

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

**REPLY AFFIDAVIT**

\*\*\*\*\*

**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**

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|    |                                                                                                                                                                                                                                                                                                                                                                        |       |
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|    | Junior Engineer, Assistant Engineer and Executive Engineer, Municipal Corporation, Gorakhpur, in compliance of the proceedings pending before this Hon'ble Tribunal in the present O.A. No. 670/2025, together with representative geo-tagged photographs taken during the said inspection at the Project site, is annexed herewith and marked as <b>ANNEXURE A-5.</b> | 39-40 |
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**Dated:** 14.07.2026

**Place:** New Delhi

Filed By:

*Himanshu*

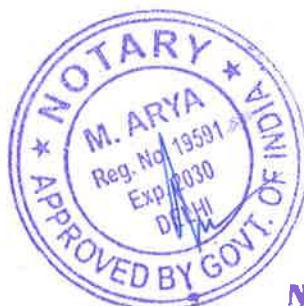


**Adv. Himanshu Gupta**

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Nagar III, Lajpat Nagar, New  
Delhi, 110024.

9140990616

Himanshu.ylc@gmail.com



**ATTESTED**

**MANISH ARYA**  
NOTARY PUBLIC, DELHI  
GOVT. OF INDIA

14 JUL 2026

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...RESPONDENTS



**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1 -**  
**MUNICIPAL CORPORATION, GORAKHPUR, IN RESPONSE TO THE**  
**APPLICATION (LETTER CUM APPLICATION) FILED BY THE**  
**ORIGINAL APPLICANT UNDER RULE 24 OF THE NATIONAL GREEN**  
**TRIBUNAL (PRACTICE AND PROCEDURE) RULES, 2011 READ WITH**  
**SECTIONS 18(3) AND 19(4)(K) OF THE NATIONAL GREEN**  
**TRIBUNAL ACT, 2010**

I, Ajay Jain, S/o/D/o/W/o Sh. Vinod Kumar Jain,  
aged about 31 years, presently posted as Municipal  
Commissioner, Municipal Corporation, Gorakhpur, Uttar Pradesh,  
do hereby solemnly affirm and declare as under:

1. That I am the Municipal Commissioner of Respondent No. 1  
herein and am well conversant with the facts and records of the



*Ajay*

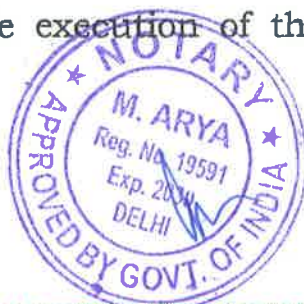


present case on the basis of the official record maintained in the office of the Municipal Corporation, Gorakhpur, and am competent and authorised to swear this Reply Affidavit on behalf of Respondent No. 1.

2. That I have read and understood the contents of the Original Application along with its annexures filed by the Applicant, and I am filing the present Reply Affidavit in response thereto. The contents of the present Reply Affidavit are based on the official records of the Answering Respondent and information received from the field/engineering wing of the Corporation, which I believe to be true and correct.
3. That the averments made in the application are denied except those which are specifically admitted herein. It is respectfully prayed that respondent may be permitted to file additional reply statements and documents, if necessary, at a later stage.
4. That in reply to the averments made in the Application filed by the applicant, the following is

## **5. PRELIMINARY SUBMISSIONS**

- 5.1 That at the very outset, the Respondent No.1 (Municipal Corporation, Gorakhpur) submits that it is conscious of its statutory obligations under the Construction and Demolition Waste Management Rules, 2016, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and other applicable environmental norms, and has taken, and continues to take, all reasonable and necessary steps to ensure compliance therewith in the execution of the RCC sewerage/drainage



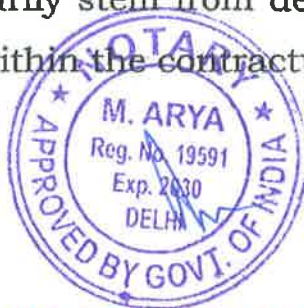
*My*

project in Ward No. 53 (Ram Janki Nagar), Gorakhpur ("the Project"). The allegations of any "nexus of complicity", collusion, or deliberate evasion of regulatory obligations as alleged in the OA cum letter petition. The allegations are based on photographs and assumptions without verification from the concerned department and are denied, save and except what is a matter of record.

- 5.2 That the Project in question pertains to the construction of an R.C.C. sewer line/nala from Shivanagar Colony Gate, Ram Janki Nagar, via Kaushalpuram, up to the Sports College P.W.D. Nala, under the sewerage and drainage scheme, undertaken by Respondent No. 1 for the benefit of the residents of the said Ward, sanctioned at an amount of Rs. 12,37,77,805/- (Rupees Twelve Crore Thirty-Seven Lakh Seventy-Seven Thousand Eight Hundred and Five only) inclusive of GST. The said work was awarded to the contractor, M/s Dharmendra Kumar Shrivastava, vide work order (Karyadesh) No. 1077/Char-SaNiVi/2024-25 dated 17.07.2024, with a stipulated commencement date of 20.07.2024 and a stipulated completion date of 19.01.2025.

True Copy of the Work Order Dated 17.07.2024 has been marked and annexed as **Annexure A-1**

- 5.3 That it is submitted that the grievances raised by the Applicant primarily stem from delay and non-completion of the said work within the contractual period by the executing



*[Handwritten signature]*

contractor, and consequent disrepair/inconvenience at the site on account of such delay, and not from any deliberate, continuing, or sanctioned violation of environmental norms on the part of the Respondent no.1 . The Answering Respondent no.1 has, in fact, been proactively monitoring the contractor's performance and has taken stringent action against the defaulting contractor, as detailed hereinbelow, which action by itself demonstrates the bona fides and due diligence of the Respondent no.1.

- 5.4 That the Respondent no.1 denies that there exists any "collusion" between the contractor, the Ward Councillor, officials of the Corporation, and other concerned authorities, as alleged in para 1 of the Application and the underlying letter petition. No particulars or material have been furnished by the Applicant in support of this serious allegation, and the same is denied as being vague, unsubstantiated, and motivated. On the contrary, the record placed before this Hon'ble Tribunal (and annexed hereto) shows that the Corporation has issued repeated notices to the contractor and has ultimately blacklisted the contractor and forfeited its security deposit for non-performance, which is wholly inconsistent with any collusion.

## 6. ACTION TAKEN AGAINST THE DEFAULTING CONTRACTOR

- 6.1 That it is most respectfully submitted that the delay in completion of the Project, which forms the substratum of the



*Signature*

grievances raised in the OA, is squarely and solely attributable to the gross negligence and persistent default of the contractor, M/s Dharmendra Kumar Shrivastava, and not to any inaction, collusion, or complicity on the part of Respondent No. 1 as falsely alleged. Far from condoning the delay, Respondent No. 1 has consistently and proactively taken strict enforcement action against the defaulting contractor, as evidenced by the following chronology of notices issued to the contractor calling upon him to expedite and complete the work, true copies whereof are annexed herewith collectively

- Notice No. 1686/Char-SaNiVi/2025-26 dated 18.07.2025
- Notice No. 3204/Char-SaNiVi/2025-26 dated 28.08.2025
- Notice No. 4586/Char-SaNiVi/2025-26 dated 12.12.2025
- Notice No. 4950/Char-SaNiVi/2025-26 dated 23.12.2025
- Show-Cause Notice No. 5179/Char-SaNiVi/2024-25 dated 14.02.2025
- Notice No. 5385/Char-SaNiVi/2025-26 dated 23.03.2026
- Show-Cause Notice No. 666/Char-SaNiVi/2025-26 dated 30.03.2026
- Show-Cause Notice No. 43/Char-SaNiVi/2026-27 dated 07.04.2026

6.2 That despite the aforesaid repeated notices and directions to augment manpower and complete the work expeditiously, the contractor failed to complete the work within the extended time also, which conduct was found to be in clear breach of



*guy*



the terms of the agreement and a matter of serious concern to the Municipal Commissioner.

6.3 That out of the originally sanctioned amount of Rs. 12,37,77,805/- (inclusive of GST), payment of Rs. 6,19,91,455/- (inclusive of GST) has been released to the contractor against civil works actually executed and verified at site. Upon physical/site inspection, the balance/residual work has been assessed and estimated at Rs. 3,52,10,781/- (inclusive of GST), which remains to be executed.

6.4 That on account of the contractor's continuing default and disregard of the directions of the superior officers, and non-completion of the work within the stipulated time, the Corporation has blacklisted the contractor, M/s Dharmendra Kumar Shrivastava, and forfeited the security/earnest money deposit of Rs. 3,52,10,781/- (inclusive of GST) furnished by him. This unequivocally demonstrates that Respondent No. 1 has acted with diligence, transparency, and in the best interest of the public, and the allegation of "collusion" or "nexus of complicity" between Respondent No. 1 and the contractor is wholly false and is denied in the strongest terms.

6.5 That simultaneously, the Corporation has initiated the process for a fresh/re-tender for completion of the residual work, so that the work may be completed at the earliest and the hardship being faced by the residents of Ward No. 53 on



*Gay*

account of the incomplete drainage work may be redressed expeditiously.

A true copy of the office note/recommendation dated 29.05.2026 issued by the Executive Engineer recommending forfeiture of security deposit, blacklisting of the defaulting contractor and initiation of a fresh tender process for completion of the balance work, together with the consequential order(s) passed thereon, is annexed herewith and marked as **ANNEXURE A-2.**

## 7. SITE SAFETY MEASURES AND INSPECTION REPORTS

7.1 That it is denied that there is "no visible oversight or corrective action by the authorities responsible", as alleged in the letter petition. It is submitted that Respondent No. 1 has been conducting regular site inspections of the Project through its Junior Engineer, Assistant Engineer, and Executive Engineer, and maintains a contemporaneous, GPS-location and date-stamped photographic record of such inspections.

True copies of representative inspection photographs dated 21.02.2026, 27.03.2026, 11.04.2026 and 19.05.2026 are annexed herewith collectively as **ANNEXURE A-3.**

7.2 That it is respectfully submitted that on the intervening night of 25-26.05.2026, owing to a sudden and severe storm (तेज

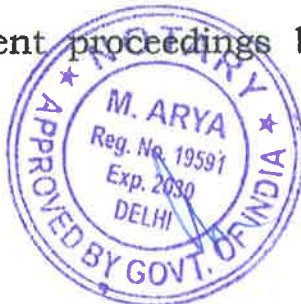


*Signature*

आंधी-तूफान), being a force majeure/natural event, the barricading and view-cutters installed at the project site were uprooted/dislodged. Upon the said fact coming to the notice of the field engineering staff of Respondent No. 1, an immediate joint site inspection was carried out by the concerned Assistant Engineer and Executive Engineer on 26.05.2026. During the inspection, it was confirmed that the displacement of the barricading and view-cutters had occurred solely on account of the said storm, whereupon necessary corrective measures were undertaken forthwith and the barricading/view-cutters were reinstalled at the site on the very same day to prevent any untoward incident and to ensure public safety. The aforesaid facts clearly demonstrate that Respondent No. 1 exercises continuous supervision over the Project and responds promptly and diligently to any deficiency noticed or reported at the site, thereby negating the allegations of inaction, negligence or lack of oversight made in the OA and the letter petition.

A true copy of the departmental report (आख्या)/office note recording the aforesaid inspection and sequence of events, together with the geo-tagged photographs taken before and after reinstallation, is annexed herewith and marked as **ANNEXURE A-4.**

7.3 That further, and most significantly, pursuant to the pendency of the present proceedings before this Hon'ble



*Agay*

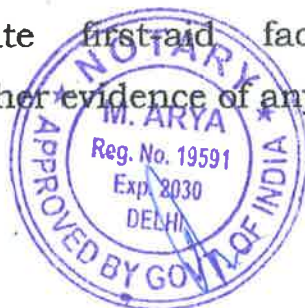
Tribunal and with a view to comprehensively verify and address each of the allegations raised in the Original Application, a detailed site inspection of the Project was conducted on 29.06.2026 by Sh. Vivekanand Singh, Avar Abhiyanta (Junior Engineer), Sh. Shailesh Kumar, Sahayak Abhiyanta (Assistant Engineer), and Sh. Amarnath, Adhishasi Abhiyanta (Executive Engineer), Municipal Corporation, Gorakhpur, in continuation of, and in addition to, the earlier inspections dated 21.02.2026, 27.03.2026, 11.04.2026, 19.05.2026 and 26.05.2026. During the said inspection, the inspecting officers examined the project records, the actual site conditions, construction activities, environmental aspects, safety measures and departmental records relevant to each of the allegations raised in the OA. The inspection, inter alia, records the following findings: (i) the Project is found to be functioning in accordance with the sanctioned administrative and technical approvals and is being executed in public interest to strengthen drainage and address waterlogging in the area; (ii) excavated earth temporarily stacked alongside the trench for the purpose of backfilling does not constitute unauthorised dumping of construction and demolition waste on any public land, drain or water body, and no serious violation of the Construction and Demolition Waste Management Rules, 2016 was found, although the contractor has been directed to segregate and dispose of unusable debris in a time-bound manner; (iii) barricading, safety barriers and tarpaulin sheeting were found in place at the active construction front, the



*[Handwritten signature]*



barricading damaged during the storm of 26.05.2026 having already been reinstated on the same day, and no condition posing any immediate threat to public life or property was found; (iv) water tankers were found deployed for dust suppression and adequate dust-control measures were in place, with no direct evidence of excessive dust pollution having been found, though the contractor has further been directed to keep excavated material covered wherever stored beyond 24 hours; (v) temporary accumulation of rainwater and sub-soil water was noticed in open trenches at certain locations, but no instance of discharge of untreated sewage or any public health hazard was found, and pumping and cleaning operations were carried out to ensure proper drainage; (vi) no instance of illegal or unauthorised tree-felling was found, the trees required to be removed for execution of the Project being those falling within the alignment of the nala; (vii) the proposed road-widening scheme from M.M. Singh Chauraha to Hadhwa Phatak was found to be a separate and independent project, with no technical or administrative contradiction between the same and the present sewer/nala construction work, both being executed independently in furtherance of their respective sanctioned objectives; (viii) safety equipment, including helmets, gloves, masks and reflective jackets, were found in use by the workers at site, and the executing agency has been directed to ensure hundred percent use thereof and to maintain adequate first-aid facilities; and (ix) no documentary or other evidence of any collusion, favouritism,



*[Handwritten signature]*

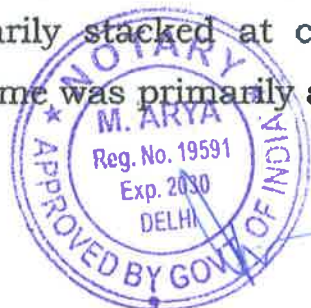
undue benefit or administrative irregularity as between the officers of Respondent No. 1 and the contractor was found; on the contrary, the record substantiates that timely notices, show-cause notices, forfeiture of the security deposit, blacklisting of the contractor and initiation of a fresh tendering process were undertaken by Respondent No. 1 well within its administrative discretion.

The comprehensive Site Inspection Report dated 29.06.2026, together with representative geo-tagged photographs taken during the said inspection at the Project site, is annexed herewith and marked as **ANNEXURE A-5**.

#### 8. PARA-WISE REPLY TO THE ORIGINAL APPLICATION

8.1 That without prejudice to the above and the submissions made hereinabove, the Answering Respondent submits its para-wise reply to the averments made in the Original Application/letter petition, as follows:

8.2 That the averments made in Paragraph A of the Original Application regarding the alleged dumping of mixed excavated earth, concrete and construction debris on public roads and adjoining areas without segregation, purportedly in violation of Rule 4 of the Construction and Demolition Waste Management Rules, 2016, are denied save and except what is specifically admitted herein. It is submitted that while some quantity of excavated material and construction debris remained temporarily stacked at certain locations of the project site, the same was primarily attributable to the delay



*[Handwritten signature]*

in completion of the work by the contractor and the requirement of reutilising suitable excavated material for backfilling of trenches after pipe-laying, which is a standard engineering practice. It is denied that the same constituted any deliberate, wilful or systematic violation of the Construction and Demolition Waste Management Rules, 2016 on the part of the Answering Respondent. Nevertheless, Respondent No. 1 has taken appropriate corrective measures and has directed that all residual construction and demolition waste be segregated, removed and disposed of in accordance with the applicable statutory norms.

8.3 That the averment made in Paragraph b. With reference to the allegation of absence of barricading, green netting and dust/wind control measures, it is submitted that the same is incorrect and is denied. As already detailed in Paragraphs 7.1 and 7.2 above, Respondent No. 1 has been maintaining barricading, blue/green tarpaulin sheeting, and view-cutters at the active work-front on a continuing basis since well before the filing of the OA, as is evident from ANNEXURE A-3, and the same is reiterated for the purposes of this paragraph.

8.4 That the averment made in Paragraph C regarding dust pollution and non-compliance with air quality norms is denied. It is submitted that adequate dust suppression measures have been undertaken at the project site, including



*guy*

regular deployment of water tankers for water sprinkling, which is evident even from the photographs annexed by the Applicant himself (Annexure -2, Annexure-3 and Annexure-4 to the OA), depicting water tankers stationed at and around the work site. It is therefore incorrect to allege that no dust mitigation mechanism was in place. Without prejudice thereto, Respondent No. 1 has issued further directions to the contractor and shall ensure that the successor contractor/agency engaged for completion of the balance work undertakes regular water sprinkling, covers excavated material and loose soil wherever stored for any appreciable duration, and strictly complies with all dust mitigation and air quality management measures during the remaining period of construction.

- 8.5 That the averment made in paragraph D regarding untreated sewage water flowing on public roads due to blocked drainage is denied. It is submitted that the very subject matter of the Project is the construction and laying of an RCC sewer/drainage line, and therefore some degree of temporary disruption to the existing drainage system, resulting in localized water accumulation during excavation and pipe-laying activities, is incidental and unavoidable, particularly in a congested and densely populated area. It is further submitted that such temporary waterlogging does not constitute discharge of "untreated sewage" as alleged, but is largely attributable to a combination of sub-soil seepage, rainwater accumulation and temporary obstruction caused



*Gay*



during the execution of the work. Without prejudice to the foregoing, Respondent No. 1 has undertaken de-silting and clearance of affected drainage stretches, deployed pumps and other necessary measures for evacuation of stagnant water wherever required, and shall continue to ensure periodic clearance of accumulated water so as to avoid any inconvenience or health hazard to local residents. Respondent No. 1 further undertakes that the balance work, including restoration of the road and proper functioning of the drainage system, shall be completed expeditiously through the fresh tender process, and appropriate interim diversion and disposal arrangements shall be maintained during the remaining period of construction.

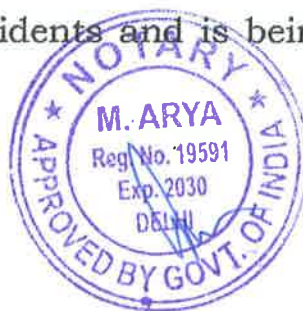
- 8.6 That the averment made in paragraph E as regards the allegation of illegal felling of trees, the Answering Respondent denies that any tree felling, if undertaken in connection with the present Project, was done without due process. It is submitted that no Environmental Clearance under the EIA Notification, 2006, nor Consent to Establish/Operate under the Water (Prevention and Control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981, is statutorily required for laying of RCC sewer/drainage pipelines of the present nature and scale, the same being a linear civic infrastructure/utility work and not a project or activity specified in the Schedule to the EIA Notification, 2006. To the extent any tree(s) had to be removed for the purposes of the Project, the same shall be examined by the



✓ *guy*

Answering Respondent in light of the U.P. Protection of Trees Act, 1976, and compliance, including compensatory plantation, shall be ensured, and a report in this regard shall be placed before this Hon'ble Tribunal.

- 8.7 That the allegation of "gross negligence" and "nexus of complicity" is wholly denied, the same being a bald and unsubstantiated assertion. The action of blacklisting the contractor and forfeiting his security deposit, taken suo motu by the Answering Respondent even prior to/independent of the institution of the present proceedings, is itself demonstrative of the Corporation's bona fide intention to ensure timely and compliant execution of the Project.
- 8.8 That the averments made in Paragraph G regarding an alleged contradiction between the sanctioned road-widening proposal and the ongoing drainage/sewerage work are denied as misconceived and devoid of merit. It is submitted that the reference made by the Applicant to a proposed road-widening project, purportedly based upon a newspaper report annexed with the OA, pertains to a separate and distinct infrastructure scheme being undertaken by the concerned authority and is at a different stage of planning, approval and execution. The present project, on the other hand, relates exclusively to the construction and laying of a sewerage/drainage network for providing essential civic amenities to the residents and is being executed along the



*Arora*

existing alignment in accordance with the approved design and technical requirements. Merely because a future road-widening proposal may exist does not render the present drainage work illegal, redundant or procedurally infirm. The two projects operate in different spheres, are subject to separate approvals and timelines, and are complementary public infrastructure works intended to improve civic facilities and urban development. There is, therefore, no contradiction, inconsistency or illegality as alleged by the Applicant.

- 8.9 That in view of the remedial measures already undertaken as detailed hereinabove — including, most significantly, the blacklisting of the defaulting contractor and the approval already accorded for re-tendering of the balance work as set out in Paragraphs 6.2 to 6.4 above — it is submitted that the prayer for “immediate suspension of all construction activities” is misconceived and would cause grave public hardship by halting an essential sewerage project midway, exposing the ward to a worse situation of open trenches and incomplete sewer lines. It is submitted that the appropriate course is to permit the Project to continue subject to strict and continuing compliance with environmental safeguards, as already being ensured by Respondent No. 1, rather than suspension of the work itself.

- 8.10 That save and except what is specifically admitted hereinabove, all other allegations, averments, and contentions made in the OA and the letter petition, including



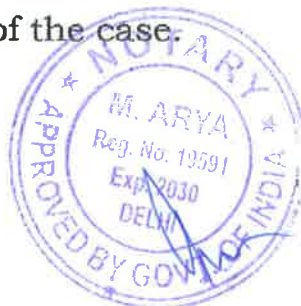
*guy*

in the annexures thereto, which are contrary to or inconsistent with what is stated in this Reply Affidavit, are denied as being incorrect, misconceived, and without prejudice to the rights of Respondent No. 1 to file any further/additional affidavit, if so required.

#### **PRAYER**

In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) Record that Respondent No. 1 has taken prompt and effective remedial measures in respect of the grievances raised in the Original Application, including continuous site inspections, issuance of notices to the defaulting contractor, initiation of blacklisting proceedings, and arrangements for completion of the balance work through a fresh tender process;
- b) Dispose of and close the present Original Application in view of the corrective and remedial measures already undertaken by Respondent No. 1, including action against the defaulting contractor, continuous monitoring of the project, implementation of environmental safeguards, and the undertakings furnished herein for completion of the balance work in a time-bound manner, and pass such further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.



*ngay*



g) Pass such other and further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

AND FOR THIS ACT OF KINDNESS, THE ANSWERING RESPONDENT SHALL, AS IN DUTY BOUND, EVER PRAY.

*guy*

DEPONENT

Verification: Verified on this -\_ day of MAY 2026 that the contents of the above affidavit are true and correct to my knowledge and no part of it is false therein and nothing has been concealed therefrom.

*guy*

DEPONENT

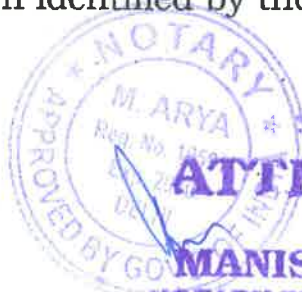
I ADV. HIMANSHU GUPTA do hereby identify the deponent who has produced the records of the case before me and I am satisfied that he is the same person as alleged.

*guy*

IDENTIFIER

14 JUL 2026

Solemnly affirmed before me today, the..... Day of May, 2026, by the deponent who has been identified by the aforesaid person.



**ATTESTED**

**MANISH ARYA**  
NOTARY PUBLIC, DELHI  
GOVT. OF INDIA

*guy*

14 JUL 2026

I have satisfied myself by examining the deponent that he has understood the content of this affidavit, which have been read over and explained to him.

OATH COMMISSIONER/NOTARY



**ATTESTED**

**MANISH ARYA**  
NOTARY PUBLIC, DELHI  
GOVT. OF INDIA

14 JUL 2026



**CERTIFIED THAT THE DEPONENT**

Shri/Smt./Km. ....

S/o, W/o, D/o ....

R/o ....

Identified by Shri/Smt. ....

has Solemnly affirmed before me at

New Delhi on 14 JUL 2026

That the Contents of the affidavit which have

been read & explained to him are true and

correct to this knowledge.

Notary Public

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

**ANNEXURES(A-1)**

\*\*\*\*\*

**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**





(30) 453

**कार्यालय : अधिशासी अभियन्ता, नगर निगम, गोरखपुर**

पत्रांक 1077 / नगर-साधनविभाग / 2024-25

दिनांक 17 / 07 / 2024

**कार्यादेश**

भेजल,

भोन्ना सुमार श्रीवारतम  
उकेदार।

विषय:

वार्ड नं० 63 रामजानकी नगर में शिव नगर कालोनी गेट से रामजानकी नगर  
गौराहा एवं गौराहापुरा गेटों से रामजानकी कालोनी पीछे स्थित पीछे  
आसोरीडीहा नाला का मार्ग।

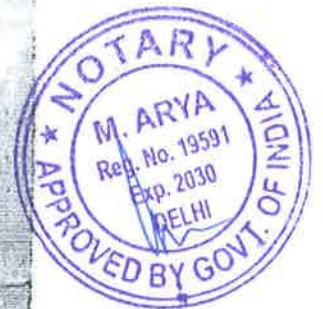
रूपया उक्त कार्य के लिए आपकी न्यूनतम विविध पत्रांक नं० 12,37,77,805.00  
(जो 01/08/2024 सहित) की स्वीकृति मात्र की राकम अधिकारी से प्राप्त कर ली गयी है। कार्य हेतु  
निरादित अनुबंध पत्र के अन्तर्गत आप दिनांक 29.07.2024 से प्रारम्भ कर दिनांक 19.08.2024  
तक अनिवार्य रूप से पूर्ण कराया जाना सुनिश्चित करें।

रूपया यह भी नोट करें कि इस पत्र को प्राप्त करने के पश्चात यदि कार्य आरम्भ  
नहीं किया जाता है तो इस दशा में अपने ठेके को निरस्त सगडों और नगर निगम का अधिकार  
होगा कि यह सम्बन्धित कार्य को किसी अन्य एजेन्सी से करा लें और उसपर जो भी हानि होगी  
उसका समायोजन आप द्वारा जमा धनराशि एवं अन्य विन्सी कार्य के भुगतान से करा लिया  
जायेगा, जो आपको मान्य होगा। कार्य का पंजीयन श्रम विभाग में कराते हुये श्रम पंजीयन  
प्रमाण पत्र भी प्रस्तुत करें व 07 दिवस के अन्दर कार्य प्रारम्भ करने की सूचना अवर  
अभियन्ता/कार्यालय निर्माण विभाग को लिखित रूप से प्रस्तुत करें।

अधिशासी अभियन्ता  
नगर निगम, गोरखपुर

प्रतिलिपि:-

1. सहायक/अवर अभियन्ता श्री ..... को आवश्यक कार्यवाही हेतु।
2. सम्बन्धित वार्ड लिपिक द्वारा कार्य प्रारम्भ की सूचना सहायक/अवर अभियन्ता को  
प्राप्त कराने तथा पत्रावली में भी संलग्न कराने हेतु।

प्राप्त किया  
अमर कुमार श्रीवास्तवअधिशासी अभियन्ता  
नगर निगम, गोरखपुर

14 JUL 2026



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

**ANNEXURES(A-2)**

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**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**



**14 JUL 2026**

सहायक/आधुनिक/मुख्य आभूषण/नगर आयुक्त महोदय

विषय:- वार्ड सं० 53 रामजानकी नगर में शिवनगर कालोनी गेट से एवं कौशलपुरम होते हुए स्पोर्ट्स कालेज पी०डब्ल्यूडी० नाला तक आर०सी०सी० नाला का कार्य।

कृपया उपरोक्त विषयक कार्य सीवरेज एवं जल निकासी योजना के अन्तर्गत धनांक रु० 1237.78 लाख (जी०एस०टी० सहित) की स्वीकृति ठेकेदार मै० धर्मेन्द्र कुमार श्रीवास्तव के पक्ष में नगर आयुक्त महोदय द्वारा दिनांक 05.07.2024 को प्रदान की गयी है। कार्यादेशानुसार कार्य दिनांक 20.07.2024 से प्रारम्भ कर दिनांक 19.01.2025 तक पूर्ण करना था। कार्यादेश की अवधि समाप्त हो चुकी है। स्थल पर कार्य की प्रगति संतोषजनक नहीं पाये जाने के कारण नगर आयुक्त महोदय द्वारा काफी भाराजशी व्यक्त की गयी तथा निर्देशित किया गया है कि "07 दिवस के अन्दर स्थल पर संतोषजनक प्रगति नहीं पायी जाती है तो ठेकेदार फर्म के विरुद्ध डिवार/क्लैक लिस्ट की कार्यवाही की जायेगी।" पूर्व में नोटिस सं० 1686/चार-सा०नि०वि०/2025-26, दिनांक 18.07.2025, नोटिस सं० 3204/चार-सा०नि०वि०/2025-26, दिनांक 28.08.2025, नोटिस सं० 4586/चार-सा०नि०वि०/2025-26, दिनांक 12.12.2025, नोटिस सं० 4950/चार-सा०नि०वि०/2025-26, दिनांक 23.12.2025, आपको नोटिस सं० 5179/चार-सा०नि०वि०/2024-25, दिनांक 14.02.2025, कारण बताओ नोटिस सं० 5385/चार-सा०नि०वि०/2025-26, दिनांक 23.03.2026, कारण बताओ नोटिस सं० 668/चार-सा०नि०वि०/2025-26, दिनांक 30.03.2026 एवं कारण बताओ नोटिस सं० 43/चार-सा०नि०वि०/2026-27, दिनांक 07.04.2026 द्वारा स्थल पर पर्याप्त श्रमशक्ति बढ़ाते हुये कार्य को शीघ्र अतिशीघ्र मानक एवं गुणवत्ता के साथ पूर्ण कराये जाने हेतु निर्देशित किया गया है; परन्तु ठेकेदार द्वारा अभी तक कार्य को पूर्ण नहीं कराया गया है, यह स्थिति अत्यन्त ही खेदजनक एवं अनुबन्ध की शर्तों का उल्लंघन है। स्थल पर कार्य पूर्ण नहीं कराये जाने के कारण क्षेत्रीय निवासियों द्वारा काफी रोष व्यक्त किया जा रहा है, जिससे नगर निगम की छवि धूमिल हो रही है। इससे ऐसा प्रतीत होता है कि ठेकेदार द्वारा उक्त कार्य को कराये जाने में कोई रुचि नहीं है।

उल्लेखनीय है कि ठेकेदार मै० धर्मेन्द्र कुमार श्रीवास्तव द्वारा सिविल मद में कराये गये कार्य के सापेक्ष धनराशि रु० 6,19,91,455.00 जी०एस०टी० सहित का भुगतान किया गया जा चुका है, जो मूल स्वीकृत धनराशि रु० 12,37,77,805.00 जी०एस०टी० सहित के सापेक्ष रु० 6,17,86,350.00 जी०एस०टी० का कार्य कराया जाना अवशेष है। स्थलीय निरीक्षण करते हुये स्थल पर अवशेष कार्य का प्राक्कलन धनराशि रु० 3,52,10,781.00 जी०एस०टी० सहित का तैयार किया गया है, जो मूल स्वीकृत धनराशि के अन्तर्गत है।

अतः ठेकेदार मै० धर्मेन्द्र कुमार श्रीवास्तव द्वारा कार्य को समयावधि के अन्तर्गत पूर्ण नहीं कराये जाने तथा उच्चाधिकारियों द्वारा दिये गये निर्देशों की अवहेलना किये जाने के कारण फर्म की जमानत धनराशि जब्त करते हुये 02 वर्ष के लिए काली सूची में दर्ज किये जाने की संस्तुति के साथ-साथ अवशेष कार्य को पूर्ण कराये जाने हेतु धनांक रु० 3,52,10,781.00 जी०एस०टी० सहित की पुनः अति अल्पकालीन निविदा आमंत्रित किये जाने की अनुमति हेतु आख्या सादर स्वीकृतार्थ प्रेषित है।

29/5/26

29/05/26

29.05.2026  
EE

29/5/26  
नगर निगम, नोएडा

29/5/26  
नगर निगम, नोएडा



14 JUL 2026



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

**ANNEXURES(A-3)**

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**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

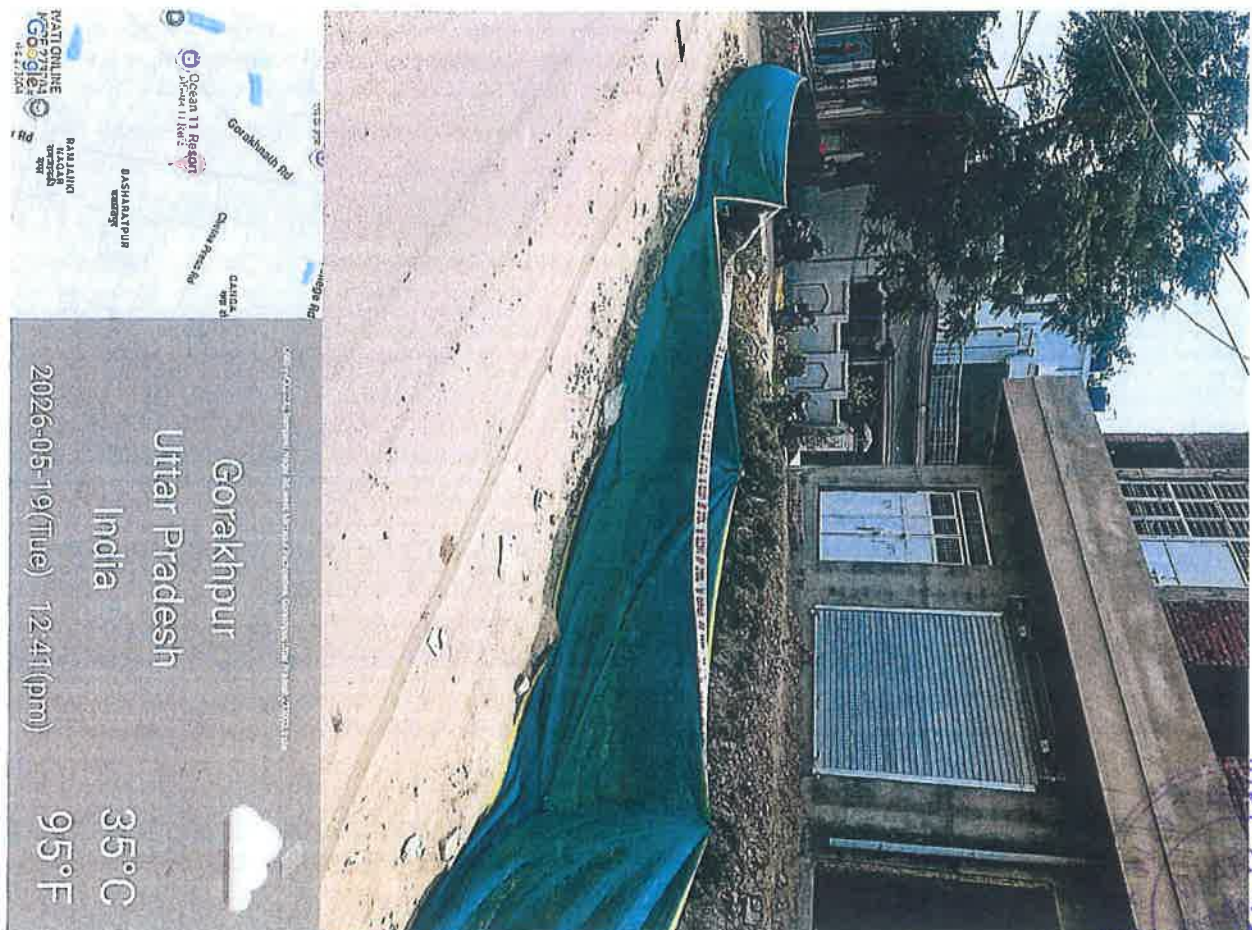
**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**



