

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 892 of 2022**

IN THE MATTER OF:

PREM MOHAN GAUR

...APPLICANT

VERSUS

NATIONAL HIGHWAY AUTHORITY OF INDIA & ORS

... RESPONDENTS

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APPLICANT

THROUGH

Suruchi Mittal
**ABHISHEK GAUTAM & SURUCHI MITTAL
ADVOCATES**

ICONIC LAW OFFICES

**A-329, LGF, DEFENCE COLONY,
NEW DELHI-110024**

Dated:29.09.2023

New Delhi

D/1555/07, D/2281/2012

PH: 9811000519,9711357001

BEFORE THE NATIONAL GREEN TRIBUNAL,
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REPLY/OBJECTIONS TO JOINT COMMITTEE STATUS REPORT

FILED DATED 11.07.2023

MOST RESPECTFULLY SHOWETH:

1. That pursuant to directions passed by this Hon'ble Tribunal vide order dated 11.01.2023 a joint committee report was submitted before the Hon'ble tribunal on 11.07.2023 wherein certain material facts have been concealed. The joint committee reports gives its findings on 11 issues raised by applicant out of which the joint committee after site inspection admits violation by user agency of 9 issues raised including construction over villager Hajipur woodlot and kiranj pond without any statutory permissions as required under HPWWMA Act and FCA, 1980.
2. The joint committee **at page 327 admits that principle of sustainable development has been violated by user agency** as natural resources of local people have been encroached upon without giving any benefit of ongoing construction of NH-148NA as no service road has been provided infact the life of local people have been made more hard as they have to now

travel long routes in daily commute owing to no entry and exit for local commute and blocking of village rastas and relevant finding are also at page 331 of the report.

3. **The joint committee report further at page 329 at top three lines admits that 3.34 acres (27 K 11 M) of the Hajipur Village woodlot has been rendered completely inaccessible and useless by dividing into two halves.** However, continuous danger to life of people and animals in the area is not highlighted as now animals will have are crossing traffic at high speed on highway to the other half making road accidents on a daily basis a reality here.
4. **The joint committee report at page 330 admits that the over bridge over revenue rastas has been made skew and thus, disoriented the revenue rasta and there is no drainage for water in rainy season and will be water logging site in monsoon.**
5. **The joint committee report at page 330 at last 4 lines admits that the culvert made for evacuating rain water has been blocked and illegally filled with soil and is likely to give rise to flood like situation in the area.**
6. **The joint committee report at page 333 top three lines admits that two barsati nalas in Village Kiranj in Khasra no.91 & 92 have been encroached upon without being acquired.** The nalas evacuated rain water to three villages and strategically connected to Gurugram Canal and when encroached illegally NHAI have created a flood like situation and even mentioned by BDPO Indri, in its letter dated

26.07.2022. The nalas are to be restored to their original condition by order of this Hon'ble Tribunal.

7. ***The committee in its report at page 334 in most unambiguous and clear words states that the pond has been encroached in village kiranj without mandatory statutory permission under the HPWWMA, Act, 2018 and being aware of the violation made know by BDPO vide its letter dated 26.07.2022.*** the trees being illegally cut from the banks of Nalas and village kiranj is also admitted at page 335.
8. However, the Committee, has suppressed the fact that the Haryana Pond and Waste Water Management Authority (HPWWMA) sent out five letters for action against construction on pond, over the course of 2 years when the construction work had not even started. However, the Deputy Commissioner, Nuh, BDPO Indri and subsequently, Project Director NHAI did not pay any heed to the letters and illegitimately and illegally continued constructing the road over the pond despite being aware of the legal violations being made. The HPWWMA letter with No. HPA/ Legal/301/892-22/2023/57287-89 dated 25.01.2023 along with copy of previous four letters is attached as **Annexure A53**.
9. The Committee malafidely did not bring on record the findings of the Tehsildar Palwal who was a part of the Joint Site Inspection and clarified in a written statement that the NHAI has illegitimately constructed over and almost reduced by half, the 27 feet wide only Rasta of the Hajipur Village Forest (Woodlot)/ Charagah. The copy of the report of the Tehsildar Palwal is attached as **Annexure A54**.

10. That the Joint Committee Report hid the fact that the status of the Hajipur Village Forest (Woodlot)/ Charagah has been illegitimately changed in the Jamabandi's post 2013-14 while acquiring it for construction of the new highway. A representation of the same was given to the District Revenue Officer, Gurugram. Copy of the representation is attached as **Annexure-A55**.
11. The Committee did not provide any information about density of trees and nor brought on record any photograph from the forest despite being apprised that The Hon'ble Supreme Court in the matter of Narinder Singh & Ors Vs Divesh Bhutani & Ors i.e. Civil Appeal No. 10294 of 2013 has held that "35....Hence, clauses (ii), (iii) and (iv) of Section 2 apply to any forest land which may not be necessarily a reserved forest or a protected forest or a private forest governed by Chapter V under the 1927 Forest Act. Restrictions imposed by Section 2 (except clause (i) thereof) apply to every forest land in respect of which no declarations have been made either under the 1927 Forest Act or any other law relating to the forests in force in that State. Therefore, diluting the fact that prior permission by NHAI for diverting of the forest was mandatory from the Hajipur Village Panchayat under FCA, 1980 and such a permission was never taken.
12. The Committee intentionally refrained from explaining about the Social Forestry scheme under which plantation was done in 1983 in the Hajipur Village Forest (Woodlot)/ Charagah. It is imperative to reproduce the relevant part of an article (which has a reference to Arnold and Stewart, 1991; Chambers et al.,

1989; Jodha, 1986 and 1990; World Bank/USAID/GOI, 1988) defining Social Forestry which states “One of the largest interventions designed to increase the production of forest products on communal lands and strengthen local collective management has been the programme of communal woodlots established under Social Forestry programmes and projects in India. Social Forestry had its origins in the country in 1976, when a report of the National Commission of Agriculture recommended growing trees on lands accessible to village people in order to reduce the pressures on production forests caused by mounting rural demands for fuel, grazing and other forest products. This was to be achieved in a number of ways, one of which was to establish woodlots on non-arable communal land, to be managed collectively by the user community, through the panchayat system. Initiated in most states in the early 1980s, the programme expanded very rapidly.”

13. The DFO Gurugram, Sh Rajeev Tejyan misled the court by providing that “It is mentioned that a proposal for permission for the use of non-forest purpose was received from NHAI regarding the construction of DND Expressway under FCA, 1980.” However, he has intentionally omitted from quoting about the proposal number or bringing that on record as he is well aware of the fact that no such proposal was received regarding Hajipur Village Forest (Woodlot)/ Charagah. He has also avoided bringing on record 1983 plantation details like the area on which plantation was done or the number of trees planted, survived, etc.

14. The Committee suppressed the fact that no amount was given to the Hajipur Village Forest Panchayat as a compensation for 263 trees so cut. The amount of Rs 58940 is the fine collected by the Forest Department Haryana for chopping trees without permission. It is imperative to note here that the Hon'orable NGT in the matter of Vijay Chawla Vs Ministry of Environment, Forest and Climate Change & Ors i.e. O.A. No. 2343/2022 has held that *"Accordingly, while accepting the report to the effect that there are violations in cutting of trees and other activities, the status of deemed forest needs to be duly restored.....We fix compensation for such violations at Rs 10 Crores, taking the value of each tree at Rs. 2 lakhs. Apart from the said compensation and liability to restore the forest land, the PP will be required to do afforestation to the extent of 10 times in consultation with the DFO, Faridabad within three months from today."*
15. The Committee did not bring on record the relevant excerpt from Handbook of using FCA, 1980 and FCR 2003 which states that *"1.21. Ex-post Facto approval and Penal Provisions:*
 - (i) *In cases where the proposal under FC Act has not been submitted and forest land is diverted without FC..... The land in question will not be considered as diverted under FCA1980 and the status of the land shall continue to be forest"*
16. The other facts apart from the ones mentioned above are genuine as brought on record by the Joint Committee Report.

The matter is ripe for directions being passed by Hon'ble Tribunal to restore the environmental balance for three villages, in Haryana whose ecology, water/nalas and revenue raastas as well as village woodlot has been destroyed by user agency by committing statutory and environmental violations which are admitted and brought on record by the Joint committee report.

THROUGH

APPLICANT



**ABHISHEK GAUTAM & SURUCHI MITTAL
ADVOCATES**

**ICONIC LAW OFFICES
A-329, LGF, DEFENCE COLONY,
NEW DELHI-110024**

**Dated:29.09.2023
New Delhi**

**D/1555/07, D/2281/2012
PH: 9811000519,9711357001**

ORIGINAL APPLICATION NO. 892 of 2022

IN THE MATTER OF:

PREM MOHAN GAUR

...APPLICANT

VERSUS

NATIONAL HIGHWAY AUTHORITY OF INDIA & ORS ... RESPONDENTS

AFFIDAVIT

I, Prem Mohan Gaur, S/o Sh. Om Prakash Gaur, aged about 31 years, R/o Village Post Office, Hajipur, Tehsil Sohna, Gurugram, do hereby solemnly affirm and state as under:-

1. That I am the Applicant in the above mentioned original application and as such am conversant with the facts of the case and am competent to swear this affidavit.
2. I say that the accompanying Application/ Objections to Joint Committee Report has been drafted under my instructions and the contents thereof are true and correct to my knowledge and belief, no part of it is false and no material has been concealed there from. The contents of the same have been read over to me in vernacular and I have understood the same.



Pm Gaur

DEPONENT

VERIFICATION:

Verified at Gurugram on this the 29 day of September, 2023 that the contents of the above affidavit are true and correct to my knowledge.

No part of it is false and nothing material has been concealed therefrom.

IDENTIFIED

Pm Gaur

DEPONENT

Page No. 152
Notary Register Entry No. 1148
Date 29/09/2023

ATTESTED AS IDENTIFIED

ADVOCATE & NOTARY
DISTT. COURT, GURGAON

29 SEP 2023

388

348

ANNEXURE- A53

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्राधिकरणDHL Square (Plot No.-9) 3rd Floor, Sector -22, Panchkula - 134109E-Mail Id: haryanapondauthority@gmail.comWebsite: www.hpwwma.org.in

Letter No. HPA/ Legal / 301/892-22/2023/

57287-89

Dated: 25/01/2023

National Green Tribunal Matter**Most Urgent**

To

1. Deputy Commissioner, Nuh (Mewat)
2. District Development & Panchayat Officer, Nuh (Mewat)
3. Block Development & Panchayat Officer, Indri, Nuh (Mewat)

Subject: O.A. No. 892/2022 in NGT- Request for stopping of continued illegitimate work over protected Pond in Kiranj, Nuh Despite orders of HPWWMA Secretary, BDPO, Indri Notice.

Reference: This office letters no. HPA/Comp./139/2020/31781 & 40182 dated 17.11.2021 & 23.02.2022 respectively. AND
This office letters no. HPWWMA/Legal139/2022/50733 & 52862 dated 04.08.2022 & 03.10.2022 respectively.

In above mentioned complaint, Application has been filed by the complainant Prem Mohan Gaur in National Green Tribunal, New Delhi vide **O.A. 892/2022**, and this application is listed for 17.03.2023 for consideration on the factual ground report to be obtain by the joint Committee constituted by the NGT, New Delhi under the District Magistrate, Gurugram (Nodal Agency).

After going through the Ponds' data available on PDMS software of this office, it has been found that only one Pond data is uploaded of Village Kiranj (187), Block- Indri, District- Nuh, bearing **UID No 01HRNUHINR0187KIRA001 (Talab Wala Johad)** (copy of PDMS is attached). This pond has not been taken in any action plan of Haryana Pond Authority.

According to Section-14 of Haryana Pond And Waste Water Management Authority Act.

14. No person shall,-

- (i) construct any structure on pond land, green belt and catchment area, occupy any pond land or part thereof or cause any obstruction in the natural or normal course of inflow or outflow of water into or from the pond on the upstream or down-stream without permission of the Authority;
- (ii) dump debris, municipal or industrial waste, mud or earth soil into and around pond, green belt or catchment areas;
- (iii) discharge untreated municipal waste or industrial effluent into pond directly or indirectly;
- (iv) construct roads, bridges or other structures within the pond area including the pond bund without permission of the Authority;
- (v) breach bund, waste weir including lowering or raising the height of the waste weir from its original height or remove fence, boundary stones or any hoarding or any sign board erected by the Authority;

[Signature]
24/1/23

(vi) do any other act which is detrimental, directly or indirectly to pond:
Provided that nothing in this Act shall prohibit the Authority to redefine water uses of pond or treated effluent of sewage treatment plant or effluent treatment plant, from time to time:

Provided further that the Authority may grant permission for any of the above prohibited uses, in public interest with the prior concurrence of the Government.”

It is therefore, requested again kindly depute the concerned official/officers to check the revenue record as well as the actual site of pond and send the present status report of above mention pond site within week along with the present photos of the site. If NHAI has constructed the road on pond site then also send the documents relating to the permission. So that this Authority can give reply in above mentioned case.

Encloses: As above



**Member Secretary
Haryana Pond Authority**

Endst. No. HPA/ Legal / 301/892-22/2023/

57290-96

Dated: 25 01/2023

A copy of the above is forwarded to the following for information and takes necessary action:

1. Commissioner & Secretary IWRD Room No. 337, 3rd Floor, New Haryana Civil Secretariat Sector-17, Chandigarh.
2. Engineer-in-Chief, IWRD, Sinchi Bhawan, Sector-5, Panchkula
3. Chief Engineer, PR-PW, Plot 3, Sector -28 A, Madhya Marg, Chandigarh.
4. Superintending Engineer, PR-PW Circle, Faridabad.
5. Executive Engineer, W S Division, IWRD cum DPMO of District Nuh (Mewat)
6. Regional Officer, National Highway Authority of India, Bay No. 35-38, 1st Floor, Sector-4, Panchkula -134112 (ronhaichd@gmail.com)
7. Prem Mohan Gaur, Complainant (gpremmohan@gmail.com)



**Member Secretary
Haryana Pond Authority**

24/1/23

Fwd: OA 892/2022 IN NGT - REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

2 messages

Sh Pankaj Agarwal IAS Commissioner & Secretary <fcwrd@gmail.com>
To: EVC Pond Authority <evc.haryanapondauthority@gmail.com>

16 January 2023 at 10:16

For necessary action.

HPWWMA
Dairy No. 25516
Date 18/1/23

Forwarded message

From: Prem Mohan Gaur <gpremmohan@gmail.com>

Date: Sun, 15 Jan 2023 at 12:02

Subject: Re: OA 892/2022 IN NGT - REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

To: PIU Mathura <mat@nhai.org>, <ms.haryanapondauthority@gmail.com>, Vineet Narwal XEN MWS Nuh Irrigation <xen-wsnuh.ir@gov.in>, <bdpoindrinuh@gmail.com>, <dcnuh@hry.nic.in>, <dragiriraj@draipl.com>, <devendersinghacs@gmail.com>, <eic.lrigation@hry.nic.in>, <pcchry@nic.in>, <cfsouth.ggn-hry@nic.in>, <cf.gurgaon@gmail.com>, <hspcbrogrs@gmail.com>

Cc: <fcwrd@gmail.com>, <registrar-ngt@nic.in>, <secy-moef@nic.in>, <cabinetsy@nic.in>, <cmharyana@nic.in>, <cs@hry.nic.in>

To,

The Project Director, CMMU, Mathura at Faridabad,
Deputy Commissioner, Nuh,
District Magistrate, Gurugram,
RO, HSPCB (S) Gurugram
PCCF, Haryana,
CF South Gurugram
District Pond Officer, Nuh (Irrigation Department)
Member Secretary, HPWWMA, Panchkula
Block Development and Panchayat Officer, Indri
Additional Chief Secretary to Government of Haryana, (Irrigation and Water Resources Department)
Dinesh Chandra Giriraj Infra Pvt Limited, D-3, R.D. Apartment Sec - 6, Plot No. 20, Dwarka, New Delhi

TA [04] Pl. discuss
MS with the status.

18/1
17/01/2023

Under Intimation To:

Chief Secretary, Haryana
Registrar General, Hon'ble NGT,
Commissioner (Irrigation Department), Haryana,
Secretary, MoEF&CC,
IRO, MoEF&CC, Chandigarh
Hon'ble Cabinet Secretary,
Hon'ble Chief Minister, Haryana

EE - NQ
LO
18/1

REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM'S DIRECTION AND PENDING OA 892/2022 IN HON'BLE NGT

Dear Sir,

Pursuant to trail email chain, I would like to bring it to your notice that the work on the pond in Kiranj is continuing in violation to sub-section 2&3 of section 17 of HPWWMA Act 2018.

Please find attached three pictures from the site as taken on 14.01.2023 for your kind perusal.

Kindly do the needful to avoid any irreversible situation.

Best Regards,

Prem Mohan Gaur
Mob: 7838492947

On Mon, Jan 9, 2023 at 8:08 PM Prem Mohan Gaur <gpremmohan@gmail.com> wrote:

Dear Sir,

The Inputs from your Independent Engineer are biased and not true as they never included us in any of their research or site visit where we could have explained the matter better. As a matter of fact, the road under discussion doesn't not have any utility for the local residents as is evident from the attached report of PWD, Nuh prepared at direction of D.C. Nuh emphasising grant of access to road for local residents. As far as response to the details provided by you is concerned, please find the below the details:

1. Encroachment of panchayat rasta of Kiranj of 3 karam from NH 919 and filling of pond thereby damaging the natural status of pond :-

a) The Rasta of 3 Karam (attached is copy of Masabi) has been encroached upon and blocked for the farmers who can no longer go to their fields in violation to 2013

Guidelines:

"Regarding measures for proper utilization of unutilised/abundant land (revenue rastas/water channels) of Gram Panchayats" dated 14/10/2013, Memo. No. SBA-4-2013/49764-85 by Principal Secretary to Govt. Haryana, Development & Panchayat Department, Haryana.

Excerpt from it as follows:

Wherever the land under such common rastas becomes a part of the planned urbanization process, such land would be transferred to the development agency free of any charge subject to the conditions that: (i) the development agency shall either develop the same rasta in the form of a road or develop an alternate road with a Right of Way greater than the subsumed rasta; and (ii) the Road so developed shall at all times remain a 'Rafal-ram' and access through such road shall never be denied or restricted in any manner to any inhabitant of the village who enjoyed the right of easement/access through the subsumed rasta. (iii) the ownership of the alternate raste/road being developed by the development agency shall be transferred in favour of Gram Panchayat in lieu of the rasta becoming a part of planned urbanisation process.

b) Pond Filling:

The NHAI has filled approximately 0.5 acre of pond out of the total 2 acres in Kiranj i.e. damaged the natural resource of local area for a project with no utility to local region that too in the absence of any approval from HPWWMA/ Panchayat. It is imperative to note here that the under construction Toll Plaza nearby is a commercial activity and just a money minting policy of the government which is in violation to National Forest Policy which dictates to keep environment at a higher pedestal than commercial activity.

2. Closure of drain of rainwater nearby Gurgaon canal leading to stagnation of rainwater:-

Please note that the matter is just not of the siphon to the canal but the entire length of the Nala with Khasra No. 91 (originating from siphon) which has been encroached upon as well as Nala with Khasra No 92 as per revenue record of village Kiranj.

As far as Rainwater issue is concerned, it's about the entire length of the road, no farmer is happy to have their fields filled with Rainwater sliding down from the elevated road along the entire road (a road which they cannot access)

3. Service road for usage by villagers:-

The project is meant to be a public utility, not considering things at the inception stage has been a fault of NHAI which I have been highlighting since the beginning and mere excuse of not having things in concession agreement now, is not an acceptable excuse. There is neither a service road and nor an access point.

Please Note: Only very limited issues have been addressed in your email, the other aspects have been missed out which your office is very well aware of and were conveyed in the Legal Notice, sent earlier. **The issue stands as it is.** Also, please note that you will be held personally accountable for any continuing illegitimate work at the disputed site.

Thanks & Regards,

Prem Mohan Gaur

Mob: 7838492947

Address: K2.1/25/FF, Sector 83, Gurugram - 122004

On Thu, Jan 5, 2023 at 2:15 PM PIU Mathura <mat@nhai.org> wrote:

महोदय/Sir,

Please refer trailing mail on the subject matter, it is submitted that the matter was taken up with Independent Engineer (IE) and comments received are as under:-

1. Encroachment of panchyat rasta of kiranj of 3 karam from NH 91 and filling of pond thereby damaging the natural status of pond :-

Please note that the Concessionaire has taken up the construction activities for the subject project with in the Right of Way i.e., land handed over to the concessionaire pursuant to the provisions of schedule B of the concession Agreement. The concession has taken up the construction activities within the acquired ROW without disturbing the natural pond and moreover the existing pond has been safeguarded so as to protect the environment.

2. Closure of drain of rainwater nearby Gurgaon canal leading to stagnation of rainwater:-

The issue of stagnation of rainwater is planned to be addressed by providing the new reconstructed Siphon nearby Minor Bridge 54+580 ,which is under construction and expected to be completed in the month of jan 2023.

So, the Authority has already included the issue of rainwater in the scheme of things as a long-term solution. The Siphon (under construction) will solve the existing problem stagnation of rainwater upon completion of construction.

3. Service road for usage by villagers:-

The requirement of villagers for providing the service road is beyond the scope of the concession Agreement.

As per the concession Agreement, the applicable stretches of Typical Cross Section (Main Highway) are specified vide Appendix B-1 (A), Schedule B of the Concession Agreement and the service roads as per the applicable stretches i.e., from 33+000 to 38+180, wherever applicable.

This is for your kind information please. it is also requested to close the issue with an intimation to this office.

भवदीय/Regards,

परियोजना निदेशक / Project Director,

गलियारा प्रबन्धन ईकाई / Corridor Management Unit

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण / National Highways Authority of India

प्लॉट नं. 8, निकट सराय टोल प्लाजा भवन, फरीदाबाद-१२१००३ /Plot No.8, Near Sarai Toll Plaza Building, Faridabad-121003

From: Prem Mohan Gaur <gpremmohan@gmail.com>

Sent: Monday, November 28, 2022 12:28 PM

To: Haryana Pond Authority; ms.haryanapondauthority@gmail.com; bdpoindrinuh@gmail.com; Vineet Narwal XEN MWS Nuh Irrigation; dcnuh@hry.nic.in; xenmwsnuh@gmail.com; dragiriraj@draipl.com; PIU Mathura; cmumathura@gmail.com; irrigation@hry.nic.in; devendersinghacs@gmail.com; eic.irrigation@hry.nic.in

Cc: fcwrd@gmail.com; registrar-ngt@nic.in; secy-moef@nic.in; cabinetsy@nic.in; cmharyana@nic.in; cs@hry.nic.in; Regional Officer MoEF IRO Chandigarh; RO Delhi

Subject: REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

To,

The Project Director, CMMU, Mathura at Faridabad,

Deputy Commissioner, Nuh,

District Pond Officer, Nuh (Irrigation Department)

Member Secretary, HPWWMA, Panchkula

Block Development and Panchayat Officer, Indri

Additional Chief Secretary to Government of Haryana, (Irrigation and Water Resources Department)

Dinesh Chandra Giriraj Infra Pvt Limited, D-3, R.D. Apartment Sec - 6, Plot No. 20, Dwarka, New Delhi

Under Intimation To:

Chief Secretary, Haryana

Registrar General, Hon'ble NGT,

Commissioner (Irrigation Department), Haryana,

Secretary, MoEF&CC,

IRO, MoEF&CC, Chandigarh

Hon'ble Cabinet Secretary,

Hon'ble Chief Minister, Haryana

REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM'S DIRECTION

Dear Sir,

I would like to bring it to your kind attention that work of road construction by illegitimately filling the pond in Kiranj, Nuh, Haryana is continuing. I have attached few pictures (two pictures) taken on 26/11/2022 for your kind perusal.

392

352 C-1/2

It is imperative to mention here that a request for redressal of grievance is pending at CRM portal of HPWWMA regarding which a letter was also issued by Hon'ble Member Secretary (copy attached) for expediting the process. Also, an email was forwarding regarding the same by Hon'ble CM Haryana to Chief Secretary Sir but no concrete action has been taken. Also, the Block Development and Panchayat Officer, Indri, Nuh has also issued a notice regarding the same to NHAI (copy attached) but the grievance stands as it is and the work at site is continuing creating an irreversible situation.

Request you to kindly do the needful.

Thanks & Regards,
Prem Mohan Gaur
M: 7838492947

On Mon, Oct 3, 2022 at 4:54 PM Haryana Pond Authority <haryanapondauthority@gmail.com> wrote:

Please find attachment(s) on the subject noted above.

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्राधिकरण, हरियाणा

The Haryana Pond and Waste Water Management Authority, Haryana

Plot No. 9, DHL Square, 3rd Floor, IT Park, Sector-22, Panchkula- 134109

Phone No. 0172-2992847

E-Mail: haryanapondauthority@gmail.com

Website: www.hpwwma.org.in

O/o Commissioner & Secretary to Govt. Haryana
Irrigation & Water Resources Department

Regards
PA/PS to C&S
(o) 0172-2702249

3 attachments



WhatsApp Image 2023-01-14 at 13.26.26.jpeg
152K



WhatsApp Image 2023-01-14 at 13.26.25.jpeg
140K

WhatsApp Video 2023-01-14 at 13.26.22.mp4
506K

Rakesh Rakesh Chauhan <eic.irrigation@hry.nic.in>
To: evc pond <evc.haryanapondauthority@gmail.com>, technicaladvisor hpa <technicaladvisor.hpa@gmail.com>

16 January 2023 at 10:21

From: gpremmohan@gmail.com
To: mai@nhai.org, "ms haryanapondauthority" <ms.haryanapondauthority@gmail.com>, "Som Parkash Garg" <xer-wsnuh.inr@gov.in>, bdpointdrinuh@gmail.com, "Mr Ajay IAS" <dcnuh@hry.nic.in>, dragiriraj@draipl.com, devendersinghacs@gmail.com, "Rakesh Rakesh Chauhan" <eic.irrigation@hry.nic.in>, "Jagdish Chander" <pccf-hry@nic.in>, "M.D. Sinha" <cfsouth.ggn-hry@nic.in>, "cf gurgaon" <cf.gurgaon@gmail.com>, hspcbrogrs@gmail.com
Cc: fcivrd@gmail.com, "National Green Tribunal MoEF" <registrar-ngt@nic.in>, "Ms Leena Nandan" <secy-moef@nic.in>, "Rajiv Gauba" <cabinetsy@nic.in>, "Chief Minister Government of Haryana" <cmharyana@nic.in>, "Sanjeev Kaushal, IAS" <cs@hry.nic.in>

Sent: Sunday, January 15, 2023 12:02:22 PM

Subject: Re: OA 892/2022 IN NGT - REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

[Quoted text hidden]



3 attachments



WhatsApp Image 2023-01-14 at 13.26.26.jpeg
152K



WhatsApp Image 2023-01-14 at 13.26.25.jpeg
140K

WhatsApp Video 2023-01-14 at 13.26.22.mp4
506K

394

354 C-1/3

M Gmail

HPWWMA
Dairy No. 25466
Date 16/1/23

Haryana Pond Authority <haryanapondauthority@gmail.com>

Re: OA 892/2022 IN NGT - REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

1 message

Prem Mohan Gaur <gpremmohan@gmail.com>

15 January 2023 at 12:02

To: PIU Mathura <mat@nhai.org>, ms.haryanapondauthority@gmail.com, Vineet Narwal XEN MWS Nuh Irrigation <xen-wsnuh.irr@gov.in>, bdpoindrinuh@gmail.com, dcnuh@hry.nic.in, dragiriraj@draipl.com, devendersinghacs@gmail.com, eic.irrigation@hry.nic.in, pccf-hry@nic.in, cfsouth.ggn-hry@nic.in, cf.gurgaon@gmail.com, hspcbrogrs@gmail.com
Cc: fciwrd@gmail.com, registrar-ngt@nic.in, secy-moef@nic.in, cabinetsy@nic.in, cmharyana@nic.in, cs@hry.nic.in

