

IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 999 OF 2019

IN THE MATTER OF :

Dr. AJAY KUMAR

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

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Date: 20.03.2020
NEW DELHI

Rachit Mittal

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 999 OF 2019

Dr. AJAY KUMAR ... APPLICANT

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ACTION TAKEN REPORT ON BEHALF OF RESPONDENT

NO. 7- MEERUT DEVELOPMENT AUTHORITY

1. The present application has been filed by the applicant seeking following reliefs:

"(i) Direct the Respondent State of Uttar Pradesh and Respondent Nos. 5 to 7 to stop and prevent illegal plotting and sale of land reserve for park and open space under the Meerut Master Plan 2021 and to further restrain the builders/ land mafia from raising any illegal, unauthorised construction on the same.

(ii) Direct the Respondent State of Uttar Pradesh and Respondent Nos. 5 to 7 to demolish and remove the illegal constructions that have been raised on land reserved for park and Master Plan 2021.

(iii) Direct the Respondent State of Uttar Pradesh and Respondent No. 5 to 7 to restore the land reserved for park and open space under the Meerut Master Plan 2021 and develop it as per its original use.

(iv) Direct the Respondent State of Uttar Pradesh to initiate civil and criminal proceedings against the builders/ land mafia for the illegal plotting/ sale and raising unauthorised constructions on the land

reserved for park and open space under the Meerut Master Plan 2021.

(v) Impose environmental cost on the builders/ land mafia for the damage cause by them to the environment by their illegal actions.

(vi) Pass such other further order/ orders that this Hon'ble Tribunal may deem fit and proper in the light of the facts and circumstances of the present case."

2. Pursuant to the order dated 23.10.2019, an action taken report was filed on 19.12.2019 but the same was found to be incomplete and this Hon'ble Tribunal vide order dated 08.01.2020 directed to place proper action taken report on the next date of hearing i.e. 20.03.2020.

3. The following actions have been taken in the instant matter by the Meerut Development Authority:

(1) The State Government has vide G.O. No. 168/Eight-3-20-206 Misc./18TC dated 19.02.2020 directed all the development Authorities (including Meerut Development Authority) to identify the Gata numbers/ Khasra numbers/ Arajji numbers of the parks, open spaces, green belt, stadium etc. proposed in their respective master plans. Further, it has been directed that the said identification must be



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superimposed on the location map and must be uploaded on the website of the concerned authority and a copy of the same be made available to the stamp and registration office at District level. Secondly it was directed that a workshop must be organized at the District level with regard to the super imposing of the same on the map and also with regard to the mentioning of the Gata Nos., land use in the sale deeds, which will be attended by all the officers of the Authority and the officers of the Stamp and Registration office. A true copy of the G.O. No. 168/Eight-3-20-206 Misc./18TC dated 19.02.2020 is annexed and marked as **"ANNEXURE-R-1"**.

(2) Pursuant to the said G.O. No. 168/Eight-3-20-206 Misc./18TC dated 19.02.2020 the Authority has taken/is taking following actions:

(a) The proposal of 100 meters wide outer ring road runs through 55 villages. These 55 villages have been superimposed on the location map. Out of the total 55 villages, the list of khasra nos. have been prepared



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for 15 villages and for rest of the 40 villages, the work of preparing list of khasra nos. is in progress.

- (b) The proposal of 45 meters wide inner ring road runs through 22 villages. These 22 villages have been superimposed on the location map. The work of preparing list of khasra nos. is in progress.
- (c) On both the sides of the 100 meters wide outer ring road the green verge runs through 55 villages. These 55 villages have been superimposed on the location map. The work of preparing list of khasra nos. is in progress where the said green verge is proposed.
- (d) As per the Meerut Master Plan 2021, the places where the Park and Open Spaces/ Stadium are located have been identified. These are 46 places in number. Out of these 46 places, the park and open spaces/ stadium has been superimposed on the location map of 23 villages. Out of 23 villages, the list of khasra nos. have been



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prepared for 12 places and for rest of the places, the work of preparing list of khasra nos./ superimposing on the location map is in progress.

- (e) The entire exercise will be completed within 15 days and the same will be uploaded on the website of the Authority and also the same will be sent to the office of the Stamp and Registration thereafter.
- (f) Further a work shop as mentioned in the aforementioned G.O. is proposed to be conducted on 25.03.2020.

(3) The State Government has vide G.O. No. 169/Eight-3-20-206 Misc./18TC dated 19.02.2020 wherein it has been specifically mentioned "in order to effectively prevent illegal construction against land use in the parks, open spaces, green belts, stadium and roads as proposed in the Master Plans effective in the respective Development Authority and Regulated Areas, the following details must be mentioned in the sale deeds:



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- (a) Gata number and name of the village, tehsil and district should be mentioned.
- (b) In case the land exists within Regulated Area/ Development Area, the name of the respective Regulated Area/ Development Area should be mentioned.
- (c) In case the land is proposed to be used for park, open space, green belt, stadium and road in the master plan, then the land use must be mentioned.
- (d) In the event of construction against the land use as mentioned in the aforesaid sub-para (c), the purchaser will be responsible for all the legal proceedings including demolition, such consent must be mentioned in the sale deed.

A true copy of the G.O. No. 169/Eight-3-20-206 Misc./18TC dated 19.02.2020 is annexed and marked as "**ANNEXURE-R-2**".

- (4) Since for compliance of the aforesaid directions mentioned in the G.O. No. 169/Eight-3-20-206 Misc./18TC dated 19.02.2020, it would be necessary to get them superimposed on the



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location map, which may take some time. Therefore, the Authority has written a letter bearing no. 07/C.T.P./20 dated 17.03.2020 to the office of Stamp and Registration mentioning that till the time the exercise of getting the khasra nos. superimposed on the location map is not over, the office of Stamp and Registration should before registration of the sale deed enquire from the Authority about the land use of the said land in the Master Plan 2021. A true copy of the letter No. 07/C.T.P./20 dated 17.03.2020 is annexed and marked as **"ANNEXURE-R-3"**.

- (5) Apart from the above, the Authority in first phase has identified 231 illegal constructions. The show cause notices under Section 26-A (4) and Section 27 of the Uttar Pradesh Urban Planning and Development Act, 1973 have been issued to all 231 violators asking as to why the demolition order is not passed on the constructions raised by the violators. A true copy of one notice to one Mr. Manoj is annexed and marked as **"ANNEXURE-R-4"**.



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- (6) In addition to that the public notice boards have been installed at various places mentioning that no construction is permitted on the land reserved for Park, Open Spaces, Green Verge and Stadium or Road mentioned in the Meerut Master Plan 2021. Photograph showing the public notice board installed at various places is annexed and marked as "**ANNEXURE-R-5**".
4. The Authority is taking all necessary steps and the same is being done in accordance with the provisions of the Uttar Pradesh Urban Planning and Development Act, 1973.
5. The report is being submitted for kind perusal of this Hon'ble Tribunal.



MEERUT DEVELOPMENT AUTHORITY

Through



RACHIT MITTAL
Advocate

Date: 20.03.2020
NEW DELHI

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ORIGINAL APPLICATION NO. 999 OF 2019

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AFFIDAVIT

I, Manoj Kumar Singh S/o Shri Sachchidanand Singh, aged about 53 years posted as Zonal Officer, Zone-B, Meerut Development Authority, Eastern Kuchari Road, Civil Lines, Vikas Bhawan, Meerut, Uttar Pradesh presently at New Delhi do hereby state on solemn affirmation as hereunder:-

1. That I, am posted as Zonal Officer, Zone-B in the office of Meerut Development Authority and is well conversant with the facts and circumstances of the case derived from the official record. Hence, I am competent to swear this affidavit.
2. I have read and understood the contents of accompanying action taken report on behalf of Meerut Development Authority. I state that the facts stated therein are true to my knowledge derived from the official record.




DEPONENT

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VERIFICATION

I, the above named deponent do hereby verify that the contents of this affidavit from paragraph 1 to 2 are true to my knowledge derived from the official record. Nothing material has been suppressed. So help me God.

Verified on this 20th day of March, 2020 at New Delhi.

Sachin Kumar
IDENTIFIED

[Signature]

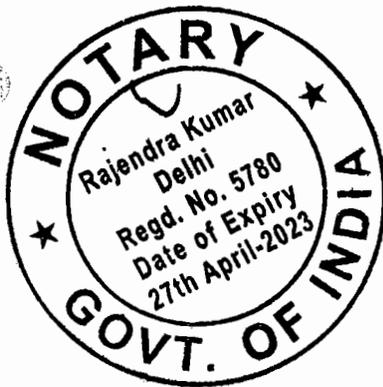
DEPONENT

ATTESTED

[Signature]

RAJENDRA KUMAR
NOTARY, DELHI-R-5780 9899448209
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Register Pg./Sl. No.

20.03.2020



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTIVE WHO IS SEEMED PERFECTLY UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT DELHI ON *20.03.2020* IDENTIFIED BY

IDENTIFY THE EXECUTIVE/DEPONENT WHO HAS SIGNED IN MY PRESENCE

20.03.2020
[Signature]

IDENTIFIED

RAJENDRA KUMAR, NOTARY, Reg. No. 5780
F No.-5(486)
EMPOWERED TO ADMINISTER THE OATH
SECTION 139 OF CPC 1908
SECTION 287 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE NOTARY
SUPREME COURT RULES, 2013
OR LEX IX-7

0320/02

आलेख्य

ANNEXURE-R-1

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अत्यंत महत्वपूर्ण/मा0 एन0जी0टी0 के आदेश
संख्या-168/आठ-3-20-206 विविध/18 टी.सी.

जा.सि/ड.अल
20/02/20 प्रेषक,

दीपक कुमार,
प्रमुख सचिव,
उत्तर प्रदेश शासन।

सेवा में,

1. उपाध्यक्ष,
समस्त विकास प्राधिकरण,
उ0प्र0 लखनऊ।
2. जिलाधिकारी/नियंत्रक प्राधिकारी,
समस्त विनियमित क्षेत्र,
उ0प्र0 लखनऊ।

आवास एवं शहरी नियोजन अनुभाग-3

लखनऊ : दिनांक : 19 फरवरी, 2020

विषय: भू-उपयोग के विरुद्ध अवैध निर्माण तथा विद्यमान नियमों के संबंध में कार्यवाही किये जाने
विषयक।

महोदय,

उपर्युक्त संबंध में अवगत कराना है कि मा0 राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली में योजित
वाद संख्या-380/2018 पार्क एवेन्यू प्लॉट होल्डर्स वेलफेयर सोसाइटी बनाम भारत संघ व अन्य में
दिनांक 17.01.2020 को पारित आदेश के प्रभावी अंश निम्नवत् हैं :-

"..... In view of the aforesaid backdrop, we have been taken by surprise today when it was submitted on behalf of the State Government that a meeting has been called for discussions/consultation in respect of the issue involved in this case. A letter in this regard has been issued by the Deputy Secretary, Urban and Housing Department, State of UP on 14.01.2020 to eight officers which includes Principal Secretary, Law; Additional Chief Secretary, Revenue; Principal Secretary, Stamps and Registration; Principal Secretary, Infrastructure and Industrial Development Department, Principal Secretary, Urban Development Department; Principal Secretary, Text and Registration Department; Advisor (Planning), Urban Development and Advisor (Development), Urban Development Department. The meeting is proposed to be held on 22.01.2020 under the Chairmanship of the Chief Secretary.

A bare perusal of the letter dated 14.01.2020 reveals that all the officers who have been called are not directly concerned with the issue involved herein i.e. to prevent selling part of the land to other individuals for the purpose of residence, whereas the same is for park/open space.

Moreover, the meeting so called is only for the purpose of discussion. As mentioned earlier, on numerous occasions it has been stated before us on behalf of State Government that a policy would be immediately framed and looking to the nature of the issue involved, even an interim measure by way of an ordinance shall be taken so that no encroachments are made on land earmarked for parks and green belts.

The aforesaid narration of facts and the proceedings in this case wherein statements had been made on different occasions for the purpose of ensuring that the land meant for park and green belt would be retained safely without encroachment had all been without any result. We find that ever-since the year 2014 when a representation was given to the concerned department and even during the pendency of the present case before us where many years have been passed, no concrete steps have been taken by State of Uttar Pradesh. We are sure that during this intervening period of more than five years much change must have taken place at the site and the land must have been used for different purposes by the individuals by claiming title in the property in question as having been purchased through registered sale deed. All this has happened due to the snail speed with which the respondent Government and its authorities have been proceeding.

In view of the above, we direct the Chief Secretary, State of Uttar Pradesh to take a final decision, for framing a policy or amending the relevant legislation for the purpose of saving/protecting the land which is meant for park and green belt under the Urban Master Plan of the State, on or before 31st January, 2020.

A copy of this order be sent to the Chief Secretary, State of Uttar Pradesh through e-mail forthwith.

List the matter on 12th February, 2020."