**14 JUL 2026**

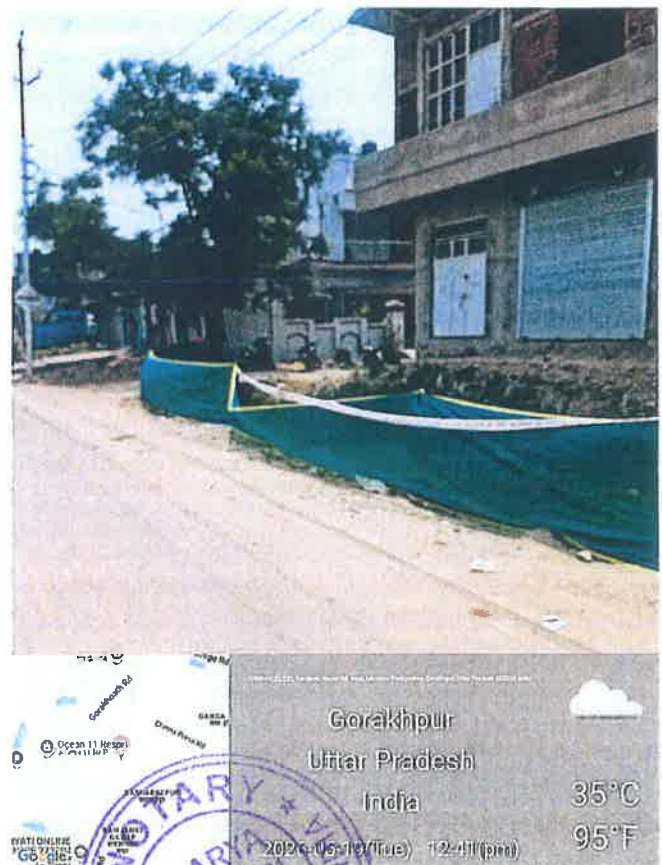
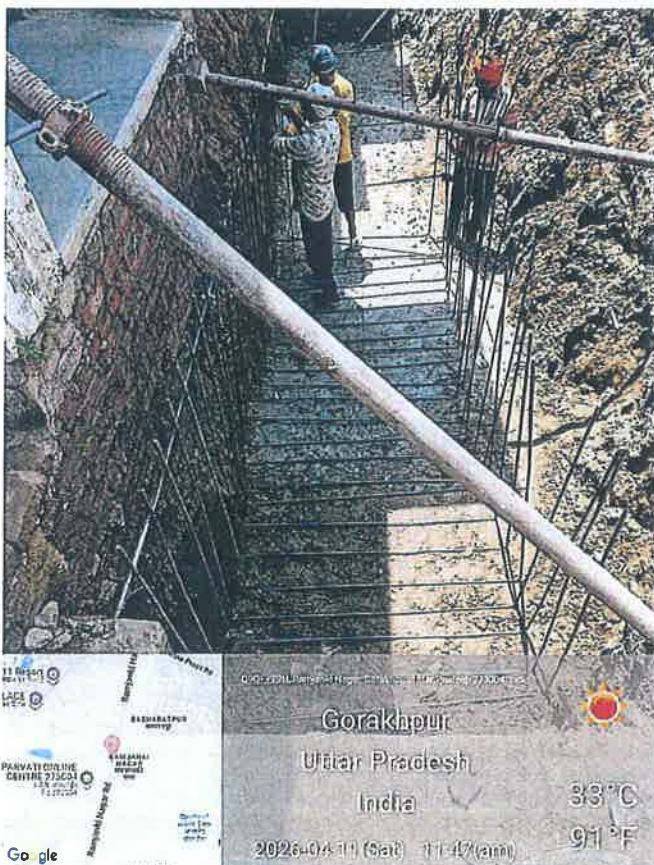
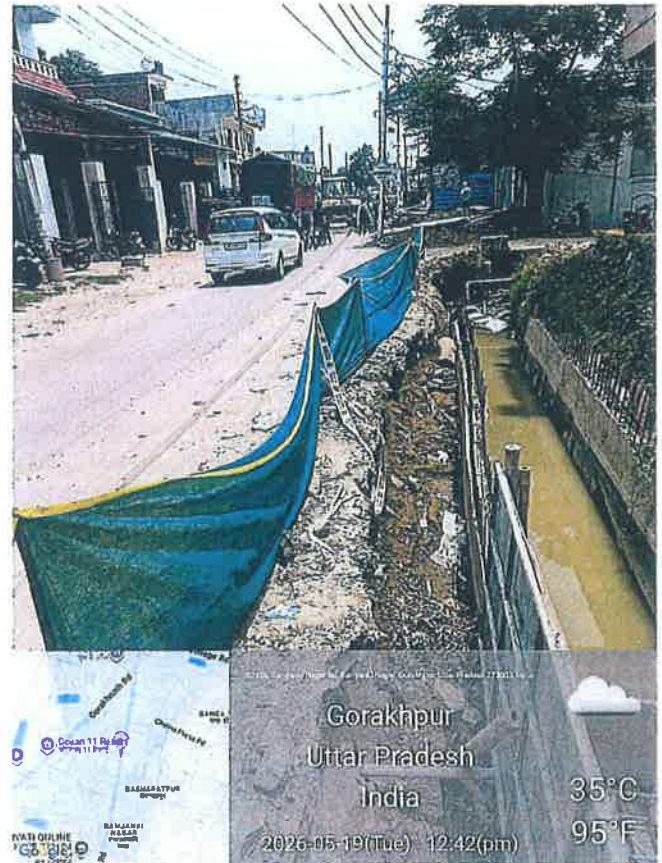




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14 JUL 2026

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

**ANNEXURES(A-4)**

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**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**



**14 JUL 2026**



### आख्या

कृपया दिनांक 28 मई, 2026 को समाजवादी पार्टी मिडिया सेल द्वारा ट्वीटर पर किया गया पोस्ट "गोरखपुर में अधूरे नाले में गिरकर गाय की मौत: ढाई साल से बन रहा नाला, नगर निगम के खिलाफ फूटा लोगों का गुस्सा" के सम्बन्ध में अवगत कराना है कि नगर निगम, गोरखपुर द्वारा वार्ड सं० 53 रामजानकी नगर में शिवनगर कालोनी गेट से एवं कौशलपुरम होते हुए स्पोर्ट्स कालेज पी०डब्लू०डी० नाला तक आर०सी०सी० नाला का कार्य कराया जा रहा है। दिनांक 26.05.2026 को उक्त घटना की जानकारी होने के उपरान्त तत्समय ही क्षेत्रीय अवर अभियंता, सहायक अभियंता एवं अधिशासी अभियंता द्वारा स्थलीय निरीक्षण किया गया एवं पाया गया कि दिनांक 25 मई-26 मई की रात्रि में तेज आंधी-तूफान आने के कारण स्थल पर लगाया गया बैरिकेडिंग एवं व्यू कटर उखड़ गया, जिससे दिनांक 26.05.2026 को प्रातःकाल उक्त दुर्घटना घटित हुई। तत्समय ही स्थल पर बैरिकेडिंग एवं व्यू कटर लगवा दिया गया, जिससे स्थल पर किसी भी प्रकार की दुर्घटना ना हो।

यह भी अवगत कराना है कि उक्त स्थल पर सीवरेज एवं जल निकासी योजनान्तर्गत फर्म मै० धर्मेन्द्र कुमार श्रीवास्तव द्वारा कार्य कराया जा रहा है। कार्यदिशानुसार कार्य दिनांक

सुरक्षा के दृष्टिगत पूर्व में स्थल पर लगाया गया बैरिकेडिंग व व्यू कटर



सुरक्षा के दृष्टिगत वर्तमान में स्थल पर लगाया गया बैरिकेडिंग व व्यू कटर



14 JUL 2026



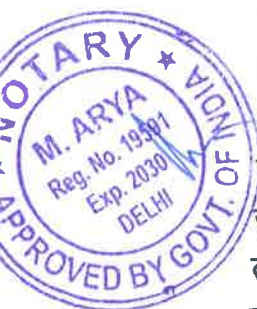
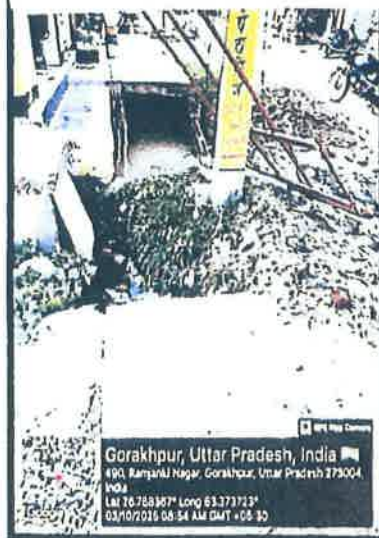
20.07.2024 से प्रारम्भ कर दिनांक 19.01.2025 तक पूर्ण करना था। स्थल पर नाले के एलाइमेंट में अत्यधिक अतिक्रमण होने, आगणन में नगर निगम विभाग में भूमि अधिग्रहण प्राविधान न होने के कारण, लोगों द्वारा कार्य के दौरान कार्य में व्यवधान उत्पन्न करने (अतिक्रमण होने के कारण), सघन आबादी, दुर्गा पूजा, छठ पूजा तथा मकर संक्रान्ति पर्व पर लोगों के लगातार आवागमन होने के कारण कार्य बाधित रहा। इसके अतिरिक्त विद्युत विभाग द्वारा समय से पोल शिफ्ट नहीं किये जाने के कारण कार्य को समय से पूर्ण नहीं कराया जा सका। स्थल पर उपरोक्त नाले के संरेखण में कई ट्रांसफार्मर व विद्युत लाइनों को विद्युत विभाग द्वारा समय-समय पर शिफ्ट किया गया, जो नाला निर्माण में बड़ी बाधा उत्पन्न कर रहे थे। वर्तमान में विद्युत लाइनों एवं ट्रांसफार्मर को शिफ्ट कर दिये गये हैं कुछ जगहों पर ट्रांसफार्मर व विद्युत लाइनों का शिफ्टिंग कार्य प्रगति पर है। (पूर्व में अतिक्रमण हटाये जाने वाले विद्युत लाइनों एवं ट्रांसफार्मर को शिफ्ट करने का फोटोग्राफ संलग्न है। नगर

निगम अधिकारी एवं विद्युत विभाग की संयुक्त टीम द्वारा समय-समय पर लगातार निरीक्षण एवं सुरक्षा मानकों का पालन करते हुये विगत 06 माह से निर्माण कार्य तीव्र गति से किया जा रहा है तथा वर्षा ऋतु से पूर्व ही नाले के निर्माण कार्य का पूर्ण कराने का यथा सम्भव प्रयास किया जा रहा है। विद्युत पोल शिफ्टिंग होने के उपरान्त स्थल पर कार्य को तीव्र गति से पूर्ण कराये जाने