To,

The Project Director, CMMU, Mathura at Faridabad,
Deputy Commissioner, Nuh,
District Magistrate, Gurugram,
RO, HSPCB (S) Gurugram
PCCF, Haryana,
CF South Gurugram
District Pond Officer, Nuh (Irrigation Department)
Member Secretary, HPWWMA, Panchkula
Block Development and Panchayat Officer, Indri
Additional Chief Secretary to Government of Haryana, (Irrigation and Water Resources Department)
Dinesh Chandra Giriraj Infra Pvt Limited, D-3, R.D. Apartment Sec - 6, Plot No. 20, Dwarka, New Delhi

Under Intimation To:

Chief Secretary, Haryana
Registrar General, Hon'ble NGT,
Commissioner (Irrigation Department), Haryana,
Secretary, MoEF&CC,
IRO, MoEF&CC, Chandigarh
Hon'ble Cabinet Secretary,
Hon'ble Chief Minister, Haryana

REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM'S DIRECTION AND PENDING OA 892/2022 IN HON'BLE NGT

Dear Sir,

Pursuant to trail email chain, I would like to bring it to your notice that the work on the pond in Kiranj is continuing in violation to sub-section 2&3 of section 17 of HPWWMA Act 2018.

Please find attached three pictures from the site as taken on 14.01.2023 for your kind perusal.

Kindly do the needful to avoid any irreversible situation.

Best Regards,
Prem Mohan Gaur
Mob: 7838492947

On Mon, Jan 9, 2023 at 8:08 PM Prem Mohan Gaur <gpremmohan@gmail.com> wrote:

Dear Sir,

The **inputs from your Independent Engineer are biased and not true** as they never included us in any of their research or site visit where we could have explained the matter better. As a matter of fact, the road under discussion **doesn't not have any utility for the local residents as is evident from the** attached report of PWD Nuh prepared at direction of D.C. Nuh emphasising grant of access to road for local residents. As far as response to the details provided by you is concerned, please find the below the details:

1. Encroachment of panchyat rasta of kiranj of 3 karam from NH 919 and filling of pond thereby damaging the natural status of pond :-

a) The Rasta of 3 Karam (attached is copy of Masabi) has been encroached upon and blocked for the farmers who can no longer go to their fields in violation to 2013 Guidelines:

Guidelines "Regarding measures for proper utilization of unutilised/abundant land (revenue rastas/water channels) of Gram Panchayats" dated 14/10/2013, **Memo. No. SBA-4-2013/49764-85** by Principal Secretary to Govt. Haryana, Development & Panchayat Department, Haryana.

Excerpt from it as follows:

Wherever the land under such common rastas becomes a part of the planned urbanization process, such land would be transferred to the development agency free of any charge subject to the conditions that: (i) the development agency shall either develop the same rasta in the form of a road or develop an alternate road with a Right of Way greater than the subsumed rasta; and (ii) the Road so developed shall at all times remain a 'Rafai-aam' and access through such road shall never be denied or restricted in any manner to any inhabitant of the village who enjoyed the right of easement/access through the subsumed rasta. (iii) the ownership of the alternate rasta/road being developed by the development agency shall be transferred in favour of Gram Panchayat in lieu of the rasta becoming a part of planned urbanisation process.

b) Pond Filling:

The NHAI has filled approximately 0.5 acre of pond out of the total 2 acres in Kiranj i.e. damaged the natural resource of local area for a project with no utility to local region that too in the absence of any approval from HPWWMA/ Panchayat. It is imperative to note here that the under construction Toll Plaza nearby is a commercial activity and just a money minting policy of the government which is in violation to National Forest Policy which dictates to keep environment at a higher pedestal than commercial activity.

2. Closure of drain of rainwater nearby Gurgaon canal leading to stagnation of rainwater:-

Please note that the matter is just not of the siphon to the canal but the entire length of the Nala with Khasra No. 91 (originating from siphon) which has been encroached upon as well as Nala with Khasra No 92 as per revenue record of village Kiranj.

As far as Rainwater issue is concerned, it's about the entire length of the road, no farmer is happy to have their fields filled with Rainwater sliding down from the elevated road along the entire road (a road which they cannot access)

3. Service road for usage by villagers:-

The project is meant to be a public utility, not considering things at the inception stage has been a fault of NHAI which I have been highlighting since the beginning and mere excuse of not having things in concession agreement now, is not an acceptable excuse. There is neither a service road and nor an access point.

Please Note: Only very limited issues have been addressed in your email, the other aspects have been missed out which your office is very well aware of and were conveyed in the Legal Notice, sent earlier. **The issue stands as it is.** Also, please note that you will be held personally accountable for any continuing illegitimate work at the disputed site.

Thanks & Regards,
Prem Mohan Gaur
Mob: 7838492947
Address: K2.1/25/FF, Sector 83, Gurugram - 122004

On Thu, Jan 5, 2023 at 2:15 PM PIU Mathura <mat@nhai.org> wrote:

महोदय/Sir,

Please refer trailing mail on the subject matter, it is submitted that the matter was taken up with Independent Engineer (IE) and comments received are as under:-

1. Encroachment of panchyat rasta of kiranj of 3 karam from NH 91 and filling of pond thereby damaging the natural status of pond :-

Please note that the Concessionaire has taken up the construction activities for the subject project with in the Right of Way i.e., land handed over to the concessionaire pursuant to the provisions of schedule B of the concession Agreement. The concession has taken up the construction activities within the acquired ROW without disturbing the natural pond and moreover the existing pond has been safeguarded so as to protect the environment.

2. Closure of drain of rainwater nearby Gurgaon canal leading to stagnation of rainwater:-

The issue of stagnation of rainwater is planned to be addressed by providing the new reconstructed Siphon nearby Minor Bridge 54+580 ,which is under construction and expected to be completed in the month of jan

2023.

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So, the Authority has already included the issue of rainwater in the scheme of things as a long-term solution. The Siphon (under construction) will solve the existing problem stagnation of rainwater upon completion of construction.

3. Service road for usage by villagers:-

The requirement of villagers for providing the service road is beyond the scope of the concession Agreement.

As per the concession Agreement, the applicable stretches of Typical Cross Section (Main Highway) are specified vide Appendix B-1 (A), Schedule B of the Concession Agreement and the service roads as per the applicable stretches i.e., from 33+000 to 38+180, wherever applicable.

This is for your kind information please. it is also requested to close the issue with an intimation to this office.

