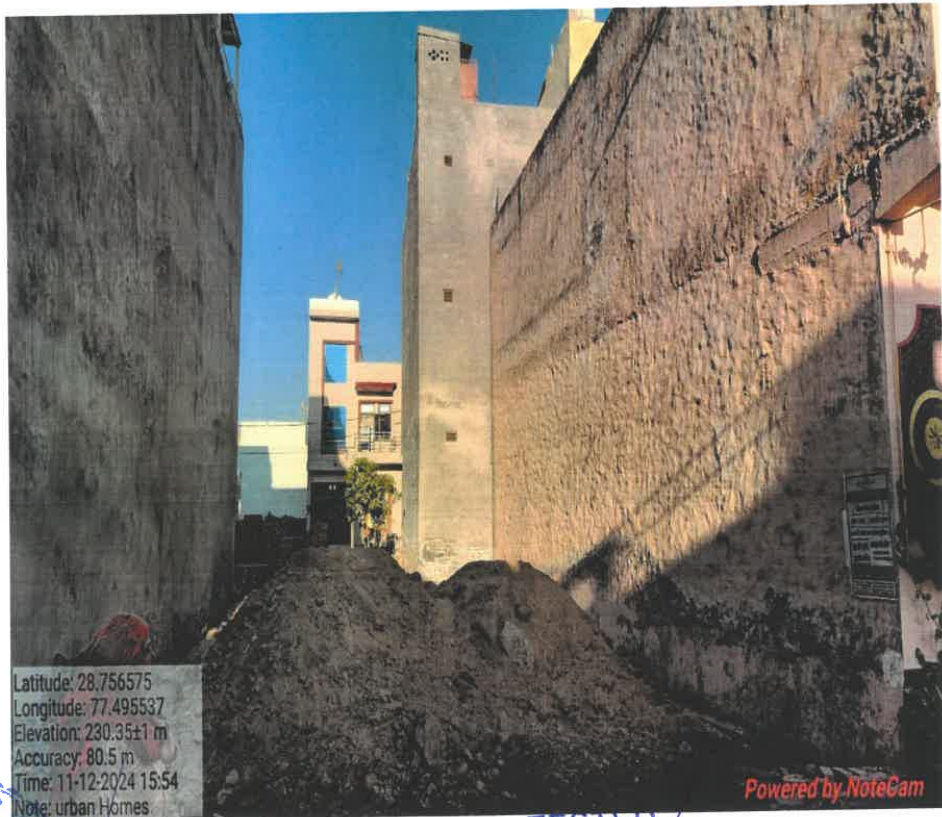
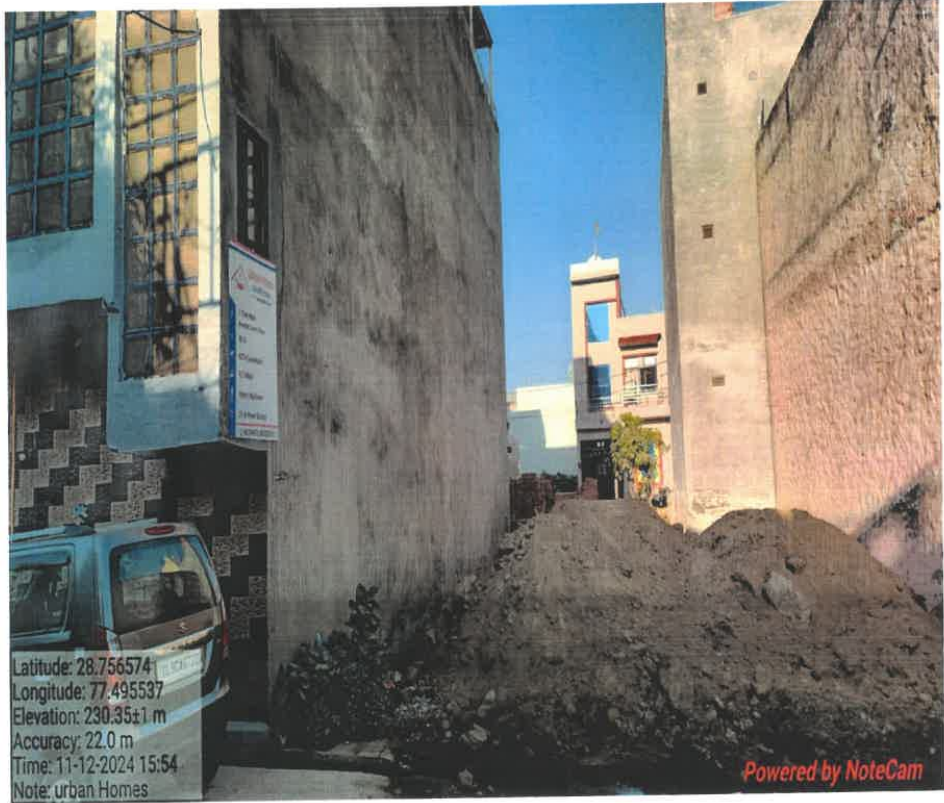
  