गांधी क्षेत्रीय पार्क एवं राजरव टी म के साथ नाले के एलाइमेंट में आने वाले अतिक्रमण हटाने के सम्बन्ध में संयुक्त निरीक्षण



नाले के एलाइमेंट में आने वाले पोल एवं अतिक्रमण



Ar

Kumy  
AB

14 JUL 2026

हेतु ठेकेदार को पूर्व में नोटिस सं० 5179/चार-सा०नि०वि०/2024-25, दिनांक 14.02.2025, नोटिस सं० 1686/चार-सा०नि०वि०/2025-26, दिनांक 18.07.2025, नोटिस सं० 3204/चार-सा०नि०वि०/2025-26, दिनांक 28.08.2025, नोटिस सं० 4586/चार-सा०नि०वि०/2025-26, दिनांक 12.12.2025, नोटिस सं० 4950/चार-सा०नि०वि०/2025-26, दिनांक 23.12.2025, कारण बताओ नोटिस सं० 5385/चार-सा०नि०वि०/2025-26, दिनांक 23.03.2026 एवं कारण बताओ नोटिस सं० 43/चार-सा०नि०वि०/2026-27, दिनांक 07.04.2026 द्वारा एक सप्ताह के अन्दर कार्य की प्रगति संतोषजनक प्राप्त नहीं होने पर फर्म के विरुद्ध नगर निगम के निविदा में प्रतिभाग करने से डिबार एवं अनुबन्ध की शर्तों के अनुसार कार्यवाही किये जाने हेतु जारी किया गया है तथा वर्तमान में फर्म को ब्लैक लिस्ट हेतु संस्तुति की गयी है।

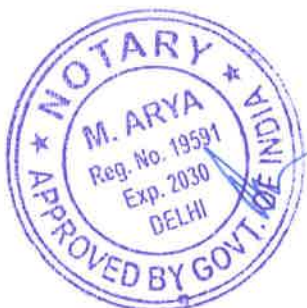


मा० क्षेत्रीय पार्षद, विद्युत विभाग एवं नगर निगम की टीम द्वारा नाले के एलाइमेंट में आने वाले पोल शिफ्टिंग के सम्बन्ध में संयुक्त निरीक्षण



अवगत कराना है कि गौवंश दुर्घटना से पूर्व उक्त नाले में किसी प्रकार की कोई दुर्घटना नहीं हुई है। भविष्य में किसी प्रकार की दुर्घटना ना हो, निर्माणाधीन नाले की पूर्ण बैरिकेडिंग बांस-बल्ली, स्टील शीट, व्यू कटर इत्यादि से कर दी गयी है तथा यथा सम्भव वर्षा ऋतु से पूर्व कार्य समाप्त करने का पूर्ण शक्ति से प्रयास किया जा रहा है।

आख्या सादर प्रस्तुत।



अवर अधिकारी  
नगर निगम, गोरखपुर

अवर अधिकारी  
नगर निगम, गोरखपुर

अवर अधिकारी  
नगर निगम, गोरखपुर

अवर अधिकारी  
नगर निगम, गोरखपुर

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## Translated Copy of Report

## Report

The Samajwadi Party Media Cell posted on Twitter on 28 May 2026 stating that a cow died after falling into an incomplete drain in Gorakhpur and that public resentment had erupted against the Municipal Corporation regarding a drain project that had allegedly been under construction for two and a half years.

In this regard, it is respectfully submitted that the Gorakhpur Municipal Corporation is undertaking the construction of an RCC drain in Ward No. 53, Ram Janki Nagar, from Shiv Nagar Colony Gate through Kaushalpuram up to the PWD drain near Sports College.

Upon receiving information regarding the incident on 26.05.2026, the concerned Junior Engineer, Assistant Engineer, and Executive Engineer immediately inspected the site. During the inspection, it was found that due to a severe storm and strong winds during the night of 25-26 May 2026, the barricading and view cutters installed at the site had been uprooted. As a result, the said accident occurred in the morning of 26.05.2026. Immediately thereafter, the barricading and view cutters were reinstalled to prevent any further accidents.

It is further submitted that the work at the said site is being executed by M/s Dharmendra Kumar Srivastava under the Sewerage and Water Body Scheme. As per the work order, the project was scheduled to commence on 20.07.2024 and was to be completed by 19.01.2025. However, substantial encroachments existed along the alignment of the drain. Since there is no provision under the Municipal Corporation Department for acquisition of encroached land, the construction work was repeatedly obstructed by local residents during execution.

Further, due to dense habitation in the area and continuous public movement during festivals such as Durga Puja, Chhath Puja, and Makar Sankranti, the progress of the work was adversely affected. In addition, the work could not be completed within the stipulated period due to the failure of the Electricity Department to shift electric poles in a timely manner. Several transformers and electric lines located along the drain alignment posed major obstacles to construction. Although the Electricity Department shifted such transformers and lines from time to time, some shifting work remained in progress. At present, most of the electric lines and transformers have been shifted, and the remaining shifting work is being carried out. Photographs evidencing the



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removal of encroachments and shifting of electric lines and transformers are enclosed herewith.

Officials of the Municipal Corporation and the Electricity Department have been conducting joint inspections regularly and ensuring compliance with all safety standards. Construction activities are being carried out expeditiously after removal of the aforementioned hindrances.

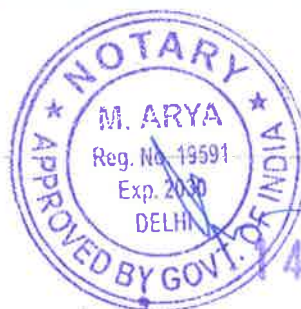
After the shifting of electric poles, the contractor was repeatedly directed to accelerate and complete the work. Accordingly, notices were issued to the contractor vide Notice No. 5179/4-Swa New V/2024-25 dated 14.02.2025, Notice No. 1636/4-Swa New V/2025-26 dated 18.07.2025, Notice No. 3204/4-Swa New V/2025-26 dated 28.08.2025, Notice No. 4586/4-Swa New V/2025-26 dated 12.12.2025, Notice No. 4950/4-Swa New V/2025-26 dated 23.12.2025, Show Cause Notice No. 5354/4-Swa New V/2025-26 dated 23.03.2026, and Show Cause Notice No. 43/4-Swa New V/2026-27 dated 07.04.2026. Through these notices, the contractor was directed to improve the progress of work within one week, failing which action would be taken in accordance with the terms and conditions of the contract, including debarring the firm from participating in Municipal Corporation tenders. At present, a recommendation has also been made for blacklisting the firm.

It is pertinent to state that no accident of any kind had occurred at the said drain site prior to the unfortunate cattle accident. To prevent any future incidents, the entire under-construction stretch has been secured through barricading, bamboo supports, steel sheets, view cutters, and other necessary safety measures. All possible efforts are being made to complete the work before the onset of the monsoon season.

The report is submitted for kind consideration.

Under signed

|                                                            |                                                                 |                                                                 |                                                          |
|------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------|
| Junior Engineer,<br>Municipal<br>Corporation,<br>Gorakhpur | Assistant<br>Engineer<br>Municipal<br>Corporation,<br>Gorakhpur | Executive<br>Engineer<br>Municipal<br>Corporation,<br>Gorakhpur | Chief Engineer<br>Municipal<br>Corporation,<br>Gorakhpur |
|------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------|



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

**ANNEXURES(A-5)**

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**IN**

**ORIGINAL APPLICATION (O.A) NO.670/2025**

**IN THE MATTER OF:**

**SAURABH KUMAR CHAUDHARY**

**...APPLICANT**

**VERSUS**

**MUNICIPAL CORPORATION, GORAKHPUR, THROUGH THE  
COMMISSIONER AND ORS**

**...RESPONDENTS**



**14 JUL 2026**



### स्थलीय निरीक्षण प्रतिवेदन

(शिव नगर कॉलोनी गेट से रामजानकी नगर चौराहा तथा कौशलपुरम होते हुए स्पोर्ट्स कॉलेज पीडब्ल्यूडी नाले तक आर.सी.सी. सीवर/नाला निर्माण कार्य, वार्ड संख्या-53, रामजानकी नगर, गोरखपुर के संबंध में माननीय राष्ट्रीय हरित अधिकरण, प्रधान पीठ, नई दिल्ली के समक्ष लंबित मूल आवेदन संख्या 670/2025, सौरभ कुमार चौधरी बनाम नगर निगम गोरखपुर एवं अन्य के अनुपालन में तैयार प्रतिवेदन)

क. निरीक्षण का विवरण

निरीक्षण की तिथि : 29/06/26

यह उल्लेखनीय है कि उक्त परियोजना का निरीक्षण पूर्व में भी दिनांक 21.02.2026, 27.03.2026, 11.04.2026, 19.05.2026 एवं 26.05.2026 को विभागीय अधिकारियों द्वारा किया जा चुका है तथा समय-समय पर आवश्यक निर्देश निर्गत किए गए हैं।

निरीक्षण करने वाले अधिकारी :