भवदीय/Regards,

परियोजना निदेशक / Project Director,

गलियारा प्रबन्धन ईकाई / Corridor Management Unit

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण / National Highways Authority of India

प्लॉट नं. 8, निकट सराय टोल प्लाजा भवन, फरीदाबाद-१२१००३ /Plot No.8, Near Sarai Toll Plaza Building, Faridabad-121003

From: Prem Mohan Gaur <gpremmohan@gmail.com>

Sent: Monday, November 28, 2022 12:28 PM

To: Haryana Pond Authority; ms.haryanapondauthority@gmail.com; bdpoindrinuh@gmail.com; Vineet Narwal XEN MWS Nuh Irrigation; dcnuh@hry.nic.in; xenmwsnuh@gmail.com; dragiriraj@draipl.com; PIU Mathura; cmumathura@gmail.com; irrigation@hry.nic.in; devendersinghacs@gmail.com; eic.irrigation@hry.nic.in

Cc: fciwrd@gmail.com; registrar-ngt@nic.in; secy-moef@nic.in; cabinetsy@nic.in;

cmharyana@nic.in; cs@hry.nic.in; Regional Officer MoEF IRO Chandigarh; RO Delhi

Subject: REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ. NUH DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM

To,

The Project Director, CMMU, Mathura at Faridabad,

Deputy Commissioner, Nuh,

District Pond Officer, Nuh (Irrigation Department)

Member Secretary, HPWWMA, Panchkula

Block Development and Panchayat Officer, Indri

Additional Chief Secretary to Government of Haryana, (Irrigation and Water Resources Department)

Dinesh Chandra Giriraj Infra Pvt Limited, D-3, R.D. Apartment Sec - 6, Plot No. 20, Dwarka, New Delhi

Under Intimation To:

Chief Secretary, Haryana

Registrar General, Hon'ble NGT,

Commissioner (Irrigation Department), Haryana,

Secretary, MoEF&CC,

IRO, MoEF&CC, Chandigarh

Hon'ble Cabinet Secretary,

Hon'ble Chief Minister, Haryana

REQUEST FOR STOPPING OF CONTINUED ILLEGITIMATE WORK OVER PROTECTED POND IN KIRANJ DESPITE ORDERS OF HPWWMA SECRETARY, BDPO INDRI NOTICE, HON'BLE CM'S DIRECTION

Dear Sir,

I would like to bring it to your kind attention that work of road construction by illegitimately filling the pond in Kiranj, Nuh, Haryana is continuing. I have attached few pictures (two pictures) taken on 26/11/2022 for your kind perusal.

It is imperative to mention here that a request for redressal of grievance is pending at GRM portal of HPWWMA regarding which a letter was also issued by Hon'ble Member Secretary (copy attached) for

expediting the process. Also, an email was forwarded regarding the same by Hon'ble CM Haryana to Chief Secretary Sir but no concrete action has been taken. Also, the Block Development and Panchayat Officer, Indri, Nuh has also issued a notice regarding the same to NHA (copy attached) but the grievance stands as it is and the work at site is continuing creating an irreversible situation.

Request you to kindly do the needful.

Thanks & Regards,
Prem Mohan Gaur
M: 7838492947

On Mon, Oct 3, 2022 at 4:54 PM Haryana Pond Authority <haryanapondauthority@gmail.com> wrote:

Please find attachment(s) on the subject noted above.

हरियाणा तालाव एवं अपशिष्ट जल प्रबंधन प्राधिकरण, हरियाणा

The Haryana Pond and Waste Water Management Authority, Haryana

Plot No. 9, DHL Square, 3rd Floor, IT Park, Sector-22, Panchkula- 134109

Phone No. 0172-2992847

E-Mail: haryanapondauthority@gmail.com

Website: www.hpwwma.org.in

3 attachments



WhatsApp Image 2023-01-14 at 13.26.26.jpeg
152K



WhatsApp Image 2023-01-14 at 13.26.25.jpeg
140K



WhatsApp Video 2023-01-14 at 13.26.22.mp4
506K

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National Green Tribunal

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Diary Number

Case Number

Party Name

Advocate Name

Keyword Search

Case Details Back

Filing Number	07011601870/2022	Filing Date	24-11-2022
Party Name	PREM MOHAN GAUR VS NATIONAL HIGHWAYS AUTHORITY OF INDIA		
Petitioner Advocate(s)	SURUCHI MITTAL	Respondent Advocate(s)	
Act	ENVIRONMENT (PROTECTION) ACT, 1986		
Case Number	Original Application No. 292/2022	Registered On	08-12-2022
Last Listed	11-01-2023	Next Hearing Date	17-03-2023
Case Status	PENDING		

[All Parties](#)

Diary Number

Case Number

Party Name

Advocate Name

Keyword Search

Judges/Member

Free Text

Case Details Back

Petitioner	Respondent
	1 DEPUTY COMMISSIONER GURUGRAM
	2 MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
	3 EXECUTIVE ENGINEER
	4 DEPUTY COMMISSIONER NUH
	5 DEPUTY COMMISSIONER PALWAL
	6 DIVISIONAL FOREST OFFICER GURUGRAM
	7 TEHSILDAR SOHNA TEHSIL
	8 BLOCK DEVELOPMENT AND PANCHAYAT OFFICER INDRI
PREM MOHAN GAUR	9 CHIEF MINISTER OF HARYANA CUM CHAIRPERSON HARYANA POND WASTE WATER MANAGEMENT AUTHORITY WA
	10 8. PRINCIPLE CHIEF CONSERVATOR OF FORESTS
	11 NATIONAL HIGHWAYS AUTHORITY OF INDIA
	12 DIVISION FOREST OFFICER NUH
	13 17. EXECUTIVE ENGINEER PROVINCIAL DIVISION PWD B&R BR. NUH
	14 STATE OF HARYANA
	15 SH. PARMENDER SINGH BLOCK DEVELOPMENT AND PANCHAYAT OFFICER SOHNA
	16 THE DISTRICT POND MANAGEMENT OFFICER-CUM- EXECUTIVE ENGINEER
	17 SH. V.K. JOSHI GENERAL MANAGER CUM PROJECT DIRECTION NHAI

Item No. 06

Court No. 1

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

Original Application No.892/2022

Prem Mohan Gaur

Applicant

Versus

National Highway Authority of India & Ors.

Respondent(s)

Date of hearing: 14.12.2022

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Suruchi Mittal, Advocate

ORDER

Learned counsel for the applicant seeks adjournment to place on record the date of construction activity undertaken by National Highway Authority of India which is in question and also relevant provisions required in respect whereof grievance has been made that permission of Panchayat was not obtained. Three weeks' time is allowed.

List again on 11.01.2023.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

December 14, 2022

A

Item No. 01

Court No. 2

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

Original Application No. 892/2022

Prem Mohan Gaur

Applicant

Versus

National Highway Authority of India & Ors.

Respondent(s)

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Suruchi Mittal, Advocate

ORDER

1. This original application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been filed by sole applicant - Prem Mohan Gaur with prayer that respondents be directed to remove construction of road raised on pond in Village Kiranj and restore the pond to its original shape.

2. It is also alleged that in Hajipur woodlot forest land, lots of trees have been illegally cut damaging environment and no action has been taken by concerned authority, therefore, appropriate action be taken against responsible respondents and environmental compensation be assessed and recovered from them.

3. The applicant has said that construction of road is being carried out by National Highway Authority of India (hereinafter referred to as '**NHAI**') and while constructing road in an elevated new National Highway-148NA (DND-Faridabad Ballabgarh bypass to KMP interchange stretch of Delhi-

Vadodara-Mumbai Expressway) which is connected to Gurugram canal, the officials of NHAI have covered a pond, notified under Haryana Pond Waste Water Management Authority Act, 2018, and have also caused illegal cutting of trees in the forest area in violation of Forest (Conservation) Act, 1980 in village Hazipur, Gurugram which falls under Social Forestry scheme of Forest Department, Haryana.

