

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 177/2022**

IN THE MATTER OF:

ABHIST KUSUM GUPTA APPLICANTS
VERSUS
STATE OF UTTAR PRADESH & ORS. RESPONDENTS

NDOH: 18.01.2024

INDEX

Sl. No.	Particulars	Page No	C. Fee
1.	Action Taken Report/Compliance Affidavit for and on behalf of Respondent No.5/ New Okhala Industrial Development Authority (NOIDA)	1-5	

RESPONDENT NO. 5

Through



Dated: 17.01.2024
New Delhi

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

O. A. No. 177/2022



IN THE MATTER OF:

ABHIST KUSUM GUPTA

..... APPLICANTS

VERSUS

STATE OF U.P. & ORS.
RESPONDENTS

.....

**ACTION TAKEN REPORT/ COMPLINANCE AFFIDAVIT
FOR AND ON BEHALF OF THE RESPONDENT NO.5/NOIDA
AUTHORITY**

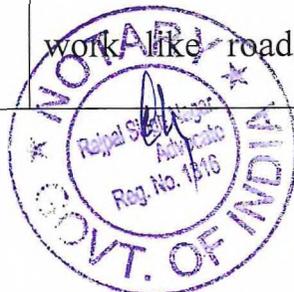
I, Vishwas Kumar Tygai, S/o Late Shri S S Tygai Aged about 56 years, working as Senior Manager in the office of New Okhala Industrial Development Authority, having office at Main Administrative Building, Sector-6, Noida, Gautam Buddha Nagar-201301, do hereby solemnly affirm and state as under:

1. That I am working as Senior Manager in the office of New Okhala Industrial Development Authority and as such in my official capacity I am well conversant with the facts and circumstances of the facts and circumstances of the present case and therefore competent to swear the instant affidavit.



2. That this Hon'ble Tribunal vide its Order dated 12.10.2023 passed in the above captioned matter has directed the Noida Authority to file an action taken report/progress report with respect to amelioration of ponds falling within the ambit of Noida Authority.
3. That the present Action taken report/Progress Report in the form of compliance affidavit is being filed for and on behalf of the Noida Authority pursuant to and in respectful compliance of aforesaid Order dated 12.10.2023 passed by this Hon'ble Tribunal.
4. It is submitted with great respect that there are total 67 ponds within the ambit of Noida Authority which has been categorized as under in the Short Affidavit/Compliance Affidavit dated 11.10.2022 and also duly recorded in the Order dated 12.10.2022 passed by this Hon'ble Tribunal:

A.	Ponds which are in existence fully or partially	13 ponds
B.	Ponds on which development work like road, green belt,	08 ponds

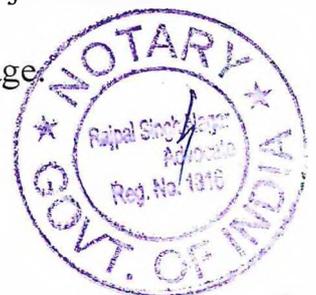


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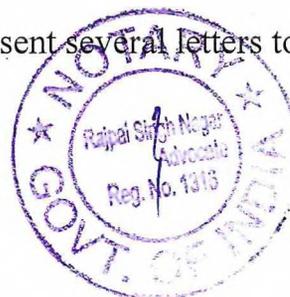
	public utility houses, Smarak park etc.	
C.	Ponds on which factory, group housing, industrial plots have been allotted	06 ponds
D.	Ponds on which dense population existed even before the same came to be vested with Noida Authority on 28.12.2020 and as such it is the prerogative of District Administration to clear the encroachment in terms of section 67 of the Revenue Code	40 ponds
	Total	67 Ponds

5. It is submitted that out of 13 ponds falling in category "A", 10 ponds have been fully rejuvenated and further the rejuvenation work in rest of the three ponds are in the advance stage.

[Handwritten Signature]



6. That so far as the ponds falling in category “B” & “C” are concerned it is submitted that there are altogether 14 ponds in the said category of ponds having total area of 4.6547 hectare. It is humbly submitted that the Answering Respondent/Noida Authority in terms of Government Order dated 03.06.2016 have developed a wetland over an area of 11.7183 hectare of land in Sector 54 and Sector 91 of Noida. It is submitted that besides the aforesaid the Noida Authority have developed a pond over 3.2374 hectare of land in Sector 135 Noida and development of a pond over 4.4154 hectare of land is also proposed in Sector 167 Noida.
7. That so far as the ponds falling in category ‘D’ is concerned, this Hon’ble Court may issue appropriate directions to the revenue authority for removal of encroachment. It may be pertinent to mention herein that the revenue authority had been vested with the right, title & interest of these ponds prior to 28th of December, 2020 and under the Revenue Code it the revenue authority only, which is empowered to remove the encroachment in view of section 67 of the UP Revenue Code, 2006. It is submitted that the NOIDA Authority has sent several letters to the



district administration requesting for removal of the encroachment as per law.

8. That the instant Action taken report is being filed for and on behalf of Noida Authority in due compliance of the order dated 12.10.2023 passed by this Hon'ble Tribunal and in the interest of justice.

9. I say that the contents hereof are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed thereof.

DEPONENT

VERIFICATION

Verified at _____ on this _____ day of _____, 2024 that the contents of the above affidavit are true and correct to the best of knowledge and belief and nothing material has been concealed therefrom.

DEPONENT



ATTESTED

Rajpal Singh Nagar
Notary Public Noida
Gautambudh Nagar (U.P.)

17 JAN 2024