2- उक्त के क्रम में भू-उपयोग के विरुद्ध अवैध निर्माण तथा विद्यमान नियमों के परिप्रेक्ष्य में कार्यवाही किये जाने के संबंध में निम्नवत् निर्णय लिया गया है :-

- (1) विकास प्राधिकरण तथा विनियमित क्षेत्र में प्रभावी महायोजनाओं में प्रस्तावित पार्क, खुले स्थल, हरित पट्टिका, क्रीड़ा स्थल तथा महायोजना मार्ग भू-उपयोग से संबंधित गाटा संख्या/खसरा संख्या/आराजी संख्या का विवरण तथा सजरा मानचित्र पर सुपर इम्पोज

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करते हुए मानचित्र संबंधित अभिकरण की वेबसाइट पर प्रदर्शित/अपलोड करते हुए जनपद स्तर के स्टाम्प एवं रजिस्ट्रेशन कार्यालय को तत्काल उपलब्ध कराया जाय।

(2) जनपद स्तर पर संबंधित प्राधिकरण/विनियमित क्षेत्र तथा नगर नियोजन विभाग से संबंधित अधिकारियों के साथ स्टाम्प एवं रजिस्ट्रेशन कार्यालय के अधिकारियों को महायोजना में प्रस्तावित भू-उपयोग के सजरा पर सुपर इम्पोज किये जाने तथा भूमि के गाटा संख्या भू-उपयोग आदि विवरण का विक्रय विलेख में अंकन के संबंध में वर्कशाप आयोजित करायी जाय।

3- अतएव मुझे यह कहने का निदेश हुआ है कि कृपया कृपया प्रश्नगत प्रकरण में उपरोक्तानुसार यथोचित कार्यवाही तत्काल सुनिश्चित कराने का कष्ट करें।

भवदीय,

(दीपक कुमार)
प्रमुख सचिव।

संख्या :168(1)/आठ-3-20-206 विविध/18टी.सी.-तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. अपर मुख्य सचिव, राजस्व विभाग, उ०प्र० शासन।
2. प्रमुख सचिव, स्टाम्प एवं रजिस्ट्रेशन विभाग, उ०प्र० शासन।
3. मण्डलायुक्त, समस्त मण्डल, उत्तर प्रदेश।
4. आवास आयुक्त, उ०प्र० आवास एवं विकास परिषद, लखनऊ।
5. अनु सचिव, आवास एवं शहरी नियोजन अनुभाग-8 उ०प्र० शासन।
6. निदेशक, आवास बन्धु, उ०प्र० लखनऊ को इस आशय से प्रेषित कि संबंधित को आदेश की प्रति संबंधित को तामील कराते हुए विभागीय वेबसाइट पर अपलोड कराने का कष्ट करें।
7. गार्ड फाइल।

आज्ञा से,

(मनीष चन्द्र श्रीवास्तव)
अनु सचिव।



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Most Important/Order of Hon'ble NGT

No.: 168/VIII-3-20-206 Vividh/18T.C.

From,

Deepak Kumar,
Principal Secretary
Govt. of Uttar Pradesh.

To,

1. Vice Chairmen,
All Development Authorities,
Uttar Pradesh.
2. District Magistrates/Controlling Authorities,
All Regularized Areas,
Uttar Pradesh.

Housing and Urban Planning Section-3

Date: 19 February, 2020

Sub.: Regarding illegal construction against
land-use and action taken in the
context of existing rules.

Sir,

On the subject cited above this is to inform
you that the operative portion of the order



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dated 17.01.2020 passed by Hon'ble National Green Tribunal, New Delhi in Case No. 380/2018 Park Avenue Plot Holders' Welfare Society Vs. Union of India and Ors. is as follows:-

"In view of the aforesaid backdrop, we have been taken by surprise today when it was submitted on behalf of the State Government that a meeting has been called for discussions/consultation in respect of the issue involved in this case. A letter in this regard has been issued by the Deputy Secretary, Urban and Housing Department, State of UP on 14.01.2020 to eight officers which includes Principal Secretary, Law; Additional Chief Secretary, Revenue; Principal Secretary, Stamps and Registration; Principal Secretary, Infrastructure and Industrial Development Department, Principal Secretary; Urban Development Department; Principal Secretary, Text and Registration Department; Advisor (Planning), Urban Development and Advisor



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(Development), Urban Development Department. The meeting is proposed to be held on 22.01.2020 under the Chairmanship of the Chief Secretary.

A bare perusal of the letter dated 14.01.2020 reveals that all the officers who have been called are not directly concerned with the issue involved herein i.e. to prevent selling part of the land to other individuals for the purpose of residence, whereas the same is for park/open space.

Moreover, the meeting so called is only for the purpose of discussion. As mentioned earlier, on numerous occasions it has been stated before us on behalf of State Government that a policy would be immediately framed and looking to the nature of the issue involved, even an interim measure by way of an ordinance shall be taken so that no encroachments are made on land earmarked for parks and green belts.

The aforesaid narration of facts and the proceedings in this case wherein statements



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had been made on different occasions for the purpose of ensuring that the land meant for park and green belt would be retained safely without encroachment had all been without any result. We find that ever-since the year 2014 when a representation was given to the concerning department and even during the pendency of the present case before us where many years have been passed, no concrete steps have been taken by State of Uttar Pradesh. We are sure that during this intervening period of more than five years much change must has taken place at the site and the land must have been used for different purposes by the individuals by claiming title in the property in question as having been purchased through registered sale deed. All this has happened due to the snail speed with which the respondent Government and its authorities have been proceeding.

In view of the above, we direct the Chief Secretary, State of Uttar Pradesh to take a final



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decision, for framing a policy or amending the relevant legislation for the purpose of saving/protecting the land which is meant for park and green belt under the Urban Master Plan of the State, on or before 31st January, 2020.

A copy of this order be sent to the Chief Secretary, State of Uttar Pradesh through e-mail forthwith.

List the matter on 12th February, 2020."

2. Pursuant to the above and in view of the illegal constructions against land use and action taken in the context of existing rules, the following decisions have been taken:

(1) Details of the Gata numbers / Khasra numbers / Araji numbers which are earmarked for proposed park, open-land, green-belt, playground and master plan routes/roads in the Master Plans currently effective in Development Authority and Regularized Area and the layout plan showing super-imposed images of the



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aforesaid proposed land-use be made available immediately to the Stamp and Registration Office of the District while displaying / uploading the layout plan on the website of concerned Agency.

(2) Workshops be organized at district level among the officers of concerned Development Authority/Regularized Area and Town Planning Department and the officers of Stamp and Registration Office with regard to super-imposing the proposed Master Plan land-use on the Layout Plan and mentioning the land-use and other details of Gata Numbers in the Sale Deeds.

3. Therefore, I am directed to state that please ensure immediate and appropriate action accordingly in the above matter.

Yours faithfully,

(Deepak Kumar)

Principal Secretary



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No.: 168(1)/VIII-3-20-206 Vividh/18T.C. of
date.

Copy for information and necessary action to:

1. Housing Commissioner, U.P. Awas Evam
Vikas Parishad, Lucknow.
2. Chairman, All Development Authorities,
U.P.
3. District Magistrate / Controlling Authority,
All Regulated Areas, U.P.
4. Under Secretary, Housing and Urban
Planning Section-8, Govt. of U.P.
5. Director, Awas Bandhu, U.P. Lucknow with
the request that copy of this order be made
available to all concerned and also be
uploaded on the departmental website.
6. Chief Town and Country Planner, U.P.
7. Guard file.

By order

Sd/- illegible

(Manish Chandra Srivastava)

Under Secretary



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ANNEXURE-R-2

अत्यंत महत्वपूर्ण/मा0 एन0जी0टी0 के आदेश
संख्या-169/आठ-3-20-206 विविध/18 टी.सी.

प्रेषक,

दीपक कुमार,
प्रमुख सचिव,
उत्तर प्रदेश शासन।

सेवा में,

1. प्रमुख सचिव,
स्टाम्प एवं निबन्धन विभाग,
उत्तर प्रदेश शासन।
2. महानिरीक्षक निबन्धन उ0प्र0,
मुख्यालय प्रयागराज।

आवास एवं शहरी नियोजन अनुभाग-3

लखनऊ : दिनांक : 19 फरवरी, 2020

विषय: भूमि के क्रय-विक्रय के समय निष्पादित किए जाने वाले अभिलेख में कतिपय विवरण सम्मिलित किया जाना।

महोदय,

अवगत कराना है कि मा0 राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली में योजित वाद संख्या-380/2018 पार्क एवेन्यू प्लॉट होल्डर्स वेलफेयर सोसाइटी बनाम भारत संघ व अन्य में दिनांक 17.01.2020 को पारित आदेश के प्रभावी अंश निम्नवत् हैं :-

"..... In view of the aforesaid backdrop, we have been taken by surprise today when it was submitted on behalf of the State Government that a meeting has been called for discussions/consultation in respect of the issue involved in this case. A letter in this regard has been issued by the Deputy Secretary, Urban and Housing Department, State of UP on 14.01.2020 to eight officers which includes Principal Secretary, Law; Additional Chief Secretary, Revenue; Principal Secretary, Stamps and Registration; Principal Secretary, Infrastructure and Industrial Development Department, Principal Secretary; Urban Development Department; Principal Secretary, Text and Registration Department; Advisor (Planning), Urban Development and Advisor (Development), Urban Development Department. The meeting is proposed to be held on 22.01.2020 under the Chairmanship of the Chief Secretary.

A bare perusal of the letter dated 14.01.2020 reveals that all the officers who have been called are not directly concerned with the issue involved herein i.e. to prevent selling part of the land to other individuals for the purpose of residence, whereas the same is for park/open space.

Moreover, the meeting so called is only for the purpose of discussion. As mentioned earlier, on numerous occasions it has been stated before us on behalf of State Government that a policy would be immediately framed and looking to the nature of the issue involved, even an interim measure by way of an ordinance shall be taken so that no encroachments are made on land earmarked for parks and green belts.

The aforesaid narration of facts and the proceedings in this case wherein statements had been made on different occasions for the purpose of ensuring that the land meant for park and green belt would be retained safely without encroachment had all been without any result. We find that ever-since the year 2014 when a representation was given to the concerning department and even during the pendency of the present case before us where many years have been passed, no concrete steps have been taken by State of Uttar Pradesh. We are sure that during this intervening period of more than five years much change must have taken place at the site and the land must have been used for different purposes by the individuals by claiming title in the property in question as having been purchased through registered sale deed. All this has happened due to the snail speed with which the respondent Government and its authorities have been proceeding.

In view of the above, we direct the Chief Secretary, State of Uttar Pradesh to take a final decision, for framing a policy or amending the relevant legislation for the purpose of saving/protecting the land which is meant for park and green belt under the Urban Master Plan of the State, on or before 31st January, 2020.

A copy of this order be sent to the Chief Secretary, State of Uttar Pradesh through e-mail forthwith.

List the matter on 12th February, 2020."

2- उल्लेखनीय है कि माननीय एन0जी0टी0 के आदेशों तथा विकास प्राधिकरण तथा विनियमित क्षेत्र में प्रभावी महायोजनाओं में प्रस्तावित पार्क, खुले स्थल, हरित पट्टिका, क्रीड़ा स्थल तथा

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महायोजना मार्ग में भू-उपयोग के विरुद्ध अवैध निर्माण पर प्रभावी रोकथाम हेतु विक्रय-विलेख में निम्नवत् विवरण को अनिवार्य रूप से अंकित किया जाना आवश्यक है :-

- (क) गाटा संख्या, ग्राम, तहसील तथा जनपद का नाम अंकित किया जाय।
- (ख) विनियमित क्षेत्र/विकास क्षेत्र में सम्मिलित होने की दशा में संबंधित विनियमित क्षेत्र/विकास क्षेत्र का नाम अंकित किया जाय।
- (ग) संबंधित भूमि के गाटा संख्या का महायोजना में प्रस्तावित भू-उपयोग पार्क, खुले स्थल, हरित पट्टिका, क्रीड़ा स्थल तथा महायोजना मार्ग होने की दशा में भू-उपयोग का अनिवार्य रूप से अंकित किया जाय।
- (घ) उक्त उप प्रस्तर-ग में उल्लिखित भू-उपयोग के विरुद्ध निर्माण किये जाने की दशा में ध्वस्तीकरण सहित समस्त विधिक कार्यवाही हेतु क्रेता उत्तरदायी होगा, की सहमति अनिवार्य रूप से अंकित की जाय।

2- उक्त संबंध में मुझे यह कहने का निदेश हुआ है कि कृपया उक्त विवरण को भूमि के विक्रय-विलेख में अनिवार्य रूप से अंकित कराने के संबंध में यथोचित कार्यवाही सुनिश्चित कराते हुए संबंधित को निर्देशित करने का कष्ट करें।

भवदीय,

(दीपक कुमार)
प्रमुख सचिव।

संख्या :169(1)/आठ-3-20-206 विविध/18टी.सी.-तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. अपर मुख्य सचिव, राजस्व विभाग, उ0प्र0 शासन।
2. अध्यक्ष, समस्त विकास प्राधिकरण/मण्डलायुक्त, समस्त मण्डल, उत्तर प्रदेश।
3. आवास आयुक्त, उ0प्र0 आवास एवं विकास परिषद, लखनऊ।
4. उपाध्यक्ष, समस्त विकास प्राधिकरण, उत्तर प्रदेश को इस निर्देश के साथ प्रेषित कि कृपया विकास क्षेत्र/महायोजना से संबंधित उपर्युक्त उल्लिखित विवरण जनपद के स्टाम्प एवं रजिस्ट्रेशन विभाग को तत्काल उपलब्ध कराया जाना सुनिश्चित करें।
5. जिलाधिकारी/नियंत्रक प्राधिकारी, समस्त विनियमित क्षेत्र, उत्तर प्रदेश को इस निर्देश के साथ प्रेषित कि कृपया विनियमित क्षेत्र/महायोजना से संबंधित उपर्युक्त उल्लिखित विवरण जनपद के स्टाम्प एवं रजिस्ट्रेशन विभाग को तत्काल उपलब्ध कराया जाना सुनिश्चित करें।
6. मुख्य नगर एवं ग्राम नियोजक, उ0प्र0 लखनऊ।
7. अनु सचिव, आवास एवं शहरी नियोजन अनुभाग-8 उ0प्र0 शासन।
8. निदेशक, आवास बन्धु, उ0प्र0 लखनऊ को इस आशय से प्रेषित कि संबंधित को आदेश की प्रति संबंधित को तामील कराते हुए विभागीय वेबसाइट पर अपलोड कराने का कष्ट करें।
9. गार्ड फाइल।



आज्ञा से,

(मनीष चन्द्र श्रीवास्तव)
अनु सचिव।

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Most Important/Order of Hon'ble NGT

No.: 169/VIII-3-20-206 Vividh/18T.C.

From,

Deepak Kumar,
Principal Secretary
Govt. of Uttar Pradesh.

To,

1. Principal Secretary,
Stamp & Registration Department,
Govt. of U.P.
2. Inspector General Registration, U.P.
Headquarters, Prayagraj.

Housing and Urban Planning Section-3

Date: 19 February, 2020

Subject: To include certain details in the
Deeds/Documents to be executed at
the time of sale-purchase of land.

Sir,

This is to inform you that the operative
portion of the order dated 17.01.2020 passed
by Hon'ble National Green Tribunal, New Delhi



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in Case No. 380/2018 Park Avenue Plot Holders' Welfare Society Vs. Union of India and Ors. is as follows:-

"In view of the aforesaid backdrop, we have been taken by surprise today when it was submitted on behalf of the State Government that a meeting has been called for discussions/consultation in respect of the issue involved in this case. A letter in this regard has been issued by the Deputy Secretary, Urban and Housing Department, State of UP on 14.01.2020 to eight officers which includes Principal Secretary, Law; Additional Chief Secretary, Revenue; Principal Secretary, Stamps and Registration; Principal Secretary, Infrastructure and Industrial Development Department, Principal Secretary; Urban Development Department; Principal Secretary, Text and Registration Department; Advisor (Planning), Urban Development and Advisor (Development), Urban Development Department. The meeting is proposed to be



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held on 22.01.2020 under the Chairmanship of the Chief Secretary.

A bare perusal of the letter dated 14.01.2020 reveals that all the officers who have been called are not directly concerned with the issue involved herein i.e. to prevent selling part of the land to other individuals for the purpose of residence, whereas the same is for park/open space.

Moreover, the meeting so called is only for the purpose of discussion. As mentioned earlier, on numerous occasions it has been stated before us on behalf of State Government that a policy would be immediately framed and looking to the nature of the issue involved, even an interim measure by way of an ordinance shall be taken so that no encroachments are made on land earmarked for parks and green belts.

The aforesaid narration of facts and the proceedings in this case wherein statements had been made on different occasions for the purpose of ensuring that the land meant for

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park and green belt would be retained safely without encroachment had all been without any result. We find that ever-since the year 2014 when a representation was given to the concerning department and even during the pendency of the present case before us where many years have been passed, no concrete steps have been taken by State of Uttar Pradesh. We are sure that during this intervening period of more than five years much change must has taken place at the site and the land must have been used for different purposes by the individuals by claiming title in the property in question as having been purchased through registered sale deed. All this has happened due to the snail speed with which the respondent Government and its authorities have been proceeding.

In view of the above, we direct the Chief Secretary, State of Uttar Pradesh to take a final decision, for framing a policy or amending the relevant legislation for the purpose of



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saving/protecting the land which is meant for park and green belt under the Urban Master Plan of the State, on or before 31st January, 2020.

A copy of this order be sent to the Chief Secretary, State of Uttar Pradesh through e-mail forthwith.

List the matter on 12th February, 2020."

2. It is worth mentioning here that in order to effectively prevent illegal construction against land use in the parks, open spaces, greenbelts, playgrounds and roads proposed in the orders of Hon'ble NGT and Master Plans effective in Development Authority and Regulated Area, the following details must be mentioned in the sales deed:

(A) Gata number and name of village, tehsil and district should be mentioned.

(B) In case the land exists within Regulated Area / Development Area, the name of the respective Regulated Area / Development Area should be mentioned.



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(C) In case the land is proposed to be used for park, open space, greenbelt, playground and road in the Master Plan, then the land-use must be mentioned.

(D) In the event of construction against the land-use as mentioned in the aforesaid sub-para-C, the purchaser will be responsible for all legal proceedings including demolition, such consent must be mentioned in the Sale Deed.

2. In the above context, I am directed to state that please instruct the concerned officers/officials to ensure appropriate action regarding mentioning of the abovementioned mandatory details of land in the Sale Deed.

Yours faithfully,

(Deepak Kumar)

Principal Secretary

No. 169(1)/VIII-3-20-206 Vividh/18T.C. of date.

Copy for information and necessary action to:



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1. Addl. Chief Secretary, Revenue Department, Govt. of U.P.
2. Chairman, All Development Authorities/Divisional Commissioners of All Divisions, U.P.
3. Housing Commissioner, U.P. Awas Evam Vikas Parishad, Lucknow.
4. Vice Chairman, All Development Authorities, U.P. with the instruction to ensure making available the aforesaid details related to Development Area/Master Plan immediately to the concerned Stamp and Registration Department of the District.
5. Chief Town and Country Planner, U.P. Lucknow.
6. Under Secretary, Housing and Urban Planning Section-8, Government of U.P.
7. Director, Awas Bandhu, U.P. Lucknow with the request that copy of this order be made available to all concerned and also be uploaded on the departmental website.



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8. Chief Town and Country Planner, U.P.
9. Guard file.

By order

Sd/- illegible

(Manish Chandra Srivastava)

Under Secretary



मेरठ विकास प्राधिकरण, मेरठ।

पत्रांक: 07/5-7/19/19
प्रेषक,

दिनांक: 17/3/2020

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सचिव,
मेरठ विकास प्राधिकरण,
मेरठ।सेवा में,
समस्त उपनिबन्धक,
स्टाम्प एवं निबन्धन विभाग,
जनपद मेरठ।

विषय:- भूमि के क्रय-विक्रय के समय निष्पादित किये जाने वाले अभिलेख में कतिपय विवरण सम्मिलित किये जाने के संबंध में।

महोदय,

कृपया उपर्युक्त विषयक शासनादेश संख्या-169/आठ-3-20-206विधि/18 टी.सी. दिनांक 19.02.2020 का संदर्भ ग्रहण करने का कष्ट करें, जिसमें शासन द्वारा यह निर्देश दिये गये हैं कि विकास प्राधिकरण तथा विनियमित क्षेत्र में प्रभावी महायोजनाओं में प्रस्तावित पार्क, खुले स्थल, हरित पट्टिका, क्रीडा स्थल तथा महायोजना मार्ग में भू-उपयोग के विरुद्ध अवैध निर्माण पर प्रभावी रोकथाम हेतु विक्रय-विलेख में निम्नवत् विवरण को अनिवार्य रूप से अंकित किया जाना आवश्यक है:-

