

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

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma ... Applicant

Versus

State of Haryana & Ors ... Respondent

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**Sub Divisional Magistrate
Ballabgarh**

(On behalf of Respondent No. 4,
District Magistrate, Faridabad)

Place: Faridabad
Date: 11/04/2025

Through



Rahul Khurana Adv
Counsel for R-4
9811894060
rkhuranalegal@gmail.com

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

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma ... Applicant

Versus

State of Haryana & Ors ... Respondent

**REPLY ON BEHALF OF
RESPONDENT NO. 4, DISTRICT MAGISTRATE, FARIDABAD IN
COMPLIANCE OF ORDER DATED 10.02.2025 & 18.03.2025 IN O.A.
NO. 34 OF 2025**

MOST RESPECTFULLY SHOWETH:

1. *Mr. Sunil Sharma, resident of 114/11E, Faridabad has sent the present letter petition to the Hon'ble National Green Tribunal, which has been treated and registered as O.A. No. 34/2025 in exercise of suo moto jurisdiction as per Judgment of Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897.*

2. *That the Hon'ble Tribunal after taking note of the allegations made in the above subjected complaint letter, passed the order dated 10.02.2025. The relevant portion of the order dated 10.02.2025 is reproduced below: -*

"2. The relevant part of the letter petition enumerating grievances of the applicant is reproduced as follows:-

It is stated/had given complaint on 22nd October 2024 in MCF, Faridabad regarding that a person named Devender Maan of Address B1/118/ Block B, Sector-11, Faridabad cut down all the green trees & Plants from Sector-11 Park and encroached that park land and started

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construction of temple in that park for persona gains. There is a very big and popular temple around 100-150 meters distance from this park land and as this park in in the market of sector-11, any such construction will create hug traffic problem, parking problem resulting in air pollution in that area.

I described the entire story to MCF, Joint Commissioner and requested them immediately intervene to stop this illegal construction and seize the all the equipment's which were being used in the construction of that illegal temple and take strict action against Mr. Devender Maan for such illegal construction. MCF team visited the spot on 22nd Oct and took the photography as a formality but MCF took no action.

Shockingly on 08th Nov, I came to know that construction was in full swing and construction laborers were setting up the setting for roof and main pillars. I again given complaint to Joint Commissioner, MCF. Joint Commissioner directed MCF team to seize the entire setting material and other equipment material from that place and issue warning to the person encroaching the land and doing illegal construction but took no action till now. Then again, I complained to MCF, Additional Commissioner on 11h Nov 2024 to take strict action. Even I have given complaint in MCF and forest department, Faridabad to register FIR for cutting of all green trees and plants from that park. Sorry to say that it seems that MCF is indirectly supporting such illegal constructions, and no one has taken any action till so far.

There are clear guidelines from Supreme Court that parks can't be encroached for any kind of illegal construction and MCF acknowledges this aspect. I do not have any hope or faith on MCF and Forest department as they have not taken any action yet. I will request you to kindly take strict action on immediate basis against all the responsible persons including MCF and others so that cutting of trees and illegal construction can't be stopped on park lands. I will be thankful for your kind action. I have attached all the MCF and Forest department complaints for your reference”

5. In view of averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual



position and take appropriate remedial action. Accordingly, we also constitute a Joint Committee comprising of representatives of the Haryana State Pollution Control Board, Commissioner, Municipal Corporation, Faridabad, Chief Administrator, Haryana Shehri Vikas Pradhikaran, Faridabad and District Magistrate, Faridabad and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law. The HSPCB will be the nodal agency for coordination and compliance”.

3. That in compliance of order dated 10.02.2025 of the Hon'ble National Green Tribunal, the Joint committee comprising of SDM Ballabgarh (Nominee of Deputy Commissioner Faridabad); Joint Commissioner MCF (Nominee of Municipal Commissioner Faridabad); Superintending Engineer, HSVP (Nominee of Administrator HSVP) and Assistant Environmental Engineer (Representative of HSPCB) inspected the site in question along with Sh. Devender Maan resident of B1/118/ Block B, Sector-11, Faridabad) on 11.03.2025.
4. That it is submitted here that the inspection report of the Joint Committee had already been filed in the Hon'ble Tribunal on dated 17.03.2025 and the same is attached herewith as **Annexure-'R-1'** for the kind perusal of Hon'ble Tribunal.
5. That it is submitted here that Respondent No. 3 i.e. Municipal Corporation Faridabad has already admitted that they have issued show cause notice under section 408A (1) (b) of the Haryana Municipal Corporation Act, 1994 in this matter to the violator for illegal encroachment by construction of Temple at the site in question. That it is pertinent to mention here that further action is to be taken by Respondent No. 3 i.e. Municipal Corporation Faridabad.
6. That the answering Respondent has already issued directions to the respondent No. 3 i.e. Municipal Corporation Faridabad to take



immediate necessary action to comply with the directions of Hon'ble National Green Tribunal vide Memo No. 2943-46/LFA/GII Dated 12.03.2025 and Memo No. 7664/Camp Dated 10.04.2025. **(Copy attached as Annexure R-2 and Annexure R-3).**

7. That no further action is required to be taken by Respondent No. 4 in this matter. The reply is being submitted for kind consideration of this Hon'ble Tribunal.


Sub Divisional Magistrate
Ballabgarh
(On behalf of Respondent No. 4,
District Magistrate, Faaridabad)

Place: Faridabad
Date: 11/04/2025

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

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma ... Applicant

Versus

State of Haryana & Ors ... Respondent

AFFIDAVIT

I, Mayank Bhardwaj, HCS, SDM Ballabgarh do hereby solemnly affirm and state as under:-

- 1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to swear this affidavit.
- 2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.
- 3. That Annexures are true copy of their originals.



[Signature]
Deponent

Sub Divisional Magistrate
Ballabgarh

Verification:

Verified at.....on day of, 2025 that the contents of affidavit are true and correct to my knowledge and on the basis of information derived from the official record which I believe to be true and no material fact has been concealed therein

[Signature]
Deponent

Sub Divisional Magistrate
Ballabgarh

Register No. 1285
Dated: 11/04/2025

Attested as Identified
[Signature]
NOTARY PUBLIC
Faridabad (Haryana)

11 APR 2025

I know the contents of the sign of Deponents & their sign & their pressing

ANNEXURE R-1

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

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma

Versus

Applicant

State of Haryana & Ors

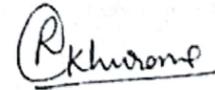
Respondent

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1	Status report on behalf of the Joint Committee constituted vide order dated 10.02.2025 in O.A. No. 34 of 2025	
2	Annexure-1 Photographs of the site	
2	Annexure-2 Copy of HSPCB letter dated 12.03.2025	
3	Annexure-3 Copy of the MCF reply letter dated 13.03.2025	

Filed By:

Date: 17.03.2025



Rahul Khurana, Advocate
Counsel for HSPCB
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BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI
OA 34/2025

IN THE MATTER OF:

Sunil Sharma ... Applicant

Versus

State of Haryana & Ors ... Respondent

STATUS REPORT ON BEHALF OF THE JOINT COMMITTEE
CONSTITUTED VIDE ORDER DATED 10.02.2025

MOST RESPECTFULLY SHOWETH:

1. That Mr. Sunil Sharma, resident of 114/11E, Faridabad has sent the present letter petition to this Tribunal, which has been treