

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 100 OF 2024

IN THE MATTER OF:

16th Avenue Gaur City 2 Apartment
Owners Association

...Applicant

Versus

Greater Noida Industrial
Development Authority & Ors.

...Respondents

INDEX

S.N.	Particulars	Page No.
1.	Rejoinder on behalf of the Applicant to the counter affidavit filed by the Respondent No. 4 in O.A. No. 100 of 2024.	01-11
2.	Annexure-R1: A copy of the certified sanctioned maps and layout plans of the group housing showing designated site for STP.	12-42
3.	Annexure-R2: A copy of the objection sent to the Respondent No. 1 against public notice and blanket consent.	43-46
4.	Annexure-R3: Photographs showing the green area covered with concrete and plastic grass.	47-57

Date: 06.11.2024

Applicant through



Prashant Kanha & Anand Mishra
Advocates,
Counsel for the Applicant
B-11, LGF- Lajpat Nagar-3, New Delhi
M: 9319442290 | 9555962993
E: delhioffice@redlaw.in





BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:

16th Avenue Gaur City 2 Apartment
Owners Association

...Applicant

Versus

Greater Noida Industrial
Development Authority & Ors.

...Respondents

I, Amit Kumar Pandey S/o Sh. Vijay Kumar Pandey aged about 41 years holding position of Secretary in the 16th Avenue Gaur City 2 Apartment Owners Association' have gone through the reply/Counter Affidavit of the Respondent No. 4. Being privy to the facts of the case brought out before me from the records, I, hereby solemnly affirm and state as under:

Preliminary Submissions:

1. That, it is humbly submitted that the contents of the Counter Affidavit are denied except those specifically admitted herein or materials which forms part of the record.
2. That, the applicant filed the present original application regarding under capacity and non-functional STP installed in the group housing project '16th Avenue, Gaur City 2' situated in Greater Noida West, Gautam Buddha Nagar.
3. That, this Hon'ble Tribunal on the first hearing dt. 22.01.2024 constituted a joint committee comprising of representatives of Member Secretary, CPCB and Member Secretary, UPPCB and



Amit Kumar Pandey

directed it to carry out the joint inspection and ascertain the factual position on the spot and take remedial action and submit the action taken report before the Tribunal.

4. The report dated 19.03.2024 was submitted by the joint committee before the Hon'ble Tribunal in compliance to the order dt. 22.01.2024. The joint committee noted in its report that an STP of 885 KLD is required for the group housing but the Respondent project proponent has installed STP of only 310 KLD. This difference in capacity resulted in discharge of untreated sewage from the group housing.
5. That, the violations committed by the Respondent 4 is not limited only to the installation of under capacity STP but extend to the installation of STP at a place in violation of maps and layout plans sanctioned by the Respondent No. 1, i.e., Greater Noida Industrial Development Authority (hereinafter as "the Authority").
6. That, the applicant obtained certified copies of the maps and layout plans of the group housing from the Authority and found out that the project proponent, in violation of the sanctioned maps, has installed the under capacity STP at other place which is not the approved site for installation of STP. A copy of the certified copies of the maps and layout plans are attached to this rejoinder as **Annexure-R1**.
7. That, it is surprising that the Respondent No. 4 got the Occupancy Certificate (OC) from the Authority despite not installing the STP at its designated site. This represents that no inspection was done by



Ant. S. Pandey

the Authority before issuing OC. Had there been proper inspection by the Authority, both illegalities, firstly being installation of STP elsewhere, and secondly installation of under capacity STP, committed by the Respondent No. 4 would have been exposed and the continuing offence of environmental pollution could have been prevented.

8. That, the Authority which is also a party to the present application and has been arrayed as Respondent No. 1 must be called upon to explain how OC was issued to the Respondent No. 4 without conducting any inspection.
9. That, when joint committee submitted its report before the Hon'ble Tribunal, the Respondent No. 4 got into action and placed orders for additional 500 KLD STP. But even now, the Respondent No. 4 is adamant to install the STP at any location other than its designated site as per the sanctioned maps. This high-handed approach and violations by the Respondent No. 4 are going on while the regulating Authority is acting as a mute spectator and has not issued any notice to the Respondent No. 4 as to why the already installed STP was not installed at its designated site and why the additional STP cannot be installed at its designated site.
10. That, the violation is continuing till date and the Respondent No. 4 has not installed the STP. The Authority which is the map sanctioning authority has not made any effort till date to verify whether all constructions are as per the sanctioned plans or not.



Ant for Renu Bala

11. Para wise reply to the Preliminary Submissions of the counter affidavit are as hereinafter:

- i. That, the contents of Para 1(i) of the preliminary submissions are denied as stated. It is humbly submitted that internal developments of the group housing including development of sewage treatment plant was the obligation of the Respondent No. 1 as per the lease deed executed between the Authority and the project proponent.
- ii. That, the contents of Para 1(ii) of the counter affidavit are false, misleading and contrary to the materials available on record. All group housings are mandatorily required to have a Sewage Treatment Plant and the maps, layout plans for any group housing project are approved only when there is provision for STP. The Respondent contrary to its claims, placed the work/purchase order only when the joint committee report was submitted before the Hon'ble Tribunal.
- iii. That, the contents of Para 1(iii) of the counter affidavit are false, misleading and contrary to the materials available on record. It is humbly submitted that the Clause 8 of the Memorandum of Transfer dated 19.01.2021 clearly stated that the Respondent shall provide the STP in a functional state. Not only respondent failed to provide the STP in a functional state, later it came to the knowledge of the applicant that the installed STP in below capacity.
- iv. That, the contents of Para 1(iv) of the counter affidavit are denied as stated. In reply it is humbly submitted that minutes of meeting



Ant for Renu Billa

relied upon by the respondent itself reveals that STP was not handed over to the applicant and neither it was in a functional state. It was due to constant pressure from the applicant, the respondent was forced to do a meeting and agreed to make the STP functional, but even after the agreeing in the meeting, the respondent did not make the STP functional and the applicant was constrained to approach CPCB and The Authority by way of complaints dated 27.08.2023. Copy of complaints sent to the CPCB and The Authority are already attached to the original application and same is on record.

v. That, the contents of Para 1(v) of the counter affidavit are false, fabricated and misleading and hence denied. It is humbly submitted that respondent is deliberately making false submissions on oath before the Hon'ble Tribunal. The purported work order was issued only when the joint committee inspected the group housing and noted the deficiency on the part of the respondent and submitted its report dated 19.03.2024. The Respondent has mischievously tried to portray that work order was issued prior to filing of the application. It is humbly submitted that respondent is trying to mislead and misrepresent this Hon'ble Tribunal by making false submissions.

vi. That, the contents of Para 1(vi) of the counter affidavit are false, fabricated and misleading and hence denied. It is humbly submitted that no meeting was conducted between the Respondent No. 4 and the office bearers of the applicant association. It is further submitted that Respondent was operating the existing under capacity STP and not even once it informed



Ant for - Paday.

the applicant association that installed STP is under capacity. Further, the false claim of the Respondent that work order for STP was placed on 15.07.2023 is also exposed from the minutes of meeting which does not reveal anything about such work order. The Respondent has fabricated the said minutes of meeting to mislead the Hon'ble Tribunal and to evade its liabilities.

- vii. That, the contents of Para 1(vii) of the counter affidavit are false, baseless and misleading and hence denied. It is humbly submitted that till 2021 the Respondent was operating the STP and had engaged an agency for its upkeep. It is further submitted though the STP was not functional, Respondent had engaged the agency for maintaining the STP just to portray that it is complying with rules and regulations. The salary of the personnel employed for upkeep of the STP was also paid by the respondent. Here it is also pertinent to mention that respondent is trying to shift the issue from non-installation of adequate capacity STP to handover of existing under capacity and non-functional STP which was never done by the respondent. Further, it is also pertinent to mention here that Respondent is also silent on the issue of site of the existing STP which is contrary to the approved sanctioned maps and layout plans.
- viii. That, the contents of Para 1(viii) of the counter affidavit are denied to the extent where it states that work order was placed prior to the joint committee report dated 19.03.2024.
- ix. That, the contents of Para 1(ix & x) of the counter affidavit are false, baseless and without merit, and hence denied. It is humbly



Art. & P. Dey

submitted that Respondent cannot seek allocation of space for the STP either with the applicant or with the Pollution Control Board. The STP can only be installed at its designated site in the sanctioned maps approved by the Authority. Neither the applicant association nor the respondent or even pollution control board have the right/authority/liberty to violate the sanctioned maps at its convenience and designate any site at their discretion for the installation of STP. The respondent's act of sending letter dated 06.06.2024 to the applicant and letter dated 07.06.2024 despite there being a sanctioned map with designated site for STP is *Malum Prohibitum* and cannot be relied upon to demonstrate its efforts to install the STP.

- x. That, the contents of Para 1(xi) of the counter affidavit are accepted and the contents of letter dated 10.06.2024 are reiterated herein and reaffirmed.
- xi. That, the contents of Para 1(xii) of the counter affidavit are misleading and misplaced and hence denied. The applicant humbly submits that the Authority has failed in its duty to keep check on the illegalities committed by the respondent no. 4, by omitting to perform its duties and obligations. The Authority failed to seek response from the respondent no. 4 as to why STP is not being installed at its designated site, instead the Authority proactively provided a measure to obtain the consent for revised plan.

The Authority was under obligation to first enquire about the reason for seeking revision in sanctioned plan. The obligation of the Authority to enquire the cause for revision ought to be put on



Art. Dr. P. S. Dey.

higher pedestal as it is also the map sanctioning authority. Therefore, the Authority cannot remain oblivious to the changes made in the group housing without its consent and in violation of sanctioned maps and plans. But in the present case, the act of the Authority to suggest a measure to the respondent no. 4 to obtain consent rather than seeking clarification is suspicious and highly unwarranted.

- xii. That, the contents of Para 1(xiii & xiv) of the counter affidavit are false, misleading and portrays misplaced position of law, and hence denied. The applicant humbly submits that publication of public notice in any two random newspapers by the respondent without intimating the applicant association or the apartment owners is a gross abuse of process. The respondent no. 4 has curtailed the rights of apartment owners to raise any objection just by publishing a public notice in a newspaper. It is further submitted that this whole exercise to defeat the rights of the apartment owners to raise their object against installation of STP at any arbitrary place is being done at the instance and suggestion of the Authority which neither only failed to act against the respondent no. 4 but even suggested procedure to obtain the consent from apartment owners without even informing the apartment owners.

It is further submitted that as soon as the public notice published came into the knowledge of the applicant association, it raised its objection and submitted an objection letter before the Authority intimating it that blanket consent for unilaterally changing the sanctioned maps cannot be obtained in this manner and such blanket consent is illegal and void ab initio. Section 5(3)(a) of the



Ant G. Budge.

UP-Apartment Act, 2010 becomes relevant here which prescribes the mechanism for obtaining consent from apartment owners when their percentage of undivided interest in the common areas is sought to be altered. Relevant portion is reproduced below:

“(3) (a) The percentage of the undivided interest of each apartment owner in the common areas and facilities shall have a permanent character, and shall not be altered without the written consent of all the apartment owners and approval of the competent authority.”

A copy of the objection sent to the Authority by the applicant association is annexed to this rejoinder as **Annexure-R2**.

12. That, the contents of Para 2 of the counter affidavit are part of the record in the form of joint committee report and hence merit no response from the applicant.

13. That, the contents of Para 3(i) and 3(ii) of the counter affidavit are denied and it is humbly submitted that the respondent has illegally converted the green area with concrete in violation of the sanctioned maps effectively prohibiting the ground water recharge and also prohibiting the temperature regulation in the group housing. It is stated that maps and layout plans which itself was prepared by the respondent promoter and approved by the Authority have been violated and the green area has been concretized and covered with green plastic grass. Photographs of the purported green area covered in plastic grass is annexed to this rejoinder as **Annexure R3**.



Ant. G. Paday.

14. That, the contents of para on 'Reply on Merits' of the counter affidavit are denied as stated and appropriate reply to the same have been already given by the applicant in the foregoing paragraphs.

15. That, in view of above facts, circumstances and continuous violation of laws, the applicant association humbly prays that the respondents may be directed to ensure installation of additional 576 KLD STP at its designated site as per the approved sanctioned plans and maps.

Art for. Radey

DEPONENT

VERIFICATION

Verified that the contents of Paragraph No. 1 to 15 of my above affidavit are true and correct to my knowledge. No part if it is false and nothing has been concealed therein.

fern
ATTESTED
RENU BALA
 Regd No. 16727
 Notary Public
 Govt. of India
11.6 NOV 2024

Art for. Radey

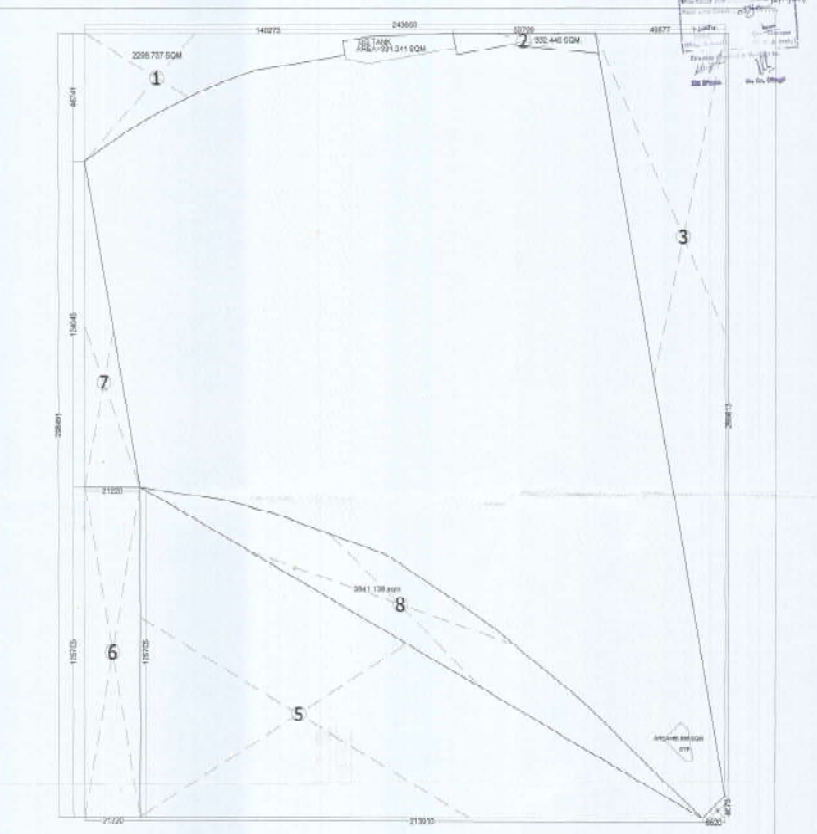
DEPONENT



Art for. Radey



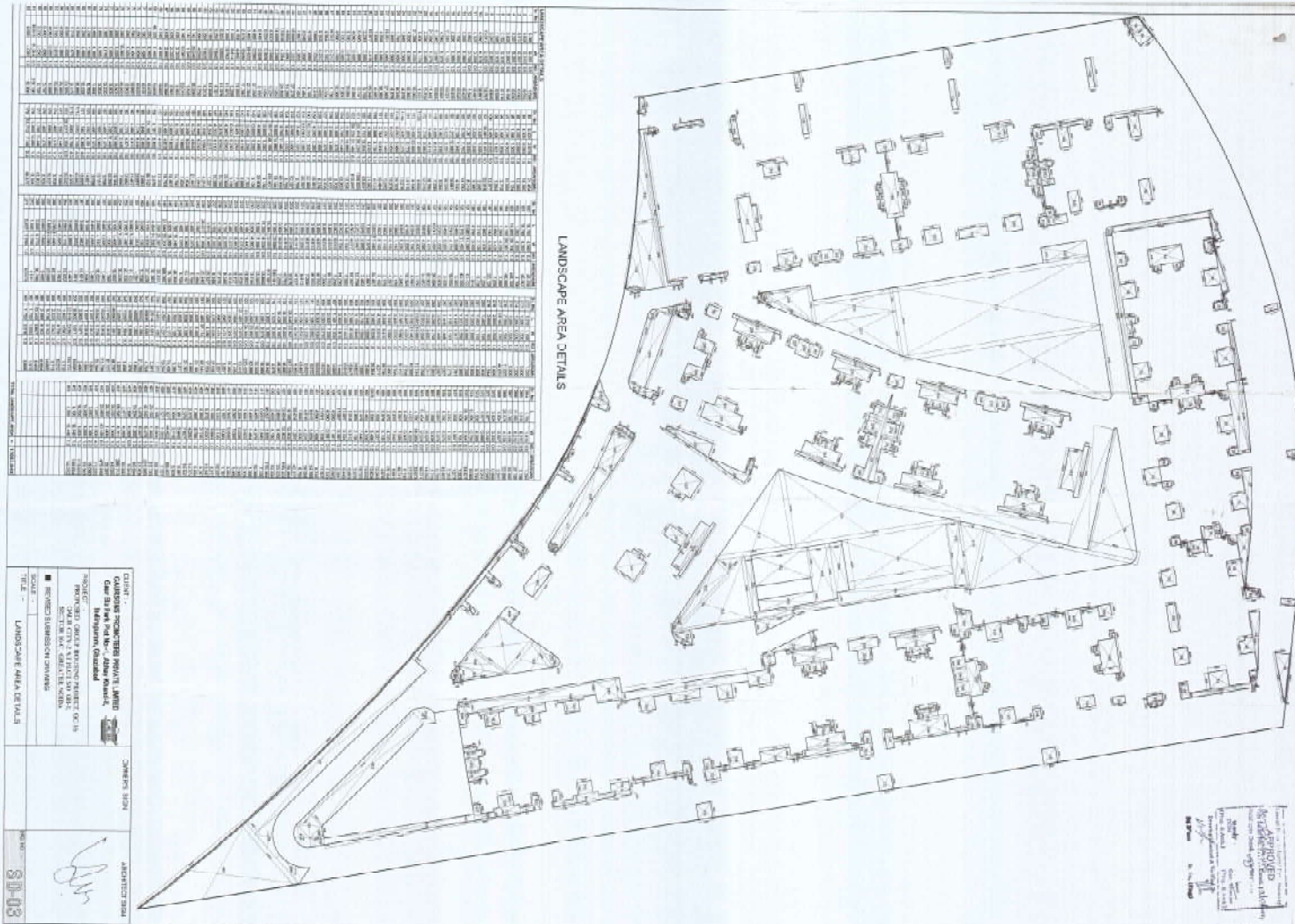
BASEMENT PLAN

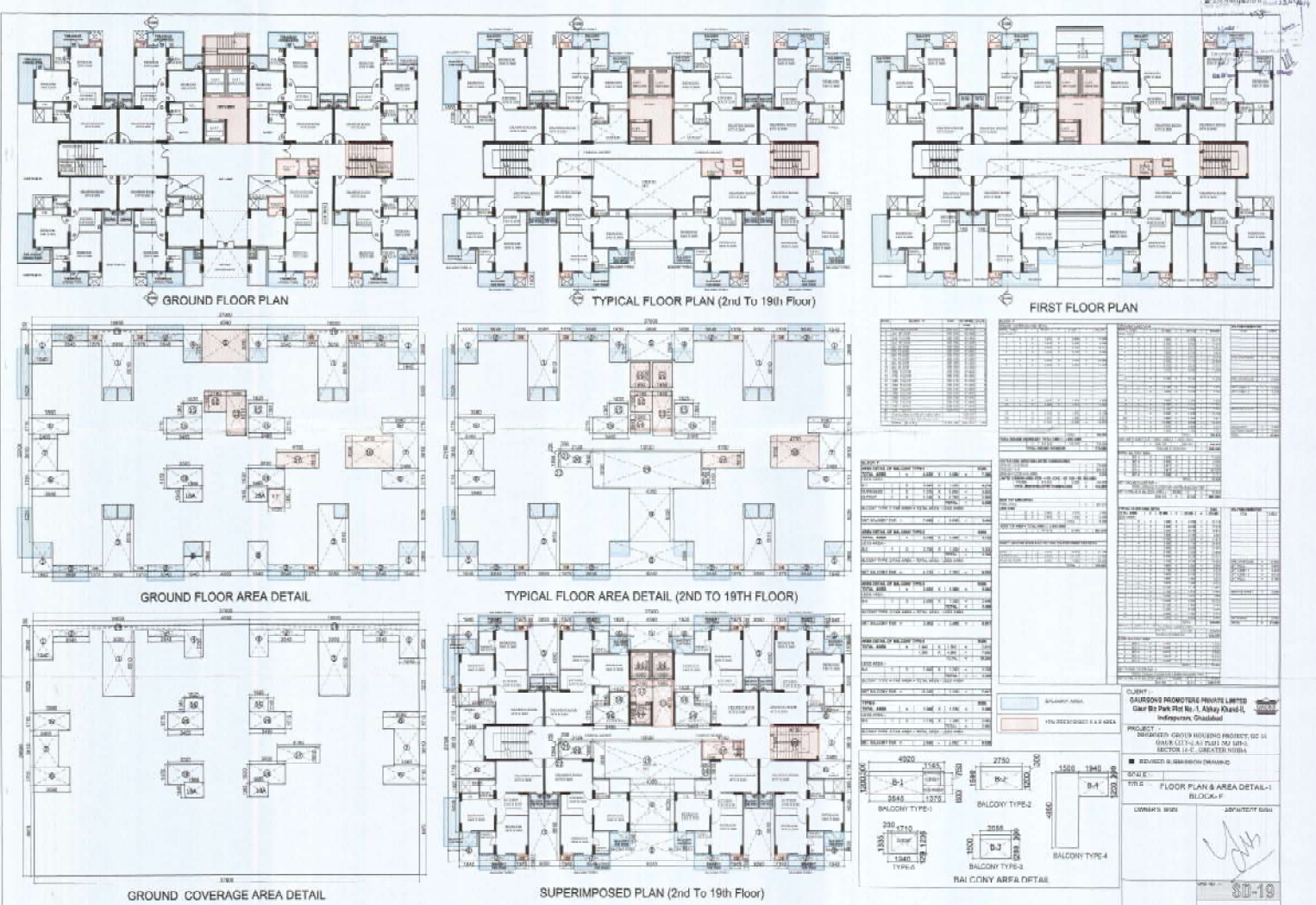


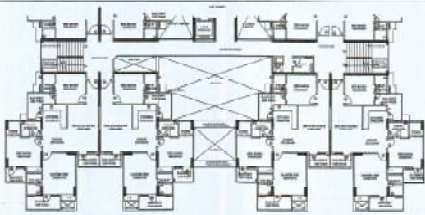
BASEMENT AREA DETAIL

BASEMENT AREA DETAIL							
TOTAL AREA	=	243.850	X	298.491	=	72727.332	
LESS AREA:-							
1	1	X	2290.757	X	1.000	=	2290.757
2	1	X	332.448	X	1.000	=	332.448
3	0.5	X	49.577	X	289.613	=	7184.030
4	0.5	X	8.520	X	0.070	=	50.808
5	0.5	X	213.910	X	125.705	=	13444.778
6	1	X	21.220	X	125.705	=	2667.460
7	0.5	X	21.220	X	124.045	=	1318.117
8	1	X	3641.138	X	1.000	=	3641.138
					TOTAL AREA	=	31121.679
TOTAL BASEMENT AREA = TOTAL AREA (+) LESS AREA							
	=	72727.332	-	31121.675	=	41605.657	
TOTAL NON FAR BASEMENT AREA							
TOTAL BASEMENT AREA						=	41605.657
LESS AREA							
LIG TANK	1	X	331.241	X	1.000	=	331.241
STP	1	X	86.686	X	1.000	=	86.686
					TOTAL	=	417.927
TOTAL NON FAR BASEMENT AREA = TOTAL AREA (-) LESS AREA							
	=	41605.657	-	417.927	=	41187.730	

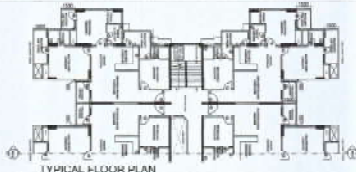
CLIENT: **MAHARASHTRA PROJECTS DEVELOPMENT LIMITED**
 (Govt. of Maharashtra)
 PROJECT: **RAJAWADI HOUSING PROJECT, 4th PHASE**
 (RAJAWADI HOUSING PROJECT, 4th PHASE)
 ■ REVISED TO MATCH DRAWINGS
 SCALE: 1:100
 SHEET: **BASEMENT PLAN & AREA DETAIL**
 DRAWING NO: **80D-10**
 DATE: **10/01/2023**
 DRAWN BY: *[Signature]*
 CHECKED BY: *[Signature]*
 APPROVED BY: *[Signature]*



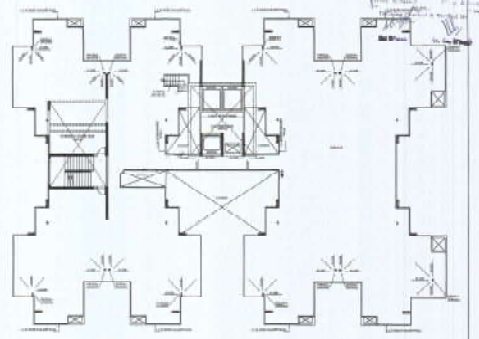




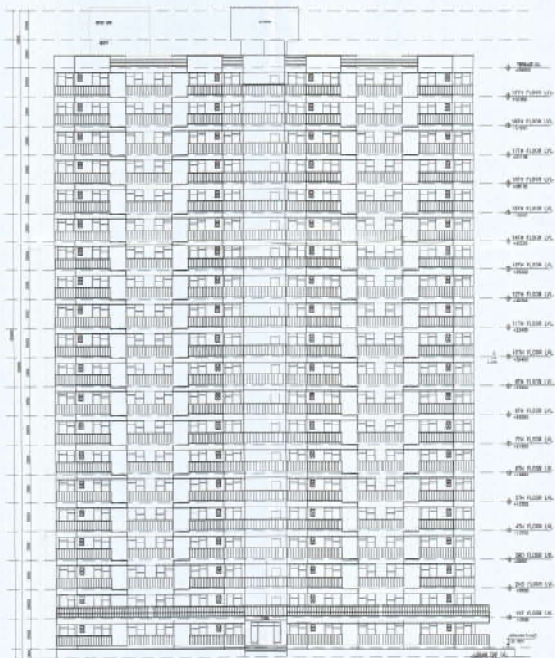
TYPICAL FLOOR PLAN



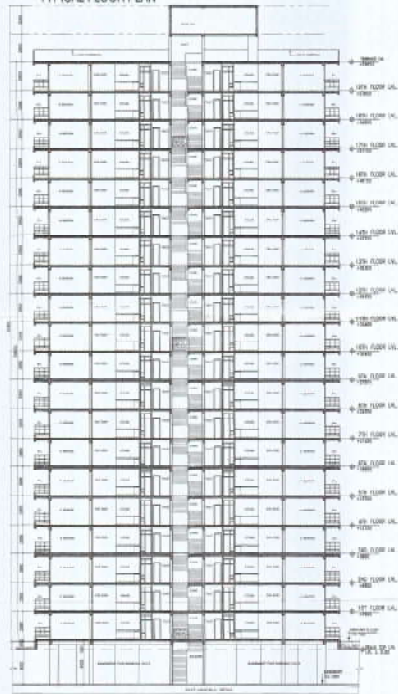
TYPICAL FLOOR PLAN



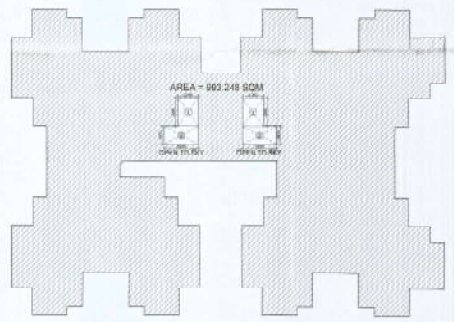
TERRACE FLOOR PLAN



ELEVATION-A



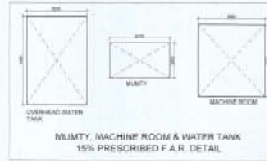
SECTION AT BB



ROOF TOP AREA DETAILS



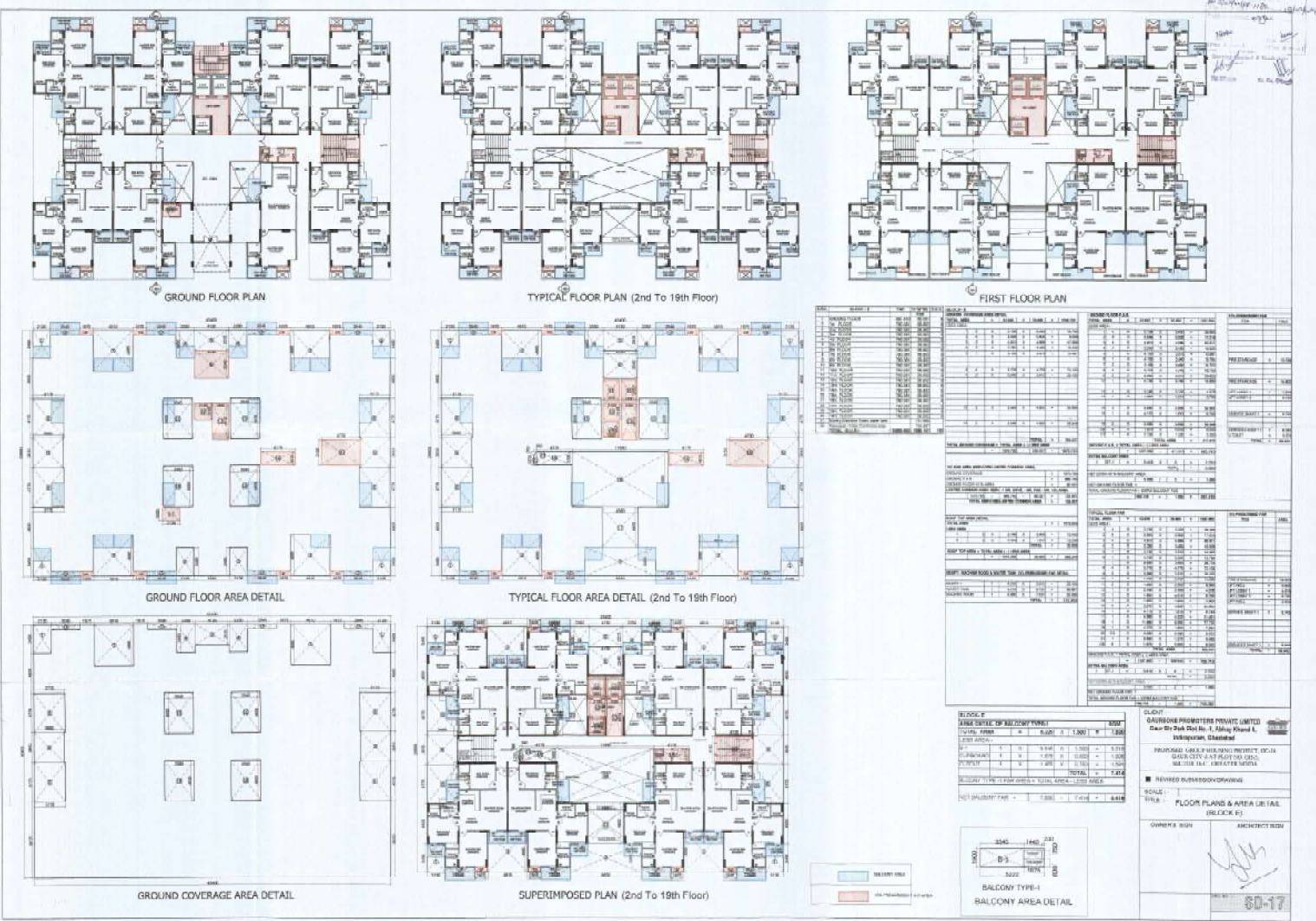
UNIT AREA DETAIL

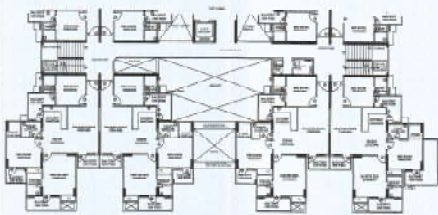


MILMTRY, MACHINP ROOM & WATER TANK
15% PRESCRIBED F.A.R. DETAIL

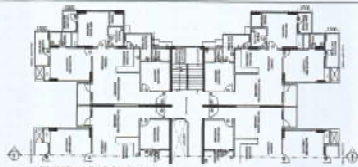
APPROVED
 23.05.2018
 10:00 AM

CLIENT	SAURENS PROMOTERS PRIVATE LIMITED Geor Su Park Plot No. 1, Akhaya Road & Indira Nagar, Ghaziabad
PROJECT	SAURENS PROMOTERS PRIVATE LIMITED SAURENS CITY 2 & 3 PHASE 02, SECTOR 14C, GHAZIABAD, INDIA
SCALE	AS SHOWN
TITLE	ROOF TOP AREA, ELEVATION & SECTIONS (BLOCK E)
CHECKED BY	ARCHITECT
DATE	30-10-18