श्री विवेकानन्द सिंह अवर अभियन्ता, नगर निगम, गोरखपुर।

श्री शैलेश कुमार सहायक अभियन्ता, नगर निगम, गोरखपुर।

श्री अमरनाथ अधिशासी अभियन्ता, नगर निगम, गोरखपुर।

1. अधिकारियों द्वारा वार्ड संख्या-53, रामजानकी नगर, गोरखपुर स्थित निर्माणाधीन सीवर लाइन एवं आर.सी.सी. नाला परियोजना का स्थलीय निरीक्षण किया गया। निरीक्षण के दौरान परियोजना से संबंधित अभिलेखों, कार्यस्थल की वास्तविक स्थिति, निर्माण गतिविधियों, पर्यावरणीय पहलुओं, सुरक्षा उपायों तथा विभागीय अभिलेखों का परीक्षण एवं सत्यापन किया गया।
2. निरीक्षण में पाया गया कि उक्त परियोजना क्षेत्र में जल निकासी व्यवस्था को सुदृढ़ करने, सीवर प्रबंधन में सुधार लाने तथा वर्षा ऋतु में होने वाले जलभराव की समस्या के स्थायी समाधान हेतु जनहित में क्रियान्वित की जा रही है। परियोजना स्वीकृत प्रशासनिक एवं तकनीकी अनुमोदनों के अनुरूप संचालित पाई गई।
3. स्थल निरीक्षण के दौरान यह पाया गया कि पाइप लाइन बिछाने एवं नाला निर्माण कार्य हेतु किए गए उत्खनन से प्राप्त मिट्टी ट्रैच के किनारे अस्थायी रूप से रखी गई थी, जिसका उपयोग बैकफिलिंग कार्य में किया जाना प्रस्तावित था। निर्माण एवं विध्वंस अपशिष्ट (Construction and Demolition Waste) का किसी सार्वजनिक भूमि, नाले, जल निकाय अथवा अन्य पर्यावरणीय दृष्टि से संवेदनशील स्थल पर



for

for AE

for EE

अनधिकृत निस्तारण नहीं पाया गया। निरीक्षण में C&D Waste Management Rules, 2016 के किसी गंभीर उल्लंघन का मामला परिलक्षित नहीं हुआ। तथापि ठेकेदार को पुनः उपयोग योग्य एवं अनुपयोगी सामग्री को पृथक रखते हुए अनुपयोगी मलबे का समयबद्ध निस्तारण सुनिश्चित करने हेतु निर्देशित किया गया।

4. कार्यस्थल पर सुरक्षा व्यवस्था का निरीक्षण करने पर पाया गया कि सक्रिय निर्माण क्षेत्र में बैरिकेडिंग, सुरक्षा अवरोधक एवं तिरपाल लगाए गए थे। यह भी पाया गया कि दिनांक 26.05.2026 को आए तेज आंधी-तूफान के कारण एक स्थान पर बैरिकेडिंग क्षतिग्रस्त हो गई थी, जिसे उसी दिन पुनः स्थापित करा दिया गया। निरीक्षण के समय किसी भी स्थान पर ऐसी स्थिति नहीं पाई गई जिससे आमजन के जीवन एवं संपत्ति के लिए कोई तात्कालिक खतरा उत्पन्न हो रहा हो।
5. धूल प्रदूषण के संबंध में निरीक्षण के दौरान जल छिड़काव हेतु टैंकर तैनात पाए गए। स्थल पर धूल नियंत्रण संबंधी व्यवस्थाएं विद्यमान थीं। उपलब्ध अभिलेखों एवं छायाचित्रों के अवलोकन से भी जल छिड़काव की व्यवस्था परिलक्षित हुई। निरीक्षण में अत्यधिक धूल प्रदूषण अथवा परिवेशीय वायु गुणवत्ता पर प्रतिकूल प्रभाव का कोई प्रत्यक्ष साक्ष्य प्राप्त नहीं हुआ। तथापि ठेकेदार को निर्देशित किया गया कि 24 घंटे से अधिक समय तक रखी गई खुदाई सामग्री को ढंककर रखा जाए।
6. जलभराव एवं सीवर जल के बहाव संबंधी बिंदु का परीक्षण करने पर पाया गया कि कुछ स्थानों पर खुले ट्रैच में वर्षा जल एवं भू-जल के एकत्र होने के कारण अस्थायी जल संचयन की स्थिति उत्पन्न हुई थी। निरीक्षण के दौरान कहीं भी अनुपचारित सीवेज के खुले बहाव अथवा सार्वजनिक स्वास्थ्य संकट जैसी स्थिति नहीं पाई गई। संबंधित स्थलों पर पंपिंग एवं सफाई कार्य कराकर जल निकासी सुनिश्चित की गई।
7. वृक्षों की स्थिति के संबंध में अभिलेखों एवं स्थल का परीक्षण किया गया। परीक्षण से यह पाया गया कि परियोजना के निष्पादन हेतु जिन वृक्षों को हटाना आवश्यक था, उनके संबंध में अवगत कराना है कि नाले के ऐलाईमेंट में आ थे। निरीक्षण में किसी प्रकार की अवैध वृक्ष कटान अथवा बिना अनुमति वृक्ष हटाए जाने का कोई मामला नहीं पाया गया।
8. सड़क चौड़ीकरण योजना एवं वर्तमान नालाधसीवर निर्माण कार्य के संबंध में उपलब्ध अभिलेखों का परीक्षण करने पर पाया गया कि एम0एन0 सिंह चौराहा से हड़हवा फाटक तक प्रस्तावित सड़क चौड़ीकरण योजना एक पृथक एवं स्वतंत्र परियोजना है। वर्तमान सीवर एवं नाला निर्माण कार्य तथा उक्त सड़क चौड़ीकरण परियोजना के मध्य कोई तकनीकी अथवा प्रशासनिक विरोधाभास नहीं पाया गया। दोनों परियोजनाएं अपने-अपने स्वीकृत उद्देश्यों के अनुरूप पृथक रूप से क्रियान्वित की जा रही हैं।



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*Handwritten signature/initials*  
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9. श्रमिक सुरक्षा व्यवस्था के संबंध में निरीक्षण के दौरान पाया गया कि सुरक्षा उपकरणों का उपयोग कराया जा रहा था। कार्यदायी संस्था को हेलमेट, दस्ताने, मास्क, रिफ्लेक्टिव जैकेट एवं अन्य व्यक्तिगत सुरक्षा उपकरणों का शत-प्रतिशत उपयोग सुनिश्चित करने तथा प्राथमिक उपचार की व्यवस्था उपलब्ध रखने हेतु निर्देशित किया गया।
10. उपरोक्त सड़क एन0सी0ए0पी0 योजना से सड़क एवं फुटपाथ स्वीकृति है। निर्माण कार्य प्रगति पर हैं, एवं फुटपाथ पुनर्स्थापन संबंधी विषय का परीक्षण करने पर पाया गया कि पाइपलाइन परीक्षण, रिसाव परीक्षण एवं कार्य की तकनीकी स्वीकृति प्राप्त होने के उपरांत ही स्थायी सड़क पुनर्स्थापन कार्य किया जाना तकनीकी दृष्टि से उचित मानक प्रक्रिया के अनुरूप है। अतः अवशिष्ट निर्माण कार्य पूर्ण होने के पश्चात क्षतिग्रस्त मार्गों एवं फुटपाथों का पुनर्स्थापन कराया जाना प्रस्तावित है।
11. अभिलेखीय परीक्षण से यह भी ज्ञात हुआ कि कार्यदायी संस्था मे० धर्मेन्द्र कुमार श्रीवास्तव द्वारा निर्धारित समयावधि में कार्य पूर्ण नहीं किया गया। विभाग द्वारा दिनांक 18.07.2025 से 07.04.2026 तक कुल 08 नोटिस एवं कारण बताओ नोटिस जारी किए गए। इसके अतिरिक्त कार्य में निरंतर विलम्ब पाए जाने पर विभाग द्वारा अनुबंध की शर्तों के अनुसार कठोर कार्रवाई की गई। उपलब्ध अभिलेखों के अनुसार ₹12,37,77,805/- की स्वीकृत लागत के सापेक्ष ₹6,19,91,455/- का भुगतान किया गया तथा लगभग 3,52,10,781/- मूल्य का कार्य अवशेष पाया गया। फलस्वरूप ठेकेदार की प्रतिभूतिधरोहर राशि जब्त की गई, उसे काली सूची (Blacklist) में डाला गया तथा शेष कार्य को पूर्ण कराने हेतु नई एजेंसी के चयन की प्रक्रिया प्रारंभ की गई।
12. निरीक्षण एवं विभागीय अभिलेखों के परीक्षण से अधिकारियों एवं ठेकेदार के मध्य किसी प्रकार की मिलीभगत, पक्षपात, अनुचित लाभ अथवा प्रशासनिक अनियमितता का कोई साक्ष्य प्राप्त नहीं हुआ। इसके विपरीत अभिलेखों से यह स्पष्ट है कि विभाग द्वारा समय-समय पर नोटिस जारी किए गए, कारण बताओ नोटिस दिए गए, प्रतिभूति जब्त की गई, ठेकेदार को ब्लैकलिस्ट किया गया तथा कार्य पूर्ण कराने हेतु वैकल्पिक व्यवस्था सुनिश्चित की गई। अतः किसी प्रकार की विभागीय मिलीभगत का आरोप अभिलेखीय साक्ष्यों से पुष्ट नहीं होता है।
13. समस्त अभिलेखों, स्थलीय निरीक्षण, उपलब्ध छायाचित्रों एवं विभागीय अभिलेखों के परीक्षण से यह निष्कर्ष निकलता है कि निरीक्षण के दौरान पर्यावरणीय मानकों के गंभीर उल्लंघन, अवैध वृक्ष कटान, निर्माण एवं विध्वंस अपशिष्ट के अनधिकृत निस्तारण, अनुपचारित सीवेज के खुले बहाव अथवा अधिकारियों एवं ठेकेदार के मध्य किसी प्रकार की मिलीभगत का कोई प्रत्यक्ष अथवा अभिलेखीय साक्ष्य प्राप्त नहीं हुआ।



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14 JUL 2026



निरीक्षण में पाई गई कमियां मुख्यतः कार्यदायी संस्था द्वारा कार्य में विलम्ब के कारण उत्पन्न हुई, जिनके संबंध में विभाग द्वारा आवश्यक सुधारात्मक एवं दंडात्मक कार्रवाई की जा चुकी है। उपलब्ध तथ्यों एवं अभिलेखों के आधार पर परियोजना जनहित में स्वीकृत योजना के अनुरूप संचालित पाई गई तथा मूल आवेदन में लगाए गए आरोप निरीक्षण एवं अभिलेखीय परीक्षण से पुष्ट नहीं पाए गए।

14. अतः प्रतिवेदन सादर अवलोकन एवं आवश्यक कार्यवाही हेतु प्रस्तुत है।

*[Signature]*  
24/6/26  
वर असियन्ता  
नगर निगम, गोरखपुर

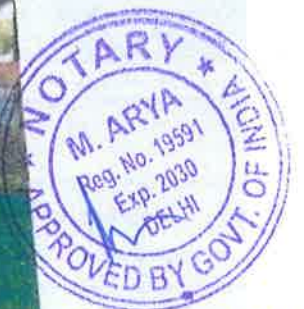
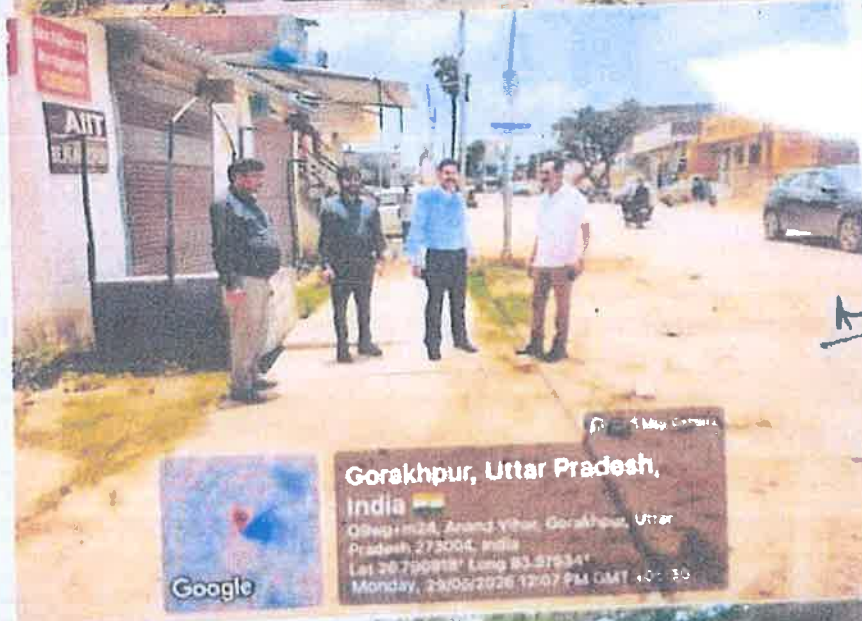
*[Signature]*  
वर असियन्ता  
नगर निगम, गोरखपुर

*[Signature]*  
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वर असियन्ता  
नगर निगम, गोरखपुर



14 JUL 2026

कार्य का नाम :- वार्ड सं० 53 रामजानकी नगर में शिवनगर कालोनी गेट से रामजानकीनगर चौराहा एवं कौशलपुरम होते हुए स्पोर्ट्स कालेज पी०डब्ल्यू०डी० नाला तक आर०सी०सी० नाला का कार्य।



14 JUL 2026





14 JUL 2026



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

Original Application No.670 of 2025

IN THE MATTER OF

SAURABH KUMAR CHAUDHARY.....APPLICANT

VERSUS

MUNICIPAL CORPORATION, GORAKHPUR,  
THROUGH THE COMMISSIONER & ORS.....RESPONDENT(S)

The above named.....do hereby appoint

(HIMANSHU GUPTA), ADVOCATE

EN.NO.D/9981/2021

Himanshu Gupta

Advocate

Supreme Court of India  
B-2, 1102, Gardenia Glory  
Sector 46 Noida, U.P.  
M.-9140990616

(herein after called the advocate/s) to be my / our Advocate in the above – noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid, he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and the above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this .....12..... Day of JULY,2026 Accepted subject to the terms of the fees.

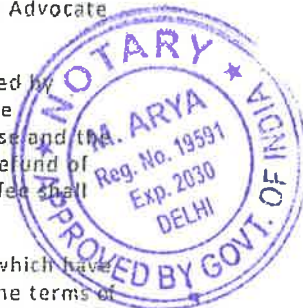


Client

Client

I identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   <p><b>भारतीय विशिष्ट पहचान प्राधिकरण</b><br/> <b>भारत सरकार</b><br/> <b>Unique Identification Authority of India</b><br/> <b>Government of India</b></p> <p>नामांकन क्रमांक/ Enrolment No.: XXXX/XXXXX/XXXXX</p> <p>To:<br/> अजय जैन<br/> Ajay Jain<br/> S/O Vinod Kumar Jain<br/> 459<br/> shiv colony<br/> Shiwar<br/> Sawai Madhopur Rajasthan-322704</p> <p>Download Date: 08/09/2020<br/> Generation Date: 04/03/2012</p> <p>Validity: unknown</p>  |   <p><b>सूचना</b></p> <ul style="list-style-type: none"> <li>■ आधार पहचान का प्रमाण है, नागरिकता का नहीं।</li> <li>■ पहचान का प्रमाण ऑनलाइन ऑथेंटिकेशन द्वारा प्राप्त करें।</li> <li>■ यह एक इलेक्ट्रॉनिक प्रक्रिया द्वारा बना हुआ पत्र है।</li> </ul> <p><b>INFORMATION</b></p> <ul style="list-style-type: none"> <li>■ Aadhaar is a proof of identity, not of citizenship.</li> <li>■ To establish Identity, authenticate online.</li> <li>■ This is electronically generated letter.</li> </ul> <div style="border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> <li>■ आधार देश भर में मान्य है।</li> <li>■ आधार भविष्य में सरकारी और गैर-सरकारी सेवाओं का लाभ उठाने में उपयोगी होगा।</li> <li>■ Aadhaar is valid throughout the country.</li> <li>■ Aadhaar will be helpful in availing Government and Non-Government services in future.</li> </ul> </div> |
| <p>आपका आधार क्रमांक / Your Aadhaar No. :<br/> <b>XXXX XXXX 8442</b></p> <p><b>मेरा आधार, मेरी पहचान</b></p> <hr/>   <p><b>भारत सरकार</b><br/> <b>Government of India</b></p>  <p>अजय जैन<br/> Ajay Jain<br/> जन्म तिथि/DOB: 28/06/1994<br/> पुरुष/ MALE</p> <p><b>XXXX XXXX 8442</b></p> <p><b>मेरा आधार, मेरी पहचान</b></p>                                      |  <p><b>भारतीय विशिष्ट पहचान प्राधिकरण</b><br/> <b>Unique Identification Authority of India</b></p> <p><b>Address:</b><br/> S/O Vinod Kumar Jain, 459, shiv colony, Shiwar, Sawai Madhopur, Rajasthan, 322704</p> <p><b>पता:</b><br/> S/O विनोद कुमार जैन, 459, शिव कॉलोनी, शिवाड, सवाई माधोपुर, राजस्थान, 322704</p> <p><b>XXXX XXXX 8442</b></p> <p><a href="mailto:help@uidai.gov.in">help@uidai.gov.in</a> <a href="http://www.uidai.gov.in">www.uidai.gov.in</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Jury



14 JUL 2026



Himanshu Gupta &lt;himanshu.ylc@gmail.com&gt;

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**Service of Reply Affidavit by R-1 – O.A. No. 670/2025 – Saurabh Kumar Chaudhary vs. Municipal Corporation, Gorakhpur & Ors.**

1 message

**Himanshu Gupta** <himanshu.ylc@gmail.com>

Tue, Jul 14, 2026 at 9:38 PM

To: "adv.saurabh.kumar.chaudhary@gmail.com" <adv.saurabh.kumar.chaudhary@gmail.com>, gda\_gorakhpur@rediffmail.com, GDA Gorakhpur <gdagorakhpur@gmail.com>, cao@uppcb.in, dmgor@nic.in, "Abhishek K." <khareabhishek147@gmail.com>

Dear Sir/Madam,

Please find attached the **Reply Affidavit on behalf of Respondent No. 1 – Municipal Corporation, Gorakhpur, in Original Application (O.A.) No. 670/2025, titled Saurabh Kumar Chaudhary vs. Municipal Corporation, Gorakhpur & Ors.**

The Reply Affidavit is being served upon you through this email in compliance with the directions of the Hon'ble National Green Tribunal and the applicable provisions governing service.

Kindly acknowledge receipt of the same.

Thanking you.

Regards

**Himanshu Gupta**

Advocate for Respondent No. 1  
Municipal Corporation, Gorakhpur  
Mobile: +91 91409 90616  
Email: himanshu.ylc@gmail.com

**Encl.:** Reply Affidavit on behalf of Respondent No. 1 (with Annexures).

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***Thank & Regards******Himanshu Gupta***

***( Enrolled as an Advocate in the Bar Council of Delhi, 2021)  
Supreme Court | High Court | All Tribunals.  
Associate- Office of Pragyan Pradip Sharma***

***M-9140990616,8860212457*****REPLY AFFIDAVIT BY MUNICIPAL CORPORATION GORAKHPUR R-1.pdf**

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