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क्षेत्रीय कार्यालय
REGIONAL OFFICE
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No. 704/NCT-59/2020

दिनांक
Dated 4/9/2020

To
The Registrar,
National Green Tribunal
Principal Bench, New Delhi

Subject: Factual and action taken report in compliance of order dated 05/03/2020 in OA No. 59/2020 Dr. Ajay Kumar v/s Union of India and Others.

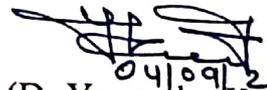
Respected Sir,

In the above noted case, Hon'ble Tribunal has given direction as below :-

“Let the District Magistrate Meerut, Meerut Development Authority, Municipal Commissioner and Uttar Pradesh Control Board (UPPCB) furnish a factual and action report in the matter before the next date by email at judicial-ngt@gov.in. The nodal agency will be the UPPCB for coordination and compliance to a copy of this order be sent to the District Magistrate, Meerut Development Authority, Municipal Commissioner Meerut and Uttar Pradesh Pollution Control Board (UPPCB) by email. The applicant may furnish a set of papers each to the District Magistrate, Meerut Development Authority, Municipal Commissioner Meerut and Uttar Pradesh Control Board (UPPCB) and the file an affidavit of service within one week.”

Accordingly a factual and action taken report is being submitted for kind perusal and further action in this regard.

Your faithfully,


04/09/2020
(Dr. Yogendra Kumar)
Regional Officer

क्षेत्रीय कार्यालय :- पाकेट -टी.सी-3/2, पल्लवपुरम फेस-2, मोदीपुरम, मेरठ-250110 (उ०प्र०)
बोर्ड मुख्यालय :- पर्यावरण भवन, टी.सी.-12, वी. विभूति खण्ड, गोमती नगर, लखनऊ-226010 (उ०प्र०)

Compliance report in OA No. 59/2020 order passed by Hon'ble NGT on dated 05.03.2020

Pursuant to the direction given by Hon'ble NGT in order passed on dated 05.03.2020 in OA No. 59/2020 Dr. Ajay Kumar v/s Union of India and others. The main relevant contents of order are as under.

"Let the District Magistrate Meerut, Meerut Development, Authority, Municipal Commissioner and Uttar Pradesh Control Board (UPPCB) furnish a factual and action report in the matter before the next date by email at judicial-ngt@gov.in. The nodal agency will be the UPPCB for coordination and compliance to a copy of this order be sent to the District Magistrate, Meerut Development Authority, Municipal Commissioner Meerut and Uttar Pradesh Pollution Control Board (UPPCB) by email. The applicant may furnish a set of papers Meerut and Uttar Pradesh Control Board (UPPCB) and the file an affidavit of service within one week."

In compliance of aforesaid order District Magistrate, Meerut nominated ACM Shri Sandeep Srivastav as representative of District Magistrate Meerut and directed to Nagar Nigam Meerut and Meerut Development Authority, Meerut and Regional Officer, UPPCB to file compliance report within stipulated time period in Hon'ble Tribunal.

As per record available with Meerut Development Authority, Meerut following report is being submitted :-

In the above case the complaint of the applicant is that in the Master Plan 2021 prepared for Meerut Development area by the Meerut Development Authority, there are unauthorized construction in the areas proposed for Open Spaces and green belts.

It is noteworthy that in Meerut Master Plan-2021 on 45.00 M and more wide roads green belt has been proposed. Along with this for the protection of the Environment Parks and Open Spaces have been proposed/provided. Generally/Ordinarily the Residential Scheme are carried on by the M.D.A. In Residential Schemes there are always provisions for Parks. If in a Residential Scheme there is a Provision for Master Plan Road and green belt then whenever the Master Plan Road is constructed then green belt is also developed along with the Master Plan Road.

In the following residential schemes developed by M.D.A. on more than 10% of the area has been utilized for the parks, open spaces and green belt etc.

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1. Shatabadi Nagar
2. Ved Vyasपुरी
3. Pallavपुरम
4. Ganga Nagar
5. Rakshapuram
6. Lohiya Nagar
7. Defence Enclave
8. Shraddhapuri
9. Sainik Vihar
10. Pandav Nagar etc.

Apart from the above many other departments are also carrying out development and construction works in accordance with Meerut master Plan-2021. Awas & Vikas Parishad have developed Shashtri Nagar, Jagriti Vihar, Mangal Pandey Nagar, Madhavपुरम, T.P. Nagar, etc. schemes in Meerut, where in the provision has been made for parks and open spaces.

The schemes/colonies of private developers are sanctioned in accordance with the provision of the Building Bye Laws (Bhawan Nirman Evam Vikas Upvidhi). The building Bye Laws 2016, which are applicable at present provides for at least 15% area to be used for parks, M.D.A. has approved about 200 layout plans so far in which the private developers have developed parks and open spaces.

The proposed green belts, Parks and Open spaces are developed properly in the schemes of M.D.A. and Awas Vikas Parishad and in the approved layout plans of colonies of private developers. But the other places of Master Plan where the land ownership is of the private individuals, in those places for preventing unauthorized construction the action by M.D.A. is taken under the relevant provisions of U.P. Urban Planning and Development Act, 1973.

The Hon'ble Nation Green Tribunal through its order dated 06.07.2020 has sought factual and action taken report regarding encroachment on the area proposed for parks and open Spaces in Meerut Master Plan-2021 in the area of Kharoli at Baghpat Road, Proposed Bus stand at National Highways Khirwa road, Bhola Road, Sundra Urf Pathanpura etc. The sites are as follows:-

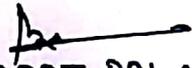
- 1- Un-authorized constructions done in village Kunda and village Sundara Alias Putha.
- 2- Educational institutions located on 45.00 Meter, wide Bhola marg.
- 3- Bapu Ashram located at Khirwa road.
- 4- Un-authorized constructions in Green verge on 45.00 Meter wide Bhola Road of Master Plan.
- 5- Un-authorized constructions at Khadauli near Baghpat road, Over Bridge.
- 6- Un-authorized constructions on the proposed bus stand land on National Highway-58.

M.D.A. has taken action against the un-authorized construction in different areas along with the areas proposed for Parks, Open Spaces and green belt in Meerut Master Plan-2021, in accordance with the relevant provision under the U.P. Urban Planning and Development Act, 1973 by issuing 255 notices. In accordance with the aforesaid provisions the proceedings for sealing and demolition of un-authorized illegal construction is in progress. Up till now 08 un-authorized constructions have been sealed and 50 un-authorized constructions demolition order have been passed in which demolition will be effected after the entering of the period prescribed in law.

In this way effective action is being taken against illegal and un-authorized constructions in accordance with the relevant provision of U.P. Urban Planning and Development Act, 1973.

On the basis of the above facts the factual & action taken report is submitted for the kind perusal of the Hon'ble Tribunal.


(R.K. Singh)
AEE
UPPCB, Meerut


 BRAJ PAL SINGH
Asst. Municipal Comm (Sandeep Srivastav)
ACM
Meerut
Nagar Nigam, Meerut


ACM
Meerut


(P. Veena)
Secretary, MDA
Meerut