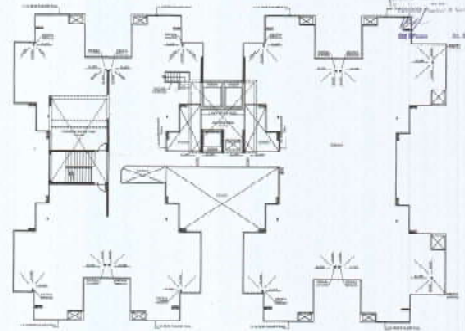




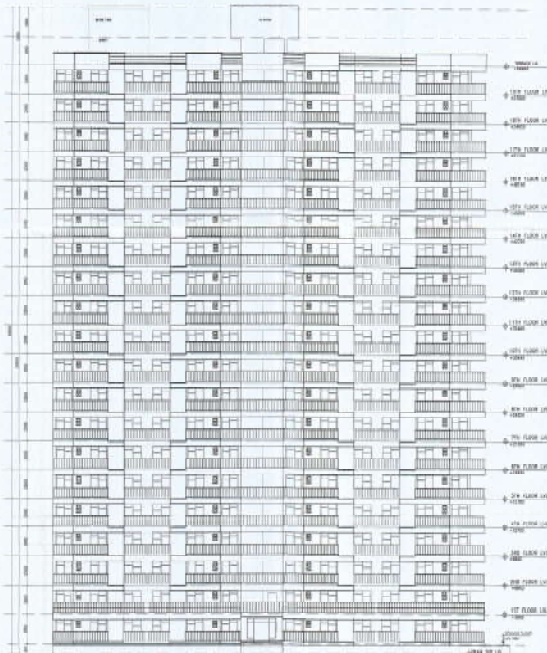
TYPICAL FLOOR PLAN



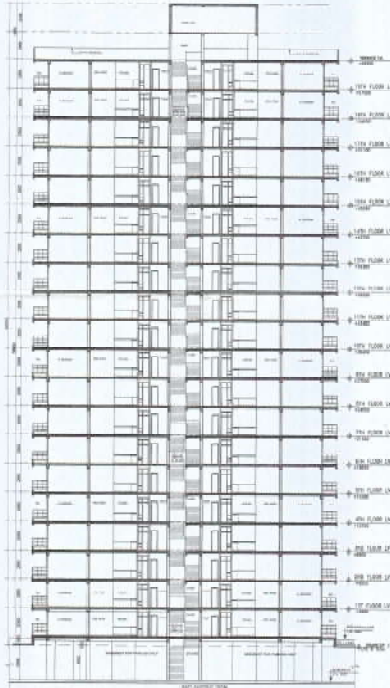
TYPICAL FLOOR PLAN



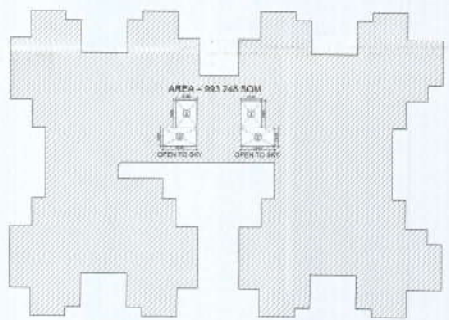
TERRACE FLOOR PLAN



ELEVATION-A



SECTION AT BB

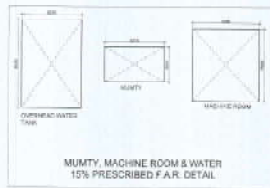


ROOF TOP AREA DETAILS



UNIT AREA 85 437 SQM

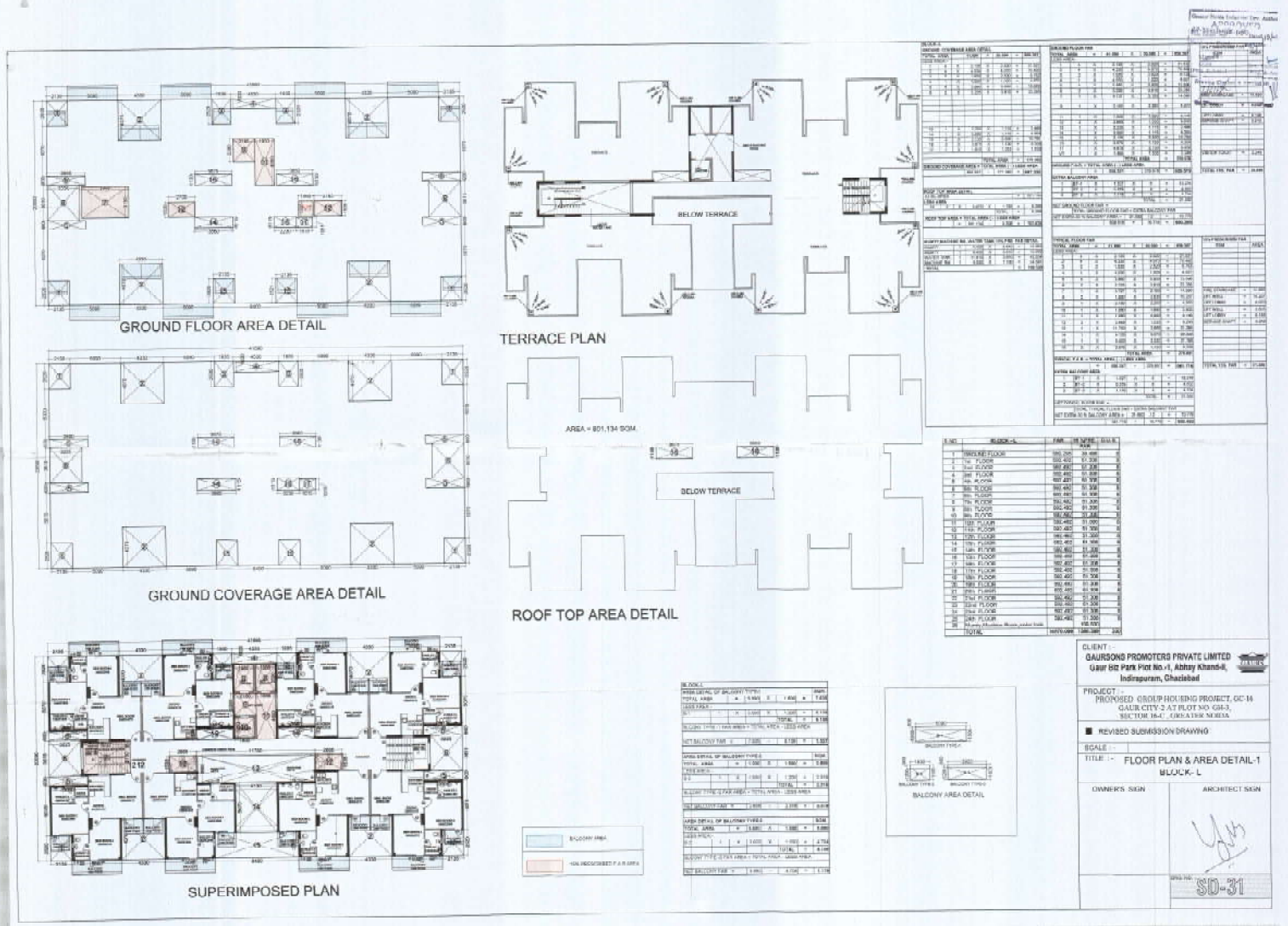
UNIT AREA UNITAL



MUMTY, MACHINE ROOM & WATER
15% PRESCRIBED F.A.R. DETAIL

CLIENT	CAIRONS PROMOTIVE PRIVATE LIMITED
Client Rep Name	M. J. Akbar Khan / Subsequent / Checked
PREPARED CHECKED BY	FOR ARCHITECTURE PROJECT, DC-14 GARDEN CITY, AT FLOOR NO. 100A, MILTON ROAD, GREATER Noida.
DESIGNED BY	ARCHITECTURE CONSULTING
DRAWN BY	MUSKAN KUMAR
TITLE	MUSKAN KUMAR AREA, ELEVATION & SECTIONS (BLOCK D)
OWNER'S SIGN	PROJECT SIGNATURE

30-10



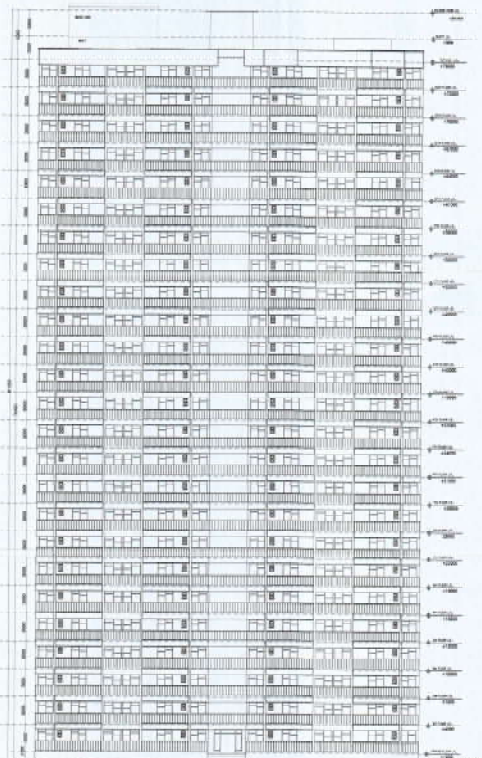


TYPICAL FLOOR PLAN



TYPICAL FLOOR PLAN

Checked by: [Signature]
 Date: 13/11/2014
 Drawn by: [Signature]
 Date: 13/11/2014



FRONT ELEVATION



SECTION AT H-H

CLIENT: SARONGEM PROPERTIES PRIVATE LIMITED
 (Sole Proprietorship) 100, Jalan Kluang, Johore Bahru, Johore Darul Ta'zim, Malaysia

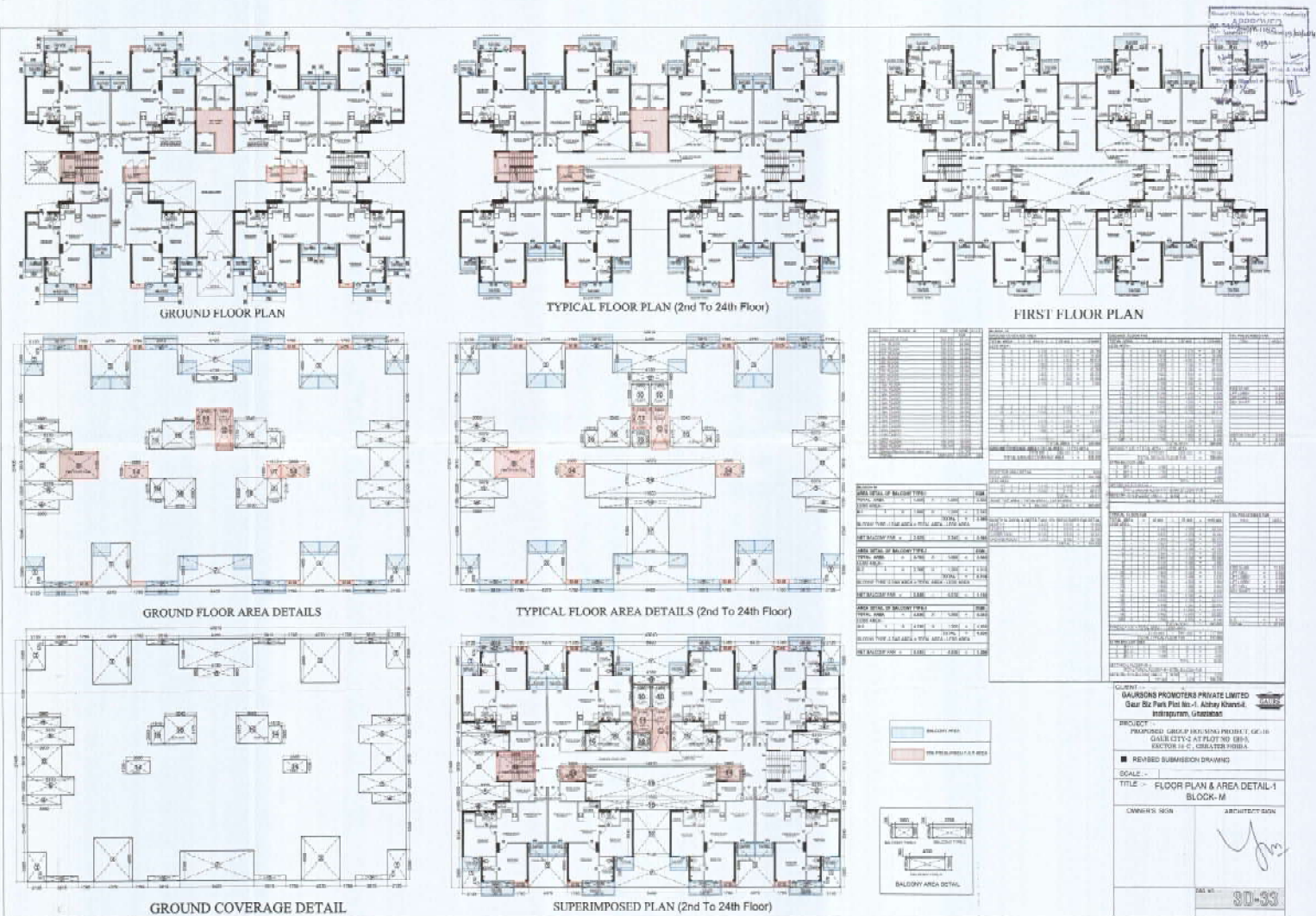
DESIGNER: PROPOSED URBAN RESIDUAL PROJECT, DCK 11
 (Sole Proprietorship) 100, Jalan Kluang, Johore Bahru, Johore Darul Ta'zim, Malaysia

SCALE: 1:100

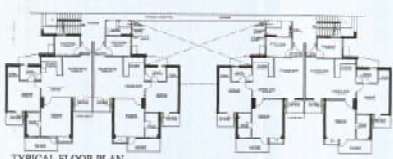
TITLE: FLOOR PLAN & AREA DETAIL-1
 DCK-11

OWNER'S SIGN: [Signature]

DATE: 30-11-2014



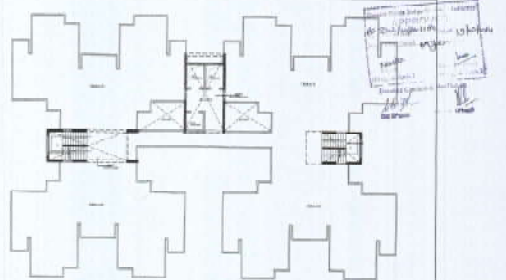
CLIENT: GAURSONS PROMOTERS PRIVATE LIMITED
 PROJECT: PROPOSED GEAR 82 RESIDENTIAL PROJECT AT: 82, GEAR CITY-2 AT PLOT NO. 82-1, SECTOR-14-C, CHHATRKHURDA, INDIA.
 REVISION: REVISION SUBMISSION DRAWING
 SCALE: -
 TITLE: FLOOR PLAN & AREA DETAIL-1 BLOCK-M
 OWNER'S SIGN: ARCHITECT'S SIGN: *[Signature]*
 DATE: 30-03



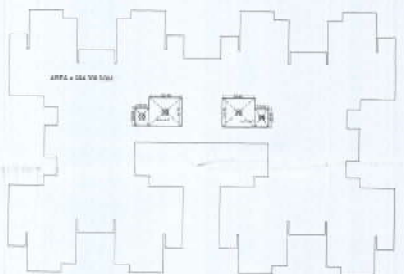
TYPICAL FLOOR PLAN



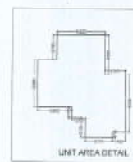
TYPICAL FLOOR PLAN (2nd To 24th Floor)



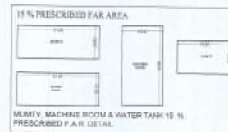
TERRACE FLOOR PLAN



ROOF TOP AREA DETAILS

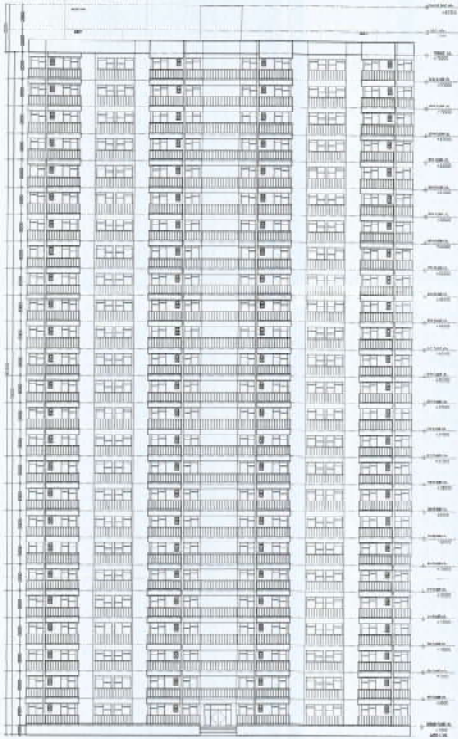


LIFT AREA DETAIL

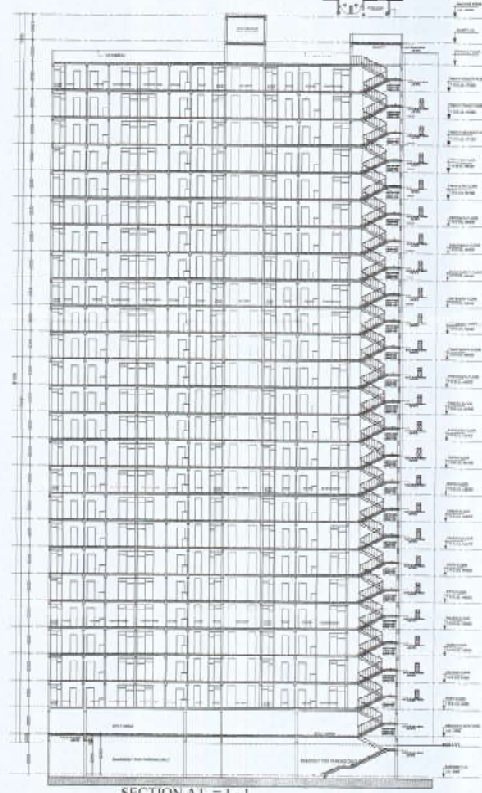


1% PRESCRIBED FIRE AREA

MURBY BALANCE ROOM & WATER TANK 1% N. PRESCRIBED FIRE DETAIL



FRONT ELEVATION AT A



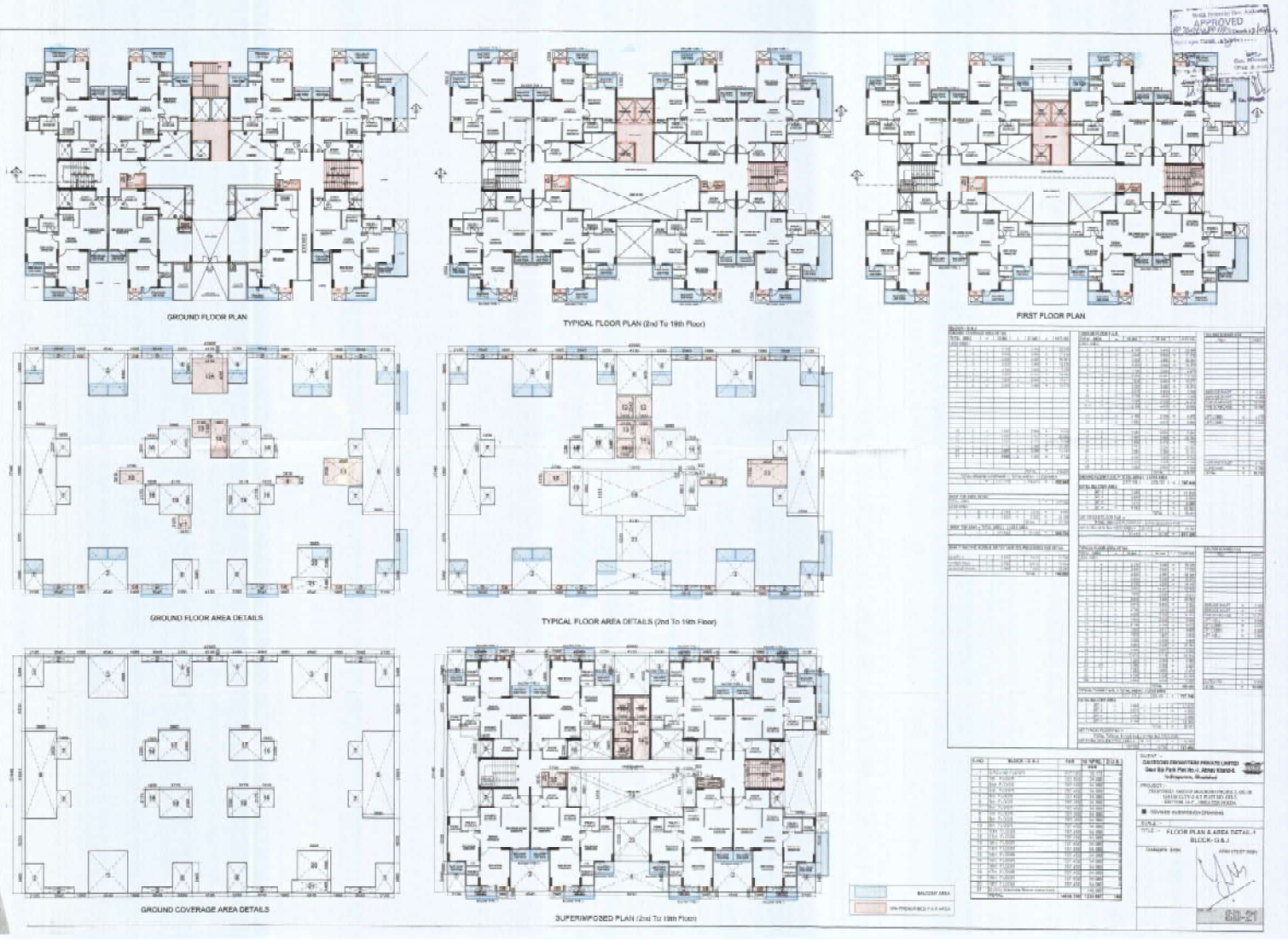
SECTION A1 = 1:1

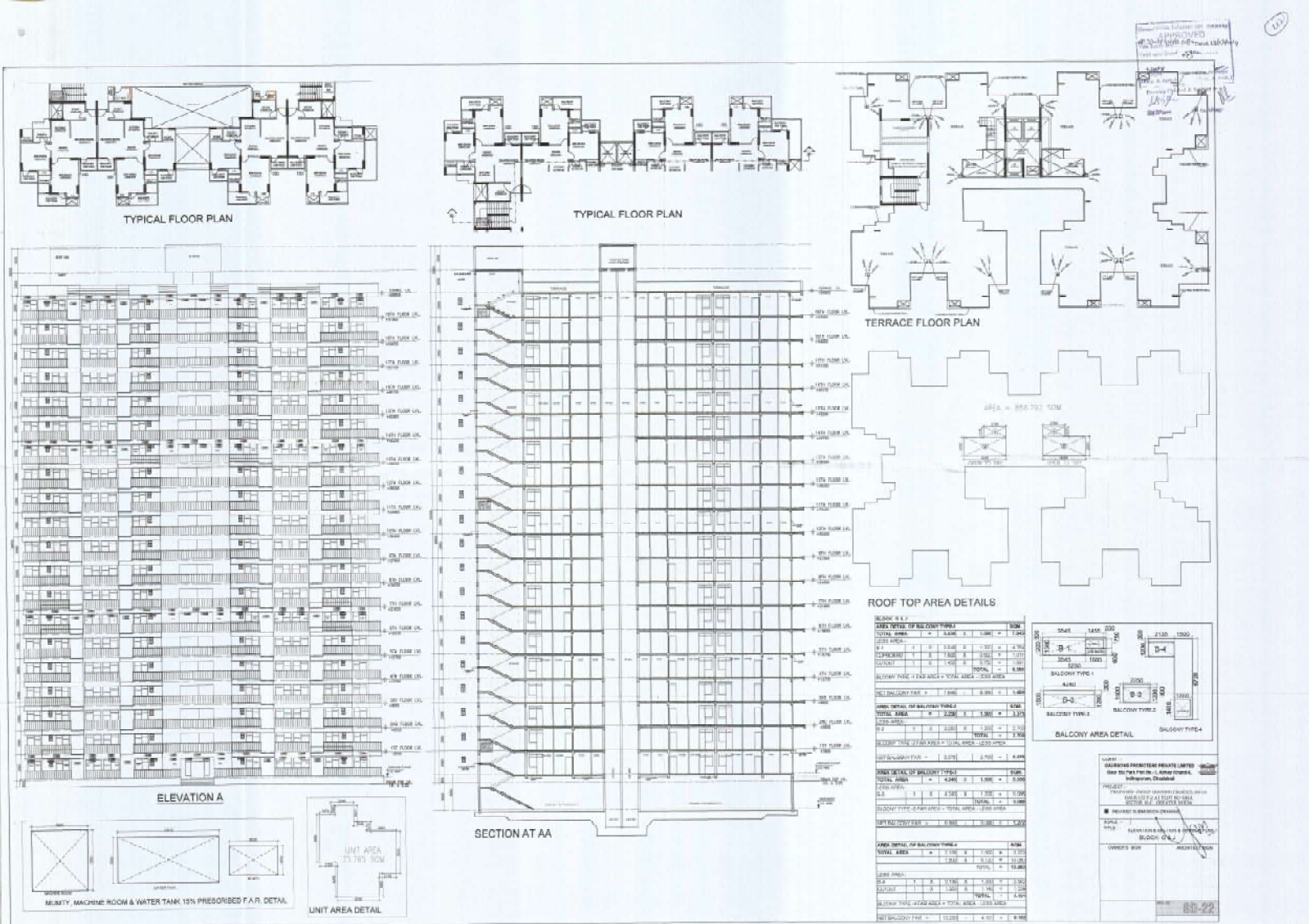
CLIENT
 CALEDONIA PROJECTS PRIVATE LIMITED
 Gaur De Park Plot No. 1, 35th Avenue,
 Indira Nagar, Chandigarh

SCALE:
 FLOOR PLAN & AREA DETAIL-1:1
 BLOCK-M

DATE: 15/08/2024
 ARCHITECT: [Signature]

80-36





AREA TOTAL OF BALCONY TYPE 1

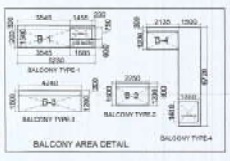
TOTAL AREA	4.44	1.00	5.44
AREA	1.10	0.00	1.10
EXPOSED	1.10	0.00	1.10
CURTAIN	0.00	0.00	0.00
TOTAL	1.10	0.00	1.10
BALCONY TYPE 1 TOTAL AREA + TERRACE AREA	5.54		
NET BALCONY AREA	3.34	1.00	4.34

AREA TOTAL OF BALCONY TYPE 2

TOTAL AREA	2.20	1.00	3.20
AREA	0.00	0.00	0.00
EXPOSED	2.20	0.00	2.20
CURTAIN	0.00	0.00	0.00
TOTAL	2.20	0.00	2.20
BALCONY TYPE 2 TOTAL AREA + TERRACE AREA	7.74		
NET BALCONY AREA	2.20	1.00	3.20

AREA TOTAL OF BALCONY TYPE 3

TOTAL AREA	4.40	1.00	5.40
AREA	0.00	0.00	0.00
EXPOSED	4.40	0.00	4.40
CURTAIN	0.00	0.00	0.00
TOTAL	4.40	0.00	4.40
BALCONY TYPE 3 TOTAL AREA + TERRACE AREA	12.14		
NET BALCONY AREA	6.54	1.00	7.54



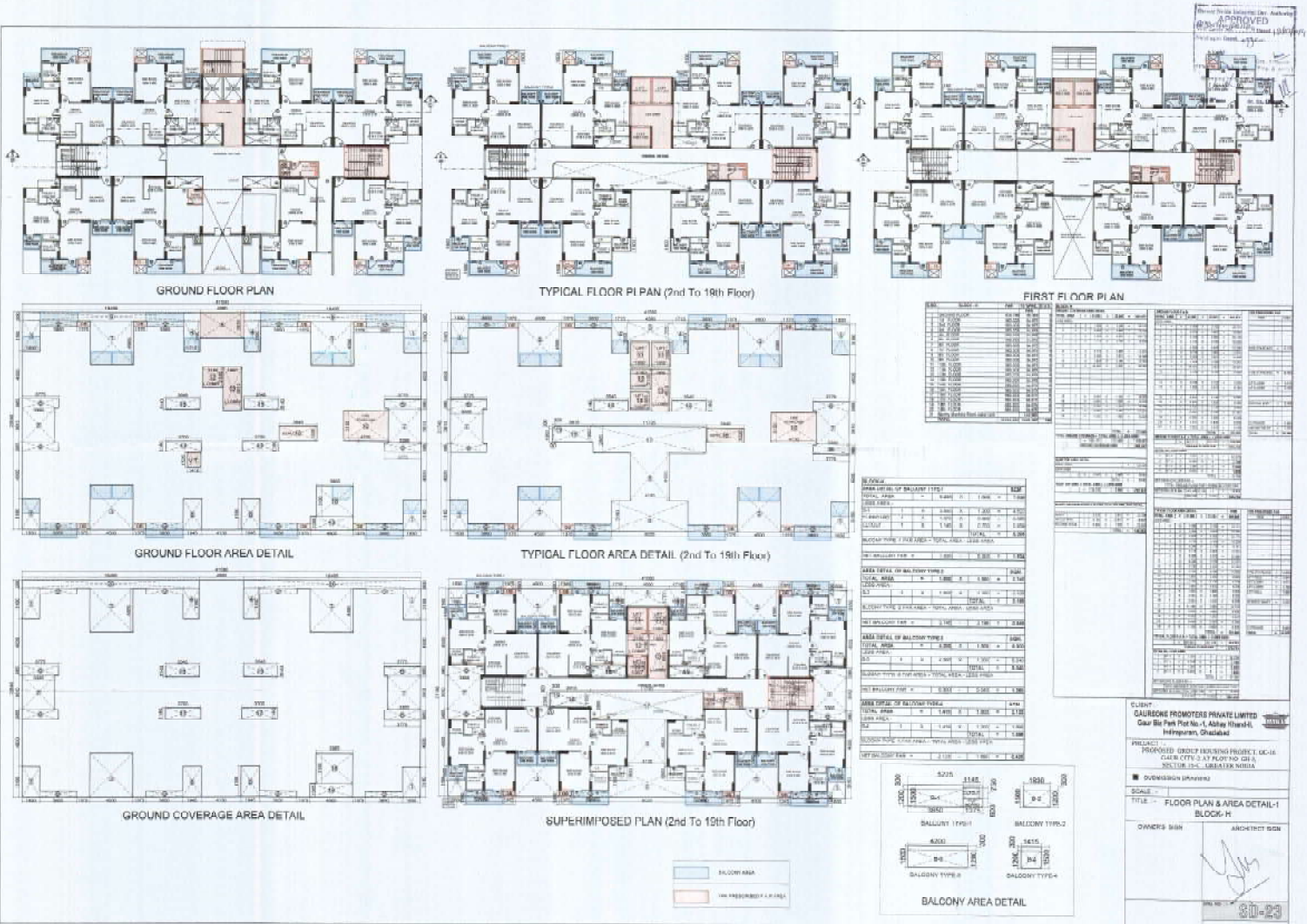
NOTES

- 1. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH THE ARCHITECT.
- 2. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
- 3. BALCONY AREA DETAIL IS SUBJECT TO CHANGE WITHOUT NOTICE.

OWNER'S SIGN

ARCHITECT'S SIGN

80-22



APPROVED
 20/05/2018
 10/05/2018

CLIENT: GAURSON PROMOTERS PRIVATE LIMITED
 Gaur Sit Park Plot No. 1, Akshay Khambh, Indraprastha, Gurgaon

PROJECT: PROPOSED GURUDEV NAGAR PROJECT, GC-18, GURUDEV NAGAR AT FLOOR NO. G-1, SECTOR-102, GATEWAY INDIA

SCALE: 1:100

TITLE: FLOOR PLAN & AREA DETAIL-1 BLOCK-H

OWNER'S SIGN: [Signature]

ARCHITECT'S SIGN: [Signature]

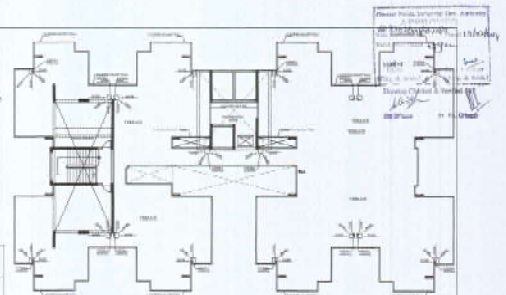
DATE: 20-05-2018



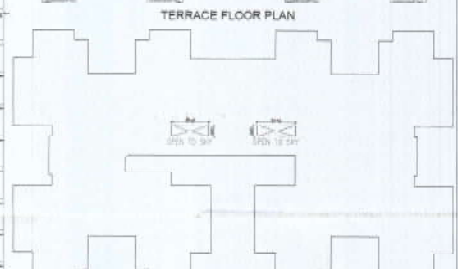
TYPICAL FLOOR PLAN



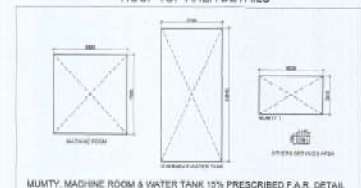
TYPICAL FLOOR PLAN



TERRACE FLOOR PLAN



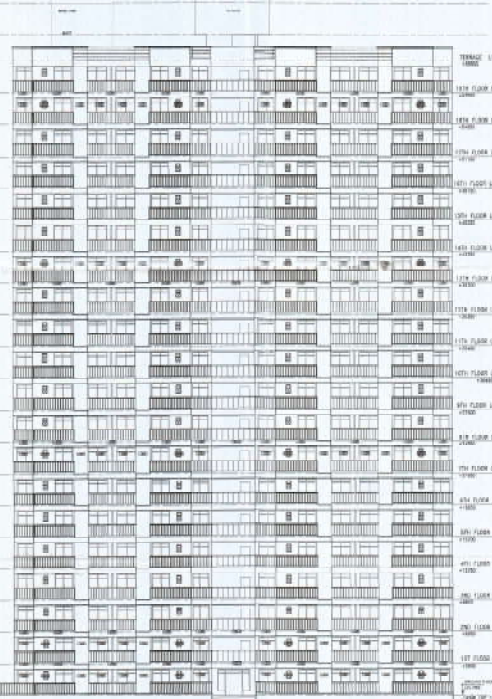
ROOF TOP AREA DETAILS



MUNITY, MACHINE ROOM & WATER TANK 10% PRESCRIBED F.A.R. DETAIL



UNIT AREA DETAIL

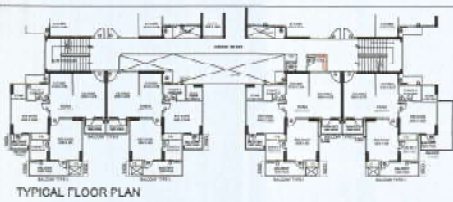


ELEVATION A



SECTION AT AA

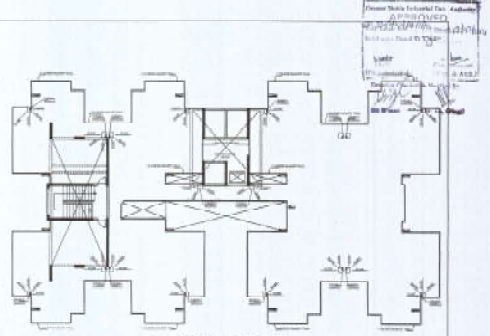
CLIENT	CAUSIONS DEVELOPERS PRIVATE LIMITED C/O. Sri Park Plot No. 1, Anna Park II, Suburban Chennai
PROJECT	PREPARED AREA BUILDING PROJECT, O.C.M DAIRY CITY & ST. PAUL'S CHURCH LOTTERY S.P. CREATES WOOD.
SCALE	1:100
TITLE	ELEVATION, SECTION & TERRACE PLAN BLOCK (H)
DRAWN BY	ARCHITECT BY
DATE	80-24



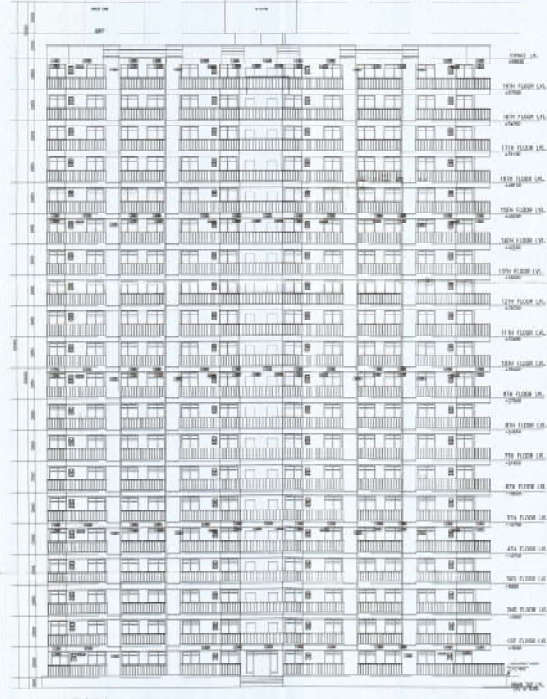
TYPICAL FLOOR PLAN



TYPICAL FLOOR PLAN



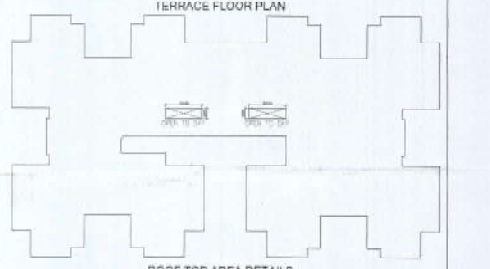
TERRACE FLOOR PLAN



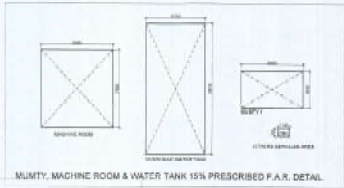
ELEVATION A



SECTION AT AA



ROOF TOP AREA DETAILS



MUMTY, MACHINE ROOM & WATER TANK 15% PRESCRIBED F.A.R. DETAIL



UNIT AREA DETAIL

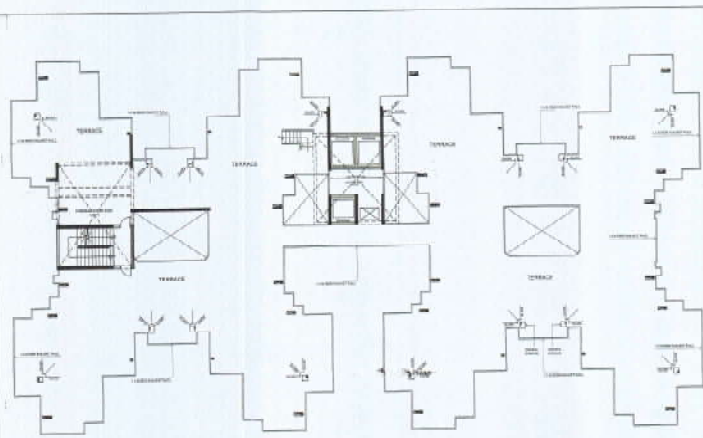
CLIENT: **GREENFIELD DEVELOPMENT LIMITED**
 UNIT 02 FOR PLOT NO. 4, AREA 18/20A, **Indira Nagar, Ghaziabad**

PROJECT: **PROPOSED GROUP HOUSING PROJECT, GC-18**
 (GATE NO. 17 & 18 OF NO. 18, 1, **SECTOR H-C, GREATER NOIDA**)

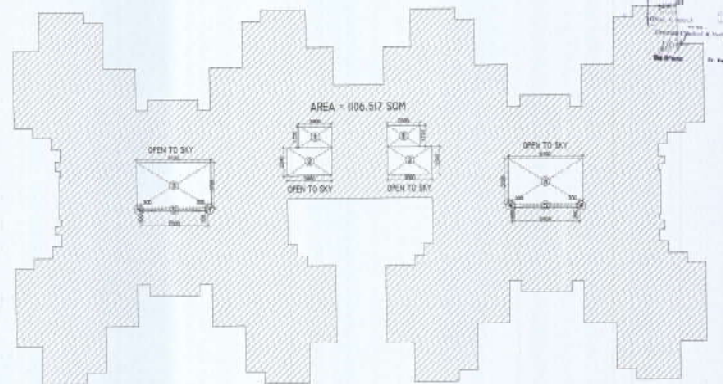
REVISION: **REVISION NUMBER DRAWING**

TITLE: **ELEVATION & SECTION BLOCK-1**

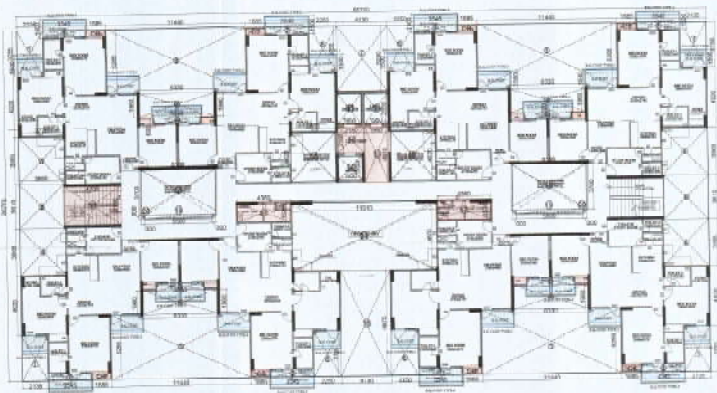
DATE: **20-08**



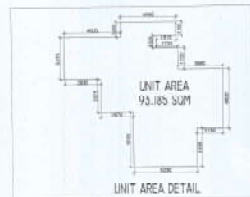
TERRACE FLOOR PLAN



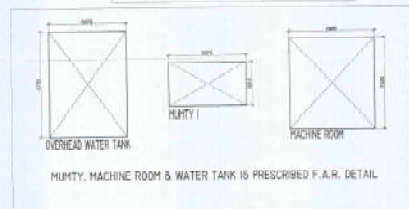
ROOF TOP AREA DETAILS



SUPERIMPOSE PLAN



UNIT AREA DETAIL



MUMTY, MACHINE ROOM & WATER TANK IS PRESCRIBED F.A.R. DETAIL

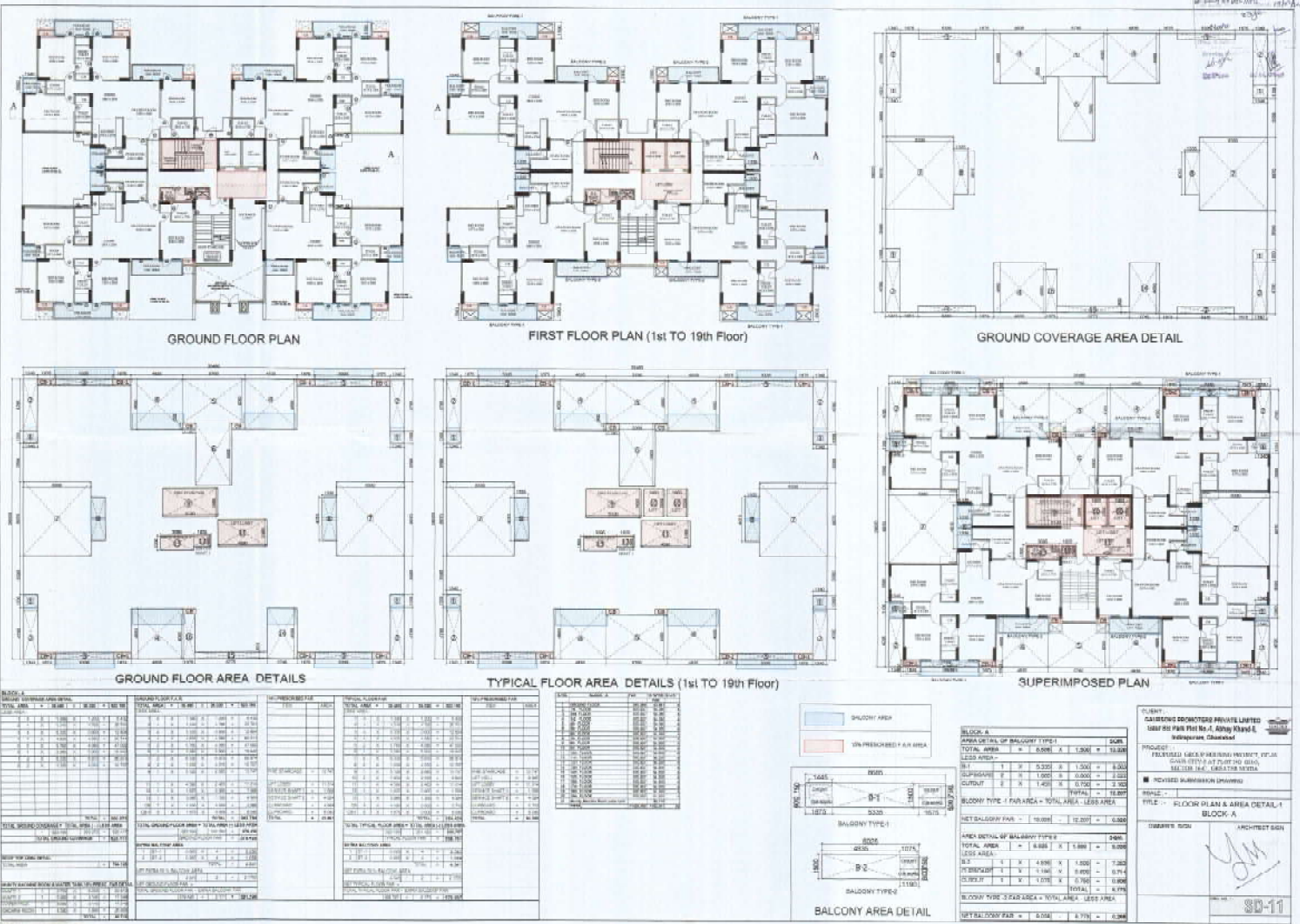
CLIENT - SAJJONS PROMOTERS PRIVATE LIMITED
 One 8th Floor, Park Road, K. K. Nagar, Chennai 600 017
 Telephone: 044-26121111

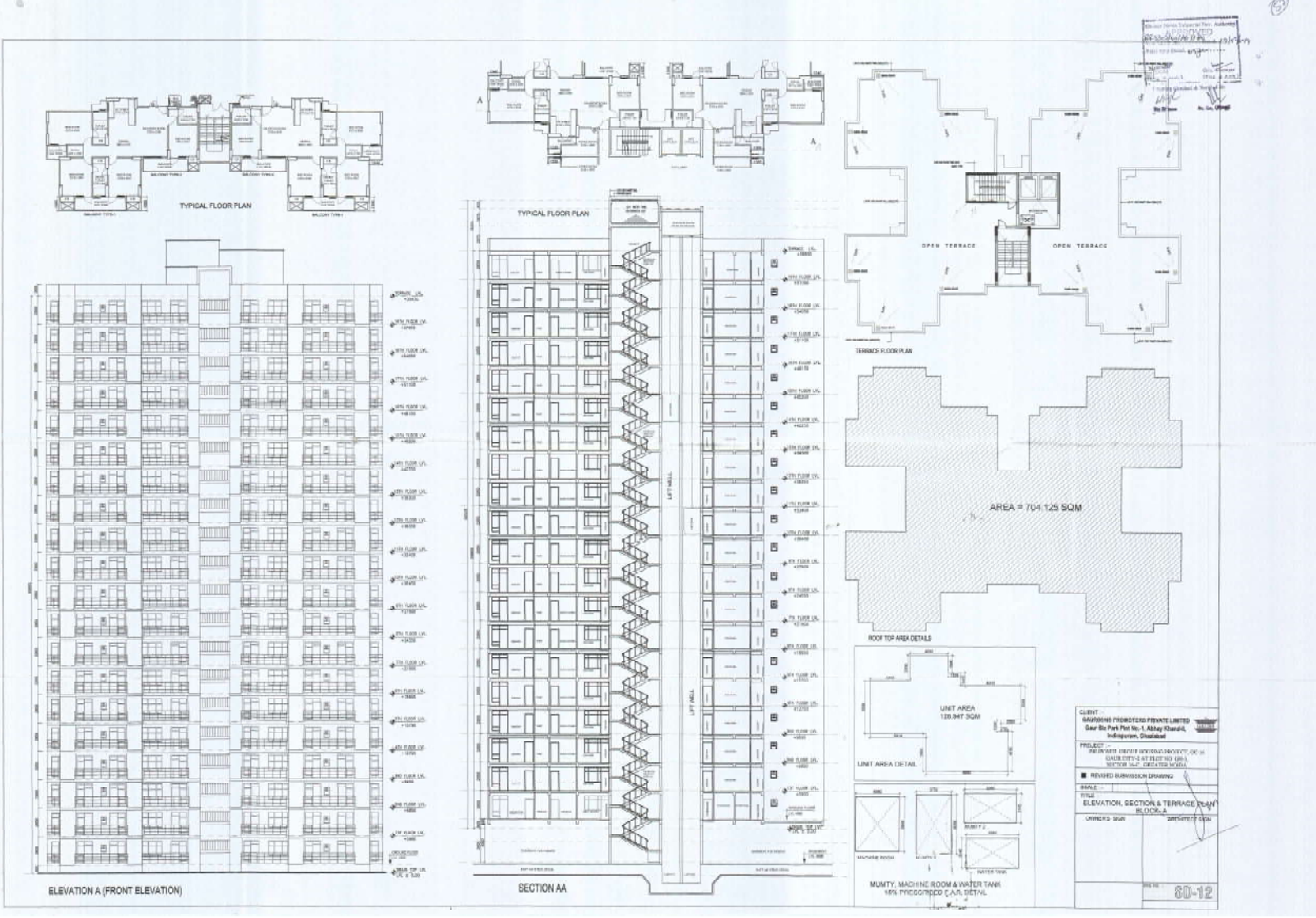
PROJECT - PROPOSED GROUP HOUSING PROJECT @ K. K. Nagar, Chennai 600 017
 SECTION - 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