4. In our view, a substantial question relating to environment for implementation of the scheduled enactments under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual report from concerned authorities, for which purpose, we constitute a joint Committee comprising State PCB, PCCF, Gurugram and District Magistrate, Gurugram who shall visit the site, collect relevant information and submit a detailed factual report beside action taken, if any, within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. District Magistrate, Gurugram will be nodal agency for coordination and compliance.

6. List for further consideration on 17.03.2023.

7. A copy of this order, alongwith copy of complaint, be forwarded to State PCB, PCCF, Gurugram and District Magistrate, Gurugram by e-mail for compliance.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 11, 2023
Original Application No. 892/2022
DV

F/4

402

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S/N	District	Block	Village	Name of Pond	UID	Category Of Pond	Present condition of Pond	Whether the pond is Religious / Historical? (Yes/No)	Religious / Historical	Area as per Revenue Record (in acre)	Actual Area at Site (in acre)	Latitude (in Deg-Min-Sec)	Longitude (in Deg-Min-Sec)	Whether the Pond is WETLAND as Identified by HARSAC	Source of filling the Pond	Details of Encroachments on the Pond (if any)	Whether the Pond is in Abadi Area (Yes/No)
1	Nuh	INDRI	Kiranj (187)	Talab wala Johad	01HRNUHINR01 87KIRA001	Cattle Ponds	Polluted but not Overflowing	No	Nil	2	2	28°11'57"N	77°10'38"E	No	Rain Fed	No	No

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्राधिकरण
Bays No-39-40 (Basement), Block-B, Sector-4, Panchkula-13
E-Mail Id: ms.haryanapondauthority@gmail.com
Website: www.hpwwma.org.in

C-6. G/19

F/S

363

Most Urgent

Letter No. HPA/ Comp./139/2020/

31781

Dated: 17/11/2021.

To,

Executive Engineer, WS Division, IWRD
cum DPMO of District Nuh (Mewat)

Subject: Contempt of Supreme Court and NGT: illegitimately more than 200 trees cut, ponds water channels destroyed and Gochalr Lnad diverted without consent, Hajipur, Gurugram and Kiranj, Nuh.

This office has received one complaint from Sh. Prem Mohan Gaur, resident of Village and Post office Hajipur, Tehsil Sohana, District Gurugram, regarding the above mentioned subject matter (Copy of complaint is Annexure - A) in which complainant saying that National Highway Authority India has constructed the road on the Pond land and that Pond having the UID: 01HRNUHINR0187KIRA001.

After going through the Ponds' data available on PDMS software of this office, it has been found that there is 1 Pond's data uploaded on PDMS for the village Kiranj (187) Indri Block of District Nuh, namely Talab wala Johar bearing UID: 01HRNUHINR0187KIRA001 & present condition of Pond is (Polluted but not Overflowing).

It is, therefore, requested kindly depute the concerned official / officers to check the revenue record as well as the actual site of pond and send the present status report of above mention pond site within 5 days along with the present photos of the site. If the NHAI has constructed the road on pond site then also send the documents relating to the permission. So that this Authority can give the reply in above mentioned subject matter.

This may please be treated as the "most urgent"

DA/Enclosure: Annexure- A

Endst. No. HPA/ Comp./139/2020/

31782-84

A copy of the above is forwarded to the following for information and taking necessary action:

1. Deputy Commissioner, Nuh.
2. Superintending Engineer, PR-PW Circle, Faridabad.
3. Executive Engineer, PR-PW Division, Nuh (Mewat)

17/11/21

Member Secretary
HPWWMA, Panchkula

Dated: 17/11/2021.

17/11/21

Member Secretary
HPWWMA, Panchkula

404

net E-file
C-10 C-1/10

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F/6

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्रा

Bays No-39-40 (Basement), Block-B, Sector-4, Panchku
E-Mail Id: ms.haryanapondauthority@gmail.com
Website: www.hpwwma.org.in

Reminder- 1

Letter No. HPA/ Comp./139/2020/ 40182

Dated: 23/02/2022.

To,

Executive Engineer, WS Division, IWRD
cum DPMO of District Nuh (Mewat)

Subject: Contempt of Supreme Court, NGT & Violating the HPWWMA Act: Illegitimately more than 200 trees cut, ponds water channels destroyed and Gochar Land diverted without consent, Hajipur, Gurugram and Kiranj, Nuh.

Reference: This office letter no HPA/ Comp./139/2020/31781 dated 17.11.2021.

This office has received second complaint from Sh. Prem Mohan Gaur, resident of Village and Post office Hajipur, Tehsil Sohana, District Gurugram, regarding the above mentioned subject matter (**Copy of complaint is Annexure – B**) in which complainant saying that the pond (Khasra No. 30/3 and 30/8 as per Kiranj revenue record) in Kimaj Village, district Nuh which received a special protection by getting assigned UID **01HRNUHINR0187KIRA001 under the Haryana Pond Waste & Water Management Authority Act has been destroyed by NHAI**. On previous complaint dated on 12.11.2021 in which the complainant has raised the same issue, this office has not received any reply from the concerned officers yet w.r.s. the first complaint.

After going through the Ponds' data available on PDMS software of this office, it has been found that there is one Pond's data uploaded on PDMS for the village Kiranj (187) Indri Block of District Nuh, namely Talab wala Johar bearing **UID: 01HRNUHINR0187KIRA001** & present condition of Pond is ~~is~~ Polluted but not Overflowing ~~is~~.

It is, therefore, again requested kindly depute the concerned official / officers to check the revenue record as well as the actual site of pond and send the present status report of above mention pond site within 5 days along with the present photos of the site. If the NHAI has done any act on pond site then also send the related documents. So that this Authority can give the reply in above mentioned subject matter.

This may please be treated as the "most urgent"

DA/Enclosure: Annexure- B


21/2/22
Member Secretary
HPWWMA, Panchkula

Endst. No. HPA/ Comp./139/2020/ 40183-85

Dated: 23/02/2022.

A copy of the above is forwarded to the following for information and taking necessary action:

1. Deputy Commissioner, Nuh. It is requested to depute the concerned officer to check the site of the pond and further necessary action may please be taken accordingly.
2. Superintending Engineer, PR-PW Circle, Faridabad.
3. Executive Engineer, PR-PW Division, Nuh (Mewat).


21/2/22
Member Secretary
HPWWMA, Panchkula

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्राधिकरण
DHL Square (Plot No.-9) 3rd Floor, Sector -22, Panchkula - 134109
E-Mail Id: ms.haryanapondauthority@gmail.com
Website: www.hpwwma.org.in

Reminder -1

Letter no -HPWWMA/ Legal /139/2022/
To,

52862-63

Dated: 3/09/2022

1. Deputy Commissioner, Nuh.
2. Executive Engineer, cum- DPMO, District- Nuh.

Subject: Action regarding complaints received from the public on Grievance Redressal Mechanism (GRM).

Reference: - This office letter no. HPA/Legal/139/2022/50733 dated 04-08-2022.

May Kindly refer to the Report on Grievance Redressal Mechanism (GRM) of District Nuh as on 27.09.2022 which shows that no action has been taken in the given complaints till date. If any problem is coming run the GRM Portal then kindly go through the Annexure -1. For any query contact on - 0172-2921485.