(Sachin Panwar)  
Naib Tehsildar, Modinagar,  
Ghaziabad



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Reg. No. 1136/98  
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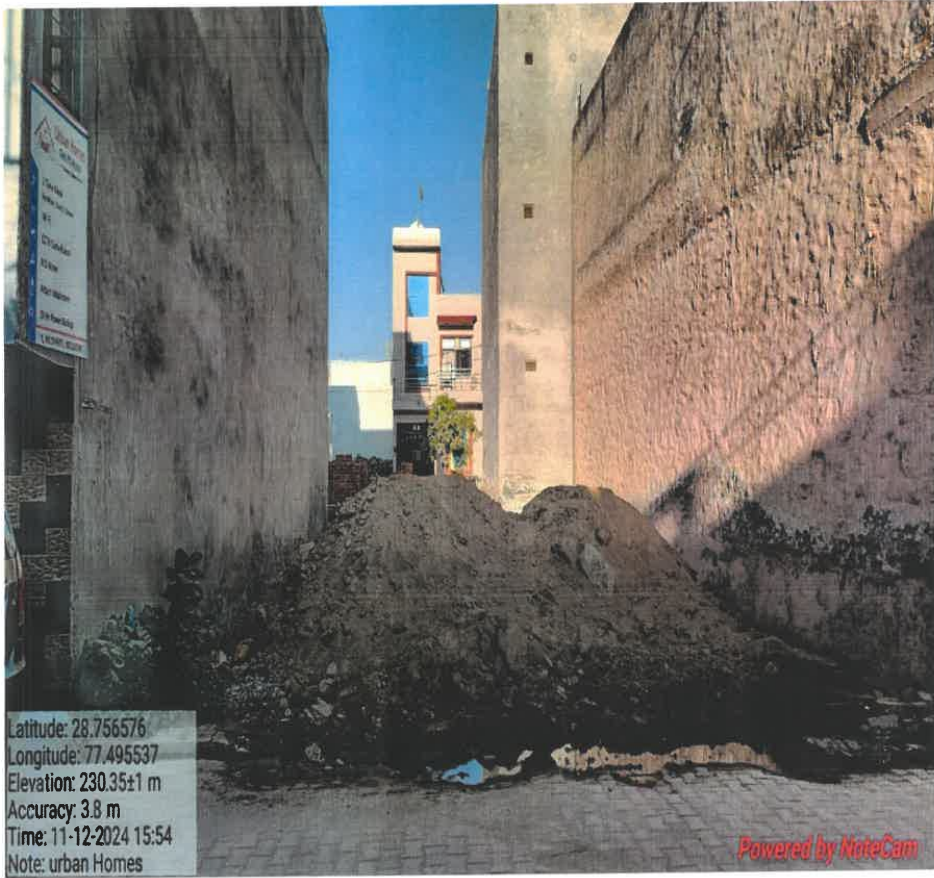
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Chazlasa (U.P.)

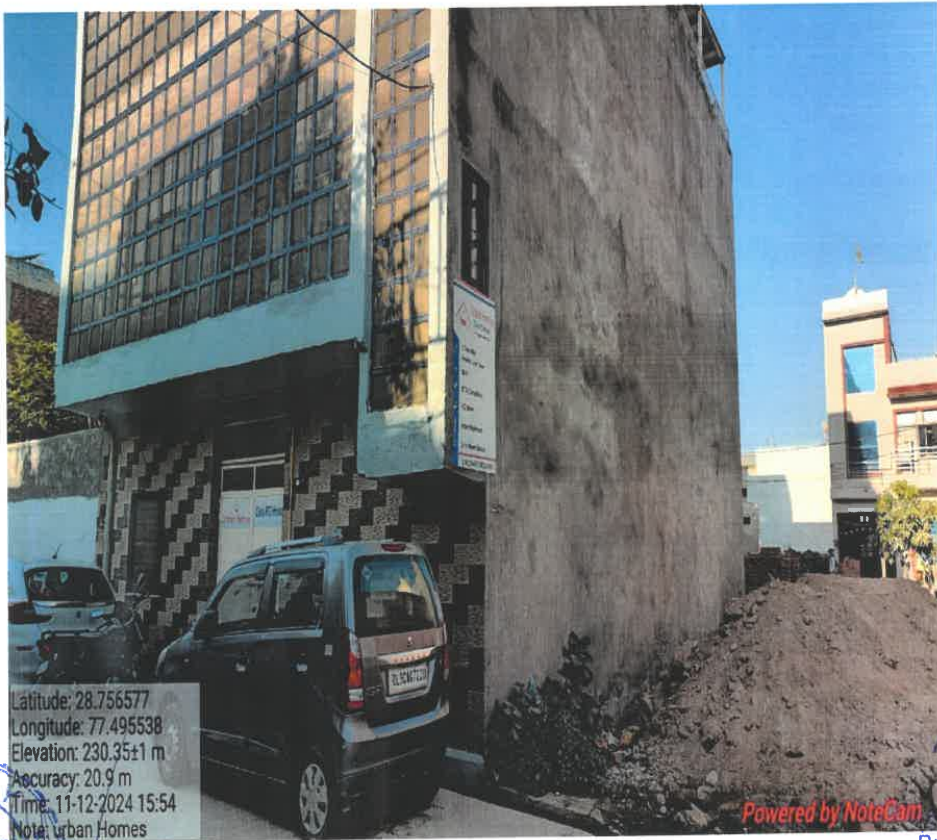


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Sandeep Sharma  
Reg. No. 11864/98  
GOVT. OF INDIA

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Chhaziawad (U.P.)