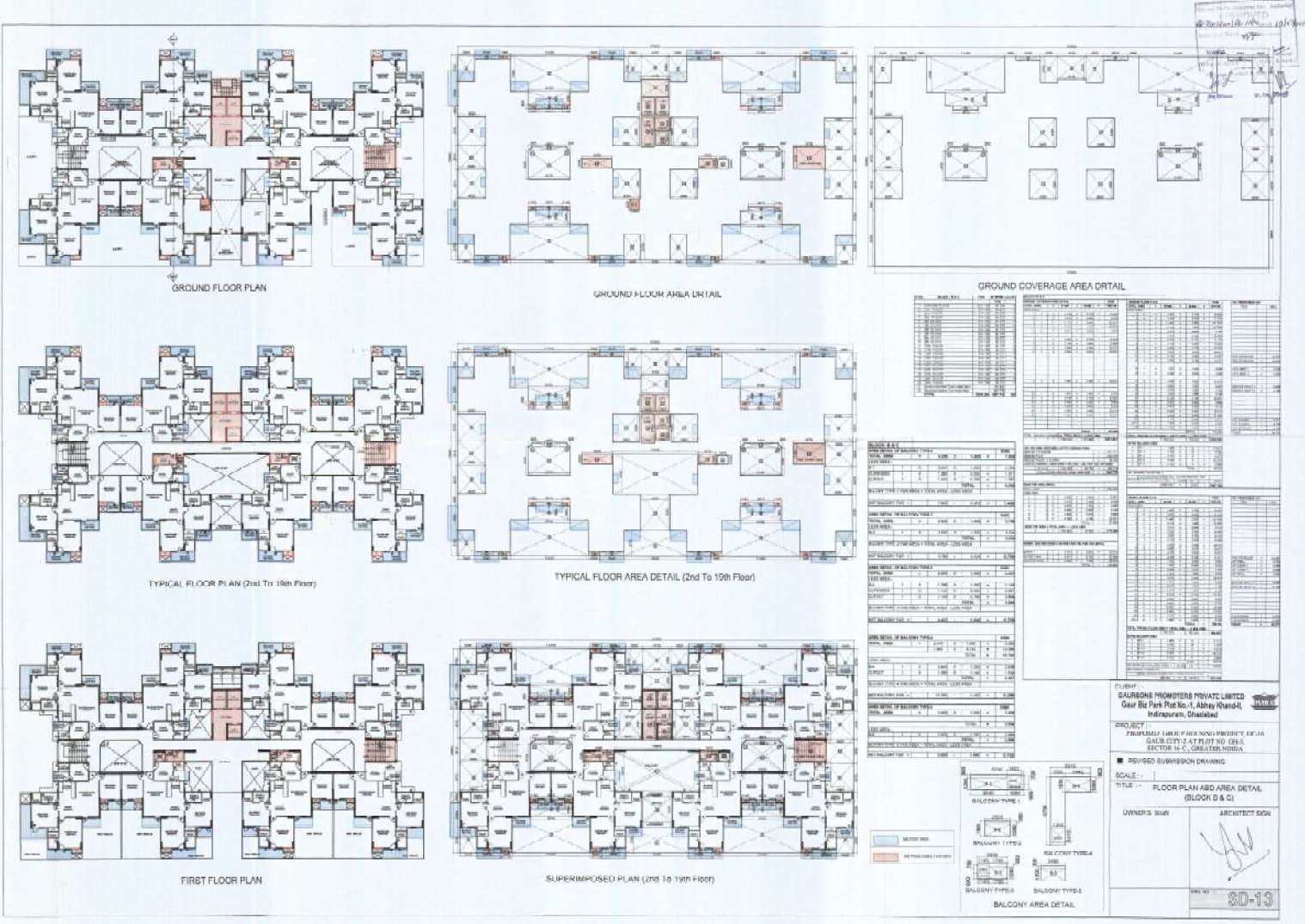
SCALE - 1:100
 TITLE - FLOOR PLAN & AREA DETAIL, 1
 BLOCK - K

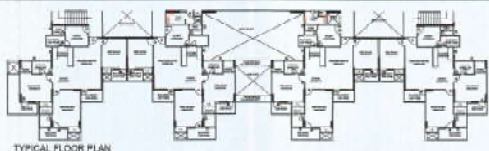
OWNER'S SIGN _____ ARCHITECT'S SIGN _____

DATE - 30-08-20

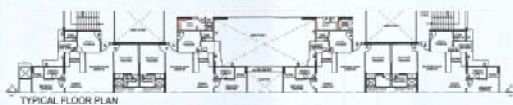




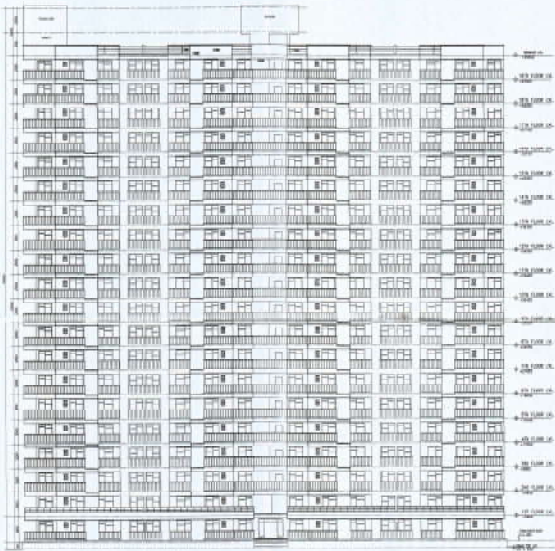




TYPICAL FLOOR PLAN



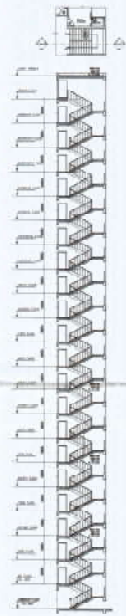
TYPICAL FLOOR PLAN



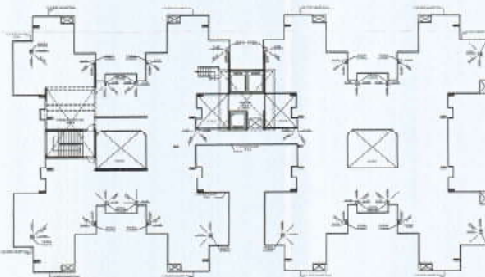
ELEVATION-A (FRONT ELEVATION)



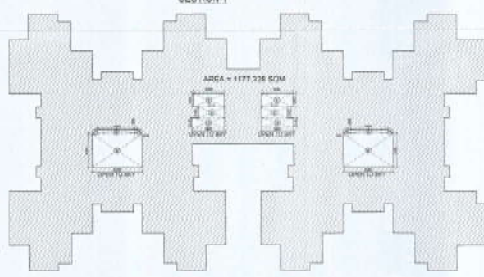
SECTION 1



SECTION THROUGH STAIRCASE



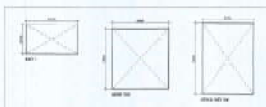
TERRACE FLOOR PLAN



ROOF TOP AREA DETAILS



UNIT AREA DETAIL



KITCHEN, WASHING ROOM & WATER TANK
1/4" PREScribed F.A.R. DETAIL

CLIENT :- RAJESH KUMAR/SHRI RAM PRIVATE LIMITED
 Gaur City Park Plot No. 1, Ashay Khanda II, Indraprastha, Ghaziabad

PROJECT :- PROPOSED GROUP HOUSING PROJECT (R.C.C.)
 GAUR CITY PARK AT PLOT NO. 004, SECTOR 14-C, GREATER NOIDA

REVISIONS

SCALE :-

TITLE :- ROOF TOP AREA, ELEVATION & SECTIONS (BLOCK B & C)

WORKS: SKIN ARCHITECT SIGN

DATE: 30-14



APPROVED
 10/10/2014
 10/10/2014

SAURSON PROMOTERS PRIVATE LIMITED
 200/201, Park Road, 11, Albany Road, 8
 Independent, Chittoor
 PROJECT: PLOT NO. 10, ALBANY ROAD, 8
 BLOCK: D
 ARCHITECT: SAURSON
 SCALE: 1:100
 DATE: 10/10/2014
 10/10/2014

ARCHITECT'S SIGNATURE
 10/10/2014



233

42

16TH AVENUE GAUR CITY 2 APARTMENT OWNERS ASSOCIATION
Address: RWA Room, 16th Avenue, Gaur City 2, Greater Noida - 201 009,
U.P, Registration No GBN/05704/2019-2020
Email: aoago16_2019@googlegroups.com

Annexure- R2

Date: 20.08.2024

President

Mr. Manoj Kumar

To,

Secretary

Mr. Amit Kumar Pandey

The Chief Executive Officer/ Competent Authority under UP-
Apartment Act, 2010
Greater Noida Industrial Development Authority
Plot No. 01, Knowledge Park 4, Greater Noida

Treasurer

Mr. Anil Kumar Singh

Subject: Objection against the public notice dated 30.06.2024 published
by the Greater Noida Industrial Development Authority for installation of
STP in the group housing 16th Avenue, Gaur City 2, Sector 16C, Greater
Noida West, Gautam Buddh Nagar.

Vice President

Mr. Anil Kumar

Ref:

1. Original Application No. 100/2024 before Hon'ble NGT-PB.
2. Letter to the Gaur sons dated 10.06.2024
3. Public Notice dated 30.06.2024

Asst. Secretary

Sir,

Executive Members

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

Mr. Anil Kumar

The applicant in the present application/representation is the Apartment Owners' Association of residential group housing '16th Avenue, Gaur City 2' situated at Sector 16C, Greater Noida West, Gautam Buddh Nagar represented by the Secretary Mr. Amit Kumar Pandey, 16th Avenue GC-2 AOA ('the Association'). The Association by way of the present representation requests the attention of Greater Noida Industrial Development Authority through its Chief Executive Officer' ('the Authority') towards the below mentioned issues:

1. That, the group housing 16th Avenue, Gaur City 2' situated at Sector 16C, Greater Noida West which has 2080 apartment units in it, has been developed by M/s Gaursons Promoters Pvt. Ltd. having its registered office address at F-101, 1st Floor, Plot No. 2/3, Ashish Commercial Complex, LSC, New Rajdhani Enclave, Delhi ('the Promoter') on a leasehold land allotted to it by the Authority. Occupancy Certificate dated 27.10.2016 was issued to the Promoter thereby enabling the Promoter to offer possession of the apartment units to the respective allottees.

2. That, the apartment owners after taking possession of their apartment units found that the STP installed in the Project is not functioning because of which all the sewage generated in the Project is being discharged untreated directly into the sewer pipelines installed by the Authority.
3. That, the Association approached the Hon'ble NGT through OA No. 100 of 2024 titled 16th Avenue Gaur City 2 Apartment Owners Association Vs Greater Noida Industrial Development Authority & OR's. wherein the Hon'ble Tribunal vide order dated 22.01.2024 constituted a joint committee comprising of representative of Member Secretary, CPCB and the Member Secretary, UPPCB. Hon'ble Tribunal further directed for joint inspection to ascertain factual position on the spot and for taking remedial action.
4. That, the inspection was carried out and the joint inspection report dated 19.03.2024 was filed before Hon'ble Tribunal. The report reveals that the STP installed in the group housing in under capacity and recommended for installation of STP of additional 575 KLD.
5. It is humbly submitted that promoter is not installing the additional STP of 575 KLD rather it is blaming the Association to get away with the liability. Further, it is forcing the Association to allow for installation of STP in the basement which is in violation of the sanctioned maps and layouts.
6. That, it is also pertinent to mention here that the promoter has unilaterally chosen a place to install the STP, again in violation of sanctioned maps and when the Association vide its objection letter dated 10.06.2024 informed the promoter that it cannot unilaterally decide where the STP would be installed and this exercise must be done by the Authority in accordance with the sanctioned maps and layout plans of the group housing.
7. That, after the objection letter by Association, the promoter got a public notice issued by the Authority inviting objection to the installation of STP at the proposed area. It is specifically submitted that neither any letter was received by the Association nor any consent was sought from the apartment owners. A public notice was published without any intimation to the actual

stakeholders. This public notice dated 30.06.2024 came into the knowledge of the Association only after the promoter filed its reply before the Hon'ble NGT in O.A. No. 100 of 2024.

8. It would not be out of place to mention here that promoter is regularly communicating with the Association through emails and letters but no intimation was communication was sent for obtaining consent and further the publication of public notice by the Authority without communicating such request by the promoter to actual apartment owners and the Association is non-est and not valid.

9. It is further submitted that the Association and its members have strong objection to the proposal of the promoter to install the STP between tower J & K. Any decision regarding installation of STP at any other place than the designated space as per the maps, must be taken after the inspection by the Authority.

10. It is also necessary to mention that pre-installed STP of 310 KLD has also been installed in STP which is in violation of sanctioned maps and layouts and still the Greater Noida Authority has issued Occupancy Certificate to the promoter which could not have been issued in view of flagrant violations noted above. Further illegality in the installation of STP may not be perpetuated and it should be installed at its designated site as per the approved sanction maps.

11. It is therefore most respectfully requested to:

i. Conduct site inspection of the group housing 16th Avenue at Gaur City 2, Greater Noida West to verify the site as per the sanctioned maps and layout plans for the installation of STP;

ii. Levy a penalty on the promoter M/s Gaursons Promoters Pvt. Ltd. and initiate prosecution against its directors for obtaining Occupancy Certificate by misleading and misrepresenting the Greater Noida Authority;

ii. Levy a penalty on the promoter M/s Gaursons Promoters Pvt. Ltd. and initiate prosecution against its directors for obtaining Occupancy Certificate by misleading and misrepresenting the Greater Noida Authority;

iii. Pass such other orders as the Authority may deem fit in the facts and circumstances.

For 16TH AVENUE GAUR CITY-2 AOA

For 16TH AVENUE GAUR CITY-2 AOA

Amit Kumar Pandey
Secretary

Amit Kumar Pandey
Secretary
Amit Kumar Pandey

Secretary

16th Avenue Gaur City 2 Apartment Owners' Association
RWA Room, 16th Avenue, Gaur City 2, Greater Noida
Gautam Buddh Nagar

237