- (क) गाटा संख्या, ग्राम, तहसील तथा जनपद का नाम अंकित किया जाये।
- (ख) विनियमित क्षेत्र/विकास क्षेत्र में सम्मिलित होने की दशा में संबंधित विनियमित क्षेत्र/विकास क्षेत्र का नाम अंकित किया जाये।
- (ग) संबंधित भूमि के गाटा संख्या का महायोजना में प्रस्तावित भू-उपयोग पार्क, खुले स्थल, हरित पट्टिका, क्रीडा स्थल तथा महायोजना मार्ग होने की दशा में भू-उपयोग का अनिवार्य रूप से अंकन किया जाये।
- (घ) उक्त उप प्रस्तर-ग में उल्लिखित भू-उपयोग के विरुद्ध निर्माण किये जाने की दशा में ध्वस्तीकरण सहित समस्त विधिक कार्यवाही हेतु क्रेता उत्तरदायी होगा, की सहमति अनिवार्य रूप से अंकित की जाये।

शासन द्वारा यह भी निर्देश दिये गये हैं कि उक्त विवरण को भूमि के विक्रय विलेख में अनिवार्य रूप से अंकित कराने के संबंध में यथोचित कार्यवाही की जाये। सुलभ संदर्भ हेतु शासन के उक्त पत्र की प्रतिलिपि संलग्न कर प्रेषित की जा रही है।

शासन द्वारा दिये गये उक्त निर्देशों के क्रम में मेरठ महायोजना में प्रस्तावित पार्क, खुले स्थल, हरित पट्टिका, क्रीडा स्थल तथा महायोजना मार्ग में भू-उपयोग के विरुद्ध अवैध निर्माण पर प्रभावी रोकथाम हेतु प्राधिकरण स्तर पर सम्पूर्ण महायोजना को सजरा प्लान पर सुपर इम्पोज किये जाने की कार्यवाही प्रारम्भ कर दी गयी है। जब तक सुपर इम्पोज किये जाने की कार्यवाही नहीं की जाती, तब तक आपसे अनुरोध है कि किसी भी भूमि की रजिस्ट्री करने से पूर्व उस भूमि का भू-उपयोग मेरठ विकास प्राधिकरण से प्राप्त कर लिया जाये। ताकि शासन द्वारा दिये गये उपरोक्त निर्देशों का अनुपालन सुनिश्चित किया जा सके। आपके संज्ञान में यह तथ्य भी लाना है कि शासन द्वारा उक्त निर्देश मा0 राष्ट्रीय हरित न्यायाधिकरण नई दिल्ली में योजित वाद संख्या-380/2018 पार्क एवेन्यू प्लॉट होल्डर्स वेलफेयर सोसायटी बनाम भारत संघ व अन्य में दिनांक 17.01.2020 को पारित आदेश के क्रम में जारी किये गये हैं।

अतः यदि आप द्वारा उक्त निर्देशों का उल्लंघन किया जाता है तो यह एन.जी.टी. के आदेशों की अवहेलना होगी।

संलग्नक:- यथोक्त।

सचिव,
17/3/2020

मेरठ विकास प्राधिकरण,
मेरठ।

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प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सहायक महानिबन्धक, निबन्धन।
2. जिलाधिकारी, मेरठ
3. उपाध्यक्ष, मेरठ विकास प्राधिकरण, मेरठ।
4. जिला रजिस्ट्रार/अपर जिलाधिकारी (वि0/सा0), मेरठ।

सचिव,
मेरठ विकास प्राधिकरण,
मेरठ।

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MEERUT DEVELOPMENT AUTHORITY, MEERUT

Letter No. 07/C.T.P./20

Date: 17.03.2020

From,

Secretary,

Meerut Development Authority

Meerut

To,

All Sub Registrars

Department of Stamp and Registration

District Meerut

Subject: With regard to inclusion of certain details in the deed which is executed for sale-purchase of land

Sir,

Kindly take reference of the G.O. No. 169/Eight-3-20-206 Vividh/18T.C. dated 19.02.2020, in which the Government has

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directed that in order to effectively prevent illegal construction against land use in the parks, open spaces, greenbelts, playgrounds and roads proposed in the orders of Hon'ble NGT and Master Plans effective in Development Authority and Regulated Area, the following details must be mentioned in the sale deed:

- (A) Gata number and name of village, tehsil and district should be mentioned.
- (B) In case the land exists within Regulated Area / Development Area, the name of the respective Regulated Area / Development Area should be mentioned.
- (C) In case the land is proposed to be used for park, open space, greenbelt, playground and road in the Master Plan, then the land-use must be mentioned.
- (D) In the event of construction against the land-use as mentioned in the aforesaid sub-para-C, the purchaser will be responsible for all legal proceedings

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including demolition, such consent must be mentioned in the Sale Deed.

Government has also directed that immediate action must be taken for inclusion of the aforesaid details in the sale deed of the land. a copy of the aforesaid letter issued by the Government is being annexed and forwarded for kind perusal.

In furtherance to the directions given by the Government, the action of superimposition on the location map has been started for the proposed park, open spaces, green verge, stadium and road reflected in master plan in order to prevent unauthorised construction against the land use. Till the time the superimposition is not completed, you are requested that prior to execution of registry of any land, kindly enquire regarding the land use of such land from the Meerut Development Authority, so that the aforesaid directions given by the Government may be complied with. It is to bring to your kind notice that the

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Government has issued aforesaid direction in pursuance to the order dated 17.01.2020 passed by Hon'ble National Green Tribunal, New Delhi in Case No. 380/2018 Park Avenue Plot Holders Welfare Society Vs. Union of India.

In case you violate the aforesaid directions then it would be in violation to the orders passed by N.G.T.

Encl.: As above

Sd/-

17.03.2020

Secretary

Meerut Development Authority

Meerut

Copy to: Following for information and necessary action:

1. Assistant Mahanibandhak, Registration
2. District Magistrate, Meerut
3. Vice Chairman, Meerut Development Authority, Meerut

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4. District Registrar/ Additional District
Magistrate (F/R), Meerut

Sd/-

17.03.2020

Meerut Development Authority

Meerut

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कारण बताओं नोटिस

प्रकरण : 360/20 प्र0ख0जोन बी-4/2019

दिनांक : 12/3/20 36

श्री मनाज निकट नारायण होटल मैन बाईपास सर्विस रोड मेरठ नोटिस अन्तर्गत धारा 26(अ)