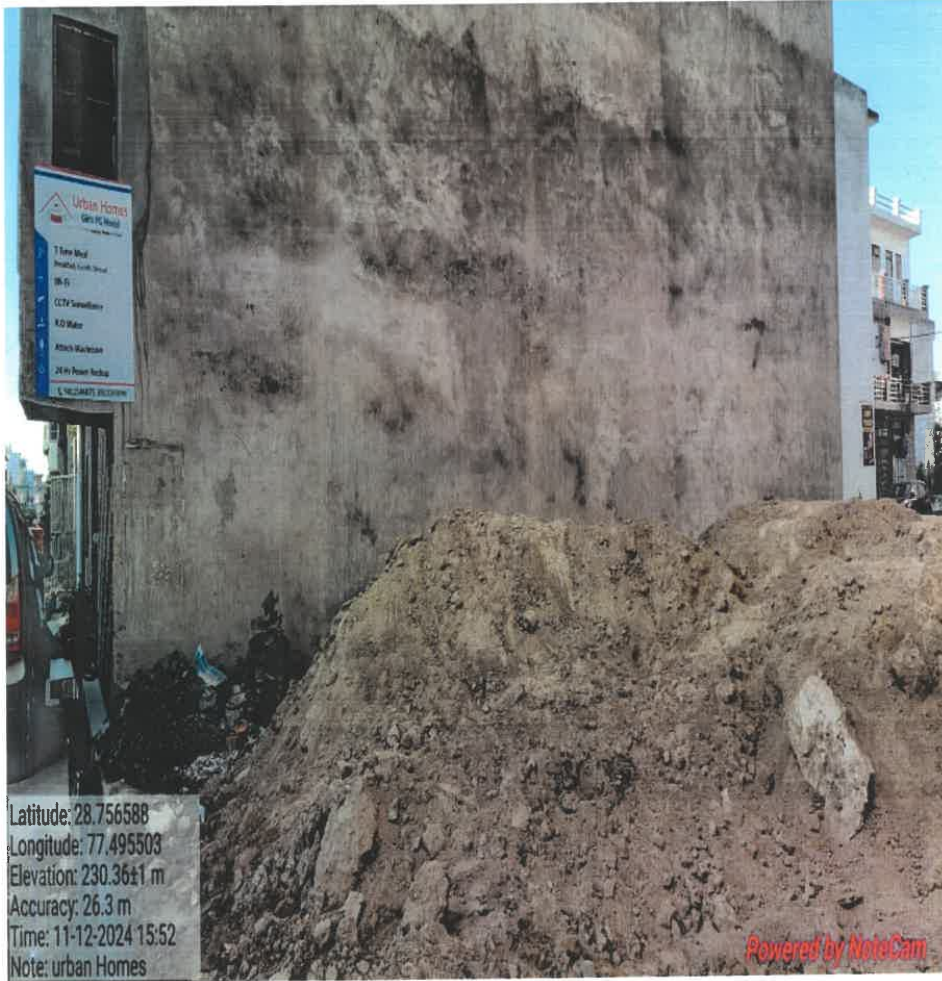
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12 DEC 2024

## Regional Office U.P. Pollution Control Board, Ghaziabad

Analysis Report of Ground Water Samples

Collected by: Kunwar Santosh Kumar (A.E.E)

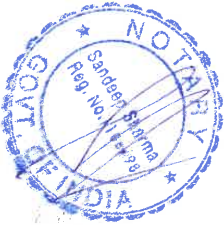
Sample Date: 07.12.2024

S.No	Sampling Point	pH	Turbidity (N.T.U.)	Colour	Odour	Cond. (µS /cm)	T.D.S (mg/l)	Total Hardness (as CaCO <sub>3</sub> ) (mg/l)	Ca. (as Ca) (mg/l)	Mg. (as Mg) (mg/l)	Total Alkalinity (mg/l)
1	Choudhary D.S. Malik, H.No.-43, Shivam Vihar, Gzb	7.14	Nil	Colourless	Odourless	891.0	579.0	362.0	104.0	24.79	100.0
2	Urban Homes Girls P G Hostel, Shivam Vihar, Gzb	7.16	Nil	Colourless	Odourless	670.0	435.0	282.0	84.8	17.0	92.0
3	Shri. Ram Kr. Tyagi, H.No.-11, Shivam Vihar, Gzb	7.08	Nil	Colourless	Odourless	932.0	607.0	332.0	118.4	8.75	111.0
	Drinking Water Standard	6.5-8.5	-	5-15 Hz	-	-	500-2000	200-600	75-200	30-100	200-600

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12 DEC 2024

(Sandeep Sharma)  
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