SN	District	Complaint No	Phone no	Complaint Date	Presently at	Forwarded Date	Total Days	Status	View Details
1	2	3	4	5	6	7	8	9	10
1	Nuh	CGMP-2022-000026_EN	7836492947	05/07/2022	DC	08/07/2022	64	In-Progress	Details
2	Nuh	CGMP-2022-000026_ILU	7836492947	05/07/2022	DC	08/07/2022	64	In-Progress	Details

It is requested, kindly go through the Grievance Redressal Mechanism (GRM) and sent the compliance report to this authority as soon as possible and update on GRM portal also.

This may please be treated as the "most urgent".

DA/ Annexure- 1



Member Secretary
HPWWMA, Panchkula

Dated: 3/09/2022

Endst. No. HPWWMA/ Legal /139/2022/

52864-65

A copy of the above is forwarded to the following for information and taking necessary action please:

1. Commissioner & Secretary, IWRD, Room No. 337, 3rd Floor, New Haryana Civil Secretariat, Sector-17, Chandigarh.
2. Sh. Prem Mohan Gaur, Complainant (gpremmohan@gmail.com)



Member Secretary
HPWWMA, Panchkula

हरियाणा तालाब एवं अपशिष्ट जल प्रबंधन प्राधिकरण

DHL Square (Plot No.-9) 3rd Floor, Sector -22, Panchkula - 134109

E-Mail Id: ms.haryanapondauthority@gmail.com

Website: www.hpwwma.org.in

Letter no -HPWWMA/ Legal /139/2022/ 50733
To,

Dated 9 /08/2022

1. Deputy Commissioner, Nuh.

Subject: Action regarding complaints received from the public on Grievance Redressal Mechanism (GRM).

May Kindly refer to the Report on Grievance Redressal Mechanism (GRM) of District Nuh as on 03.08.2022 which shows that no action has been taken in the given complaints till date. If any problem is coming run the GRM Portal then kindly go through the Annexure -1. For any query contact on – 0172-2921485.

S/N	District	Complaint No	Phone no	Complaint Date	Presently at	Forwarded Date	Total Days	Status	View Details
1	2	3	4	5	6	7	8	9	10
1	Nuh	COMP-2022-000026_EN	7838492947	05/07/2022	DC	08/07/2022	29	In-Progress	Details
2	Nuh	COMP-2022-000026_ILU	7838492947	05/07/2022	DC	08/07/2022	29	In-Progress	Details

It is requested, kindly go through the Grievance Redressal Mechanism (GRM) and sent the compliance report to this authority as soon as possible and update on GRM portal also.

This may please be treated as the "most urgent".

DA/ Annexure- 1

Member Secretary
HPWWMA, Panchkula

प्रेषक

तहसीलदार

पलवल

सेवा में,

अतिरिक्त उपायुक्त ,

गुरुग्राम |

क्रमांक 704

/ ओ.के. दिनांक 15-6-2023

विषय: Original Application No. 892/2022: Prem Mohan Gaur Versus National Highway authority of India & Others .

उपरोक्त विषय के सन्दर्भ में आपके पत्र क्रमांक ADC/2023/1030-36 DATED 7 जून 2023 की पालना में पटवारी हल्का से रिपोर्ट ली गई जिसके अनुसार वाका मौजा पारोली के भूमि खसरा न० 98 गैर मुमकिन रास्ता जिसकी चौड़ाई 5 करम है तथा इसमें से 2 कनाल 17 मरले भूमि N.H.A.I. द्वारा अधिग्रहण की गई है नकल शिजरा व् अवार्ड की प्रति साथ संगलन है | जबकि रास्ता न. 98 पर राजमार्ग पुलिया की चौड़ाई 13 फूट 3 इंच पाई गई है | रिपोर्ट सेवा में प्रेषित है |

तहसीलदार,

पलवल |

True Translated Copy of the Tehsildar Palwal Letter

Sender:

Tehsildar

Palwal

To,

Additional Deputy Commissioner,

Gurugram

No: 704/ O.K.

Date: 15.06.2023

Subject: Original Application No. 892/2022: Prem Mohan Gaur Versus National Highway Authority of India & Others

In regards to the aforementioned subject and in compliance to your letter no. ADC/2023/1030-36 dated 7 June 2023 a report was received from the area Patwari, according to which the land of village Paroli with Khasra No. 98 is a Gair Mumkin Rasta whose width is 5 Karam and 2 Kanal 17 Marla part of this land has been acquired by the N.H.A.I. Copy of map and Award is attached. However, the width of the National Highway's overbridge over the Rasta No. 98 has been found to be 13 feet 3 inches. The report is published for your kind perusal.

Signed

Tehsildar

Palwal

410

370

ANNEXURE- A55

To

Date: 26/09/23

✓ The District Revenue Officer, Gurugram

AND

The ADC, Gurugram

Sub: NGT Case - OA No. 892 of 2022 - Intimation about missing 2017-18 Jamabandi, Hajipur- Tehsil Sohna

Dear Sir,

In regards to the NGT Case OA No. 892 of 2022, you are hereby informed that the Status of Hajipur Charagah has been illegitimately changed in the Jamabandi's made post the year 2013-14.

Also, the Record Room Officials are not providing the copy of document from jamabandi of year 2017-18 (Padat-Sarkar) as either they have lost it or they are hiding the fact of change of status. At one instance (i.e. on 10 June 2022) they provided the copy of document of Jamabandi from the record of year 2013-14, at second instance (i.e. on 04 Aug 2022, copy of the receipt attached on pg 2) they didn't provide any copy of the document and on the third instance (i.e. on 14.09.2023, copy of the receipt attached on page 3) they again didn't provide any document.

This pertains to the Jamabandi of the land with Khasra No. 3//10,11,20 and Khasra No. 4//6,15,16,17. It is also informed part of this was acquired by NHAI for construction of DND- NH 148NA (Ballabgarh to KMP stretch).

It is for your information and necessary action.



Thanks & Regards,

Prem Mohan Gaur

Mob: 7838492947

Email: adv.pmgaur@gmail.com



Form No. 10 (A) - Item No. 1-11 (S. R. O. 104)

26th सी० 10
(मिशन 18 में निर्दिष्ट)

000047

खीर सी० 5664 सी० सी० 10

वकालत/नकल के लिए एक आवेदन पत्र

दिनांक 4.8.2022

जिस पर 9 (सब्जों में) स० के मूल्य के न्यायालय

फीस सटाम्य लगे हुए थे और जिसे रजिस्टर सी० बी० 2 में क्रमांक पर

बर्दा कर लिया गया है प्रेमोहन जी से

प्राप्त हुआ।

4-
वकालत करने वाले एडवोकेट के हस्ताक्षर

37849 - D.C. (C) - Form No. 5 - 1/1/1958

सी० डी० 10
87 (नियम 18 में निर्दिष्ट)
001458

रसीद सं० 2973 सी० डी० 10

नकल/कल के लिए पूरे प्रत्येक पक्ष

दिनांक 14-9-23

जिस पर 22 (पक्षों में) 50 के मूल्य के न्यायालय
फीस स्ट्याम्प लगे हुए हैं और जिस रजिस्टर सी० डी० 2 में क्रमांक पर
दर्ज कर लिया गया है ~~अंत प्रमाणित~~

प्राप्त है आ।

नकल करने वाले एजेंट के हस्ताक्षर