(4) एवं 27 उ0 प्र0 नगर योजना एवं विकास अधिनियम 1973 यथा संशोधित मेरठ विकास प्राधिकरण के खण्डीय अवर अभियन्ता की रिपोर्ट दिनांक 12.03.20120 (दिनांक शब्दों में बारह मार्च दो हजार बीस) के द्वारा यह अवगत कराया गया है कि आपने मेरठ विकास प्राधिकरण क्षेत्राधिकार के अन्तर्गत सक्षम अधिकारी की पूर्व अनुमति प्राप्त किये बिना/अनुमति में दी गई शर्तों का उल्लंघन करके/सार्वजनिक/सरकारी/प्राधिकरण/नगर निगम की भूमि पर अतिक्रमण करके निम्नलिखित स्थान पर जिसका विवरण नीचे दिया गया है, निम्नानुसार अनाधिकृत निर्माण/विकास कार्य कर लिया है तथा आगे भी अनाधिकृत निर्माण/विकास कार्य किया गया है स्थल का नाम व पता जहाँ अनाधिकृत निर्माण/विकास कार्य किया गया है। निकट नारायण होटल मैन बाईपास सर्विस रोड मेरठ इसके अतिरिक्त भी स्थल पर निर्माण/विकास कार्य किया गया है। आपसे एतद् द्वारा अपेक्षा की जाती है कि आप दिनांक 23.03.2020 तक कारण बताये कि यहाँ न उपर्युक्त अनाधिकृत निर्माण को गिराने के आदेश पारित कर दिनांक दिनांक 23.03.2020 को सांय 03.00 बजे कार्यालय में अधोहस्ताक्षरी के समक्ष उपस्थित हों। यहाँ यह भी स्पष्ट किया जाता है कि चूंकि आपके द्वारा अनाधिकृत निर्माण किया जा रहा है अतः उपरोक्त उल्लिखित निर्माण के अतिरिक्त जो भी अनाधिकृत निर्माण स्थल पर पाया जाएगा वह इस नोटिस में शामिल माना जाएगा।

आपका ध्यान उक्त अधिनियम की धारा 26 व धारा 26(अ) की ओर आकृष्ट किया जाता है इसके अन्तर्गत वह प्राविधान है कि ऐसे अनाधिकृत निर्माण/विकास कार्य करने के कारण आपके विरुद्ध सक्षम फौजदारी न्यायालय में वाद चलाया जा सकता है और दोषी पाये जाने पर रू0 50,000/- तक का अर्थदण्ड और अनाधिकृत निर्माण/विकास कार्य जारी रहने की दर से रू0 2500/- प्रतिदिन की दर से निर्माण/विकास कार्य जारी रहने की तिथि तक अतिरिक्त अर्थदण्ड किया जा सकता है एवं धारा 26(अ) अन्तर्गत एक वर्ष का सामान्य कारावास तथा रू0 20,000/- तक का अर्थदण्ड दिया जा सकता है साथ ही उक्त निर्माण स्थल पर पाये जाने वाले सम्पत्ति को अधिनियम की धारा 27 (अ)(1) के अन्तर्गत उक्त निर्माण को बिल भी किया जा सकता है।

अनाधिकृत निर्माण/विकास कार्य का विवरण निकट नारायण होटल मैन बाईपास सर्विस रोड मेरठ

- | | |
|--|--|
| 1. तल | भूतल |
| 2. जीर्णोद्धार/महत्वपूर्ण परिवर्तन/नवीन निर्माण : | पूर्व निर्मित |
| 3. सैट बैंक में किये गये अतिक्रमण का विवरण : | प्रभावित |
| (क) फ्रन्ट सैट बैंक (अग्र भाग) | प्रभावित |
| (ख) साइड सैट बैंक (पार्श्व भाग) | प्रभावित |
| (ग) रियर सैट बैंक (पृष्ठ भाग) | प्रभावित |
| 4. भवन उपयोग (आवासीय/व्यवसायिक/औद्योगिक/संस्थागत/अन्य) | आवासीय |
| 5. भूखण्ड का क्षेत्रफल | लगभग 5X30 वर्ग फुट |
| 6. भू-स्वामित्व (सार्वजनिक/सरकारी/नगर विकास/प्राधिकरण/निजी/अन्य) | |
| 7. बने हुए भवन के कक्षों का विवरण : | भूतल पर लगभग 5X30 वर्ग फुट क्षेत्र के भूखण्ड पर तीन शोड डालकर पूर्व निर्मित है |
| 8. निरीक्षण के समय निर्माण की अवस्था | |
| 9. अन्य विवरण | स्थल पर कोई स्वीकृत मानचित्र नहीं दिखाया गया |

जोनल अधिकारी,
भवन नियंत्रण अनुभाग
मेरठ विकास प्राधिकरण, मेरठ।

उ.प्र. नगर योजना एवं विकास अधिनियम 1973 (यथा संशोधित) की धारा 26, 26(क), 27 व 28 में अपेक्षित कार्यवाही के लिये प्रतिवेदन

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पत्रांक 360 / कम्प्यूटर कोड / 20 दिनांक 12/03/2020

जोन की सेक्टर रिपोर्ट सं दिनांक 12/03/2020

(1) प्रतिवेदन का नाम एवं पद का नाम राकेश कुमार डार अभियंता

(2) निरीक्षण का दिनांक 12/03/2020

(3) अनाधिकृत निर्माणकर्ता का नाम व पूरा पता श्री मनोज, निकट नारायणा होटल, मैन रोड पास सबिस रोड, मेरठ

(4) अनाधिकृत निर्माण का स्वरूप -

(क) महायोजना, परिक्षेत्रीय योजना अथवा तलपट योजना का उल्लंघन हाँ

(ख) सक्षम अधिकारी की अनुमति के बिना निर्माण हाँ

(ग) विकास कार्य अनुमति में दी गयी शर्तों का उल्लंघन हाँ

(घ) महायोजना, क्षेत्रीय परियोजना के विरुद्ध भूमि या भवन का उपयोग हाँ

(5) अनाधिकृत निर्माण स्थल का विवरण -

(क) स्थल का खसरा नं./भूखण्ड सं./भवन सं.: एवं चौहदी तथा (स्लॉट का चित्र पीछे दिया है) संलग्न है

(ख) भूखण्ड का क्षेत्रफल (वास्तविक अथवा अनुमानित) लगभग 50x30

(ग) आच्छादित क्षेत्रफल (वास्तविक अथवा अनुमानित) ग्रीन बेल्ट (लगभग 50x30)

(घ) भूमि/भवन का निर्धारित उपयोग-आवासीय/व्यवसायिक/औद्योगिक/संस्थागत/अन्य ग्रीन बेल्ट

(ङ) भूमि/भवन का वर्तमान उपयोग आवासीय

(6) अनाधिकृत निर्माण/विकास कार्य का विवरण -

(क) तल श्रुतल

(ख) जीर्णोद्धार/महत्वपूर्ण परिवर्तन/नवीन निर्माण पूर्ण निर्मित

(ग) सैट बैक में किये गये अतिक्रमण का विवरण प्रभावित

(अ) फ्रंट सैट बैक (अग्र भाग) प्रभावित

(आ) साइड सैट बैक (पार्श्व भाग) प्रभावित

(इ) रियर सैट बैक (पृष्ठ भाग) प्रभावित

(घ) बने हुए भवन में कक्षाओं का विवरण श्रुतल पर लगभग 50x30 फीट

पर टिन शेड

(7) निरीक्षण के समय निर्माण/विकास कार्य की स्थिति श्रुतल पर लगभग 50x30 फीट के भूखण्ड पर टिन शेड डालकर पूर्ण निर्मित है कोई मान्य स्वीकृति नहीं दिखाई

(8) अन्य विवरण

(9) निर्माण/विकास कार्य अनुमानतः कब प्रारम्भ हुआ था लगभग 2 वर्ष पूर्व से

(10) प्रतिवेदक की संस्तुति : धारा 26, 27 की कार्यवाही भी प्रस्तावित है।
प्रतिवेदक
12/03/2020

(11) प्रभारी अधिकारी की संस्तुति

प्रभारी अधिकारी

(12) सक्षम अधिकारी के आदेश : धारा 26, 26(क), 27 व 28 के अंतर्गत कार्यवाही की जावे।

टिप :- प्रतिवेदक/प्रभारी अधिकारी/जोन अधिकारी हस्ताक्षर

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Meerut Development Authority, Meerut

Show Cause Notice

Case: 360/20/Pr.Kh.Zone B-4/2019

Date: 12.03.20

Notice to Shri Manoj near Narayan Hotel Main Bye Pass Service Road, Meerut. Notice under Section 26-A (4) and 27 of U.P. Urban Planning and Development Act, 1973 (as amended).

Zonal Junior Engineer of Meerut Development Authority has vide his report dated 12.03.2020 (Date in words twelfth March Two Thousand Twenty) has reported that you have in the notified area of the Meerut Development Authority and without obtaining prior approval/ permission of the competent authority and in violation of the terms have done unauthorised construction/ development on the land which belong to public/government /authority/municipal corporation. Place where the unauthorised construction has been carried out is near Narayan Hotel main Bye Pass service road, Meerut. Apart from this also

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construction/ development has been done at the spot. The present notice is being issued to show cause till 23.03.2020 as to why the order of demolition unauthorised construction should not be passed. Kindly appear before the undersigned on 23.03.2020 at 3.00 PM. Here it is also clarified that since the construction is being raised by you, therefore, apart from the aforesaid if any other construction is found which is unauthorised construction then same shall be deemed to have been included in the instant notice.

Your attention is drawn to Section 26 and 26-A of the aforementioned Act under which there is a provision that due to raising of such kind of unauthorised constructions/ development, a criminal case can be instituted against you and in case you are found guilty then an amount of Rs. 50,000/- towards penalty shall be imposed and in case of continuation of unauthorised construction/ development, a penalty to the tune of Rs. 2,500/- per day till the date the

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construction/ development is carried out, can be imposed. Under Section 26-A imprisonment for one year and Rs. 20,000/- penalty can be imposed. In addition to this, the property can also be sealed under Section 27 A (1).

Details of Unauthorised Construction/ Development Work: Near Narayan Hotel Main Bye Pass Service Road, Meerut

1. Floor : Ground Floor
2. Renovation/ Material changes/ new construction: Completely constructed
3. Details of encroachment done in set back: Affected
 - (a) Front Set Back: Affected
 - (b) Side Set Back: Affected
 - (c) Rear Set Back: Affected
4. Use of House (Residential/ Commercial/ Industrial/ Institutional/ Others): Residential
5. Area of the plot: Around 5X30 sq.ft.
6. Land Ownership (Public/ Government/ Nagar Vikas/ Authority/ Private/ Others):

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7. Details of the rooms constructed in the house: On the Ground Floor the construction has been raised by putting teen shed on 5X30 sq. ft. plot
8. Condition of construction at the time of inspection:
9. Other details: No sanctioned map has been shown at the site

Sd/-

Zonal Officer

Meerut Development Authority



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Challan No. 5393

Book No. 216

Report for necessary action under Section 26, 26-A, 27 and 28 of the Uttar Pradesh Urban Planning and Development Act, 1973 (As amended)

Letter No. 360/ Computer Code/ date:
12/03/3030

Zone B, Sector 4 Report No. dated 12/03/2020

- (1) Name and designation of reporting person: Rakesh Kumar Junior Engineer
- (2) Date of inspection: 12/03/2020
- (3) Name and address of the person raising unauthorised construction: Shri Manoj, near Narayan Hotel, Main Bye Pass Service Road, Meerut
- (4) Form of unauthorised construction:
 - (a) Contravention of master plan, zonal plan: Yes
 - (b) Construction without permission of the competent authority: Yes
 - (c) Violation of the permission granted for the construction: Yes



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- (d) Usage of land/ house against the master plan, zonal plan: Yes
- (5) Details of the place of unauthorised construction:
- (a) Khasra No./ House No./ Boundaries of the spot: annexed
- (b) Area of the plot (actual or probable): about 50' X 30'
- (c) Covered area (actual or probable): about 50' X 30'
- (d) Determined use of land/ house- Residential/ Commercial/ Industrial/ Institutional/ Others: Green Verge
- (e) Current usage of Land/ House: Residential
- (6) Details of the unauthorised construction/ development work:
- (a) Floor: Ground Floor
- (b) Renovation/ Material changes/ New construction: already constructed
- (c) Details of encroachment done in set back: Affected

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- (d) Front Set Back: Affected
 - (e) Side Set Back: Affected
 - (f) Rear Set Back: Affected
 - (g) Details of the room constructed in the house: Teen shed on the plot of size of 50' X 30' is constructed on ground floor
 - (h) Stage of construction/ development work at the time of inspection: Teen shed on the plot of size of 50' X 30' is constructed on ground floor. No approved map has been shown
 - (i) Other details:
 - (j) When did construction/ development work started: From about 02 years
 - (7) Recommendation: Proposal of action under Section 26, 27
 - (8) Recommendation of officer in charge:
 - (9) Order of competent authority: initiate action under Section 26, 26A, 27 and 28

Sd/-
Reporting person
Sd/-
Officer in charge

Sd/-
Zonal Officer

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ANNEXURE-R-5 48/168



BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

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ORIGINAL APPLICATION 999 OF 2019

IN THE MATTER OF:-

Dr. Ajay Kumar

... APPLICANT

VERSUS

Union of India & Ors.

...RESPONDENTS

PROOF OF SERVICE

S. NO.	ADVOCATE NAME	SIGNATURES
1	<i>Applicant in person through email</i>	<i>By email</i>
2		

3/20/2020

Gmail - REPORT DATED 20.03.2020 ON BEHALF OF MEERUT DEVELOPMENT AUTHORITY



Rachit Mittal <rachitmit@gmail.com>

REPORT DATED 20.03.2020 ON BEHALF OF MEERUT DEVELOPMENT AUTHORITY

1 message

Rachit Mittal <rachitmit@gmail.com>

Fri, Mar 20, 2020 at 10:34 AM

To: dr.ajaykumar.rti@gmail.com

Sir,
Please find enclosed herewith report on behalf of Respondent No. 07- MDA
Rachit Mittal
Advocate, Supreme Court
Chamber No. 222, M.C. Setalvad Lawyers Chambers,
Supreme Court, Bhagwan Dass Road,
New Delhi- 110 001.
Mob.: +91 9873997047

AJAY KUMAR- REPORT MDA.pdf
1019K

Rachit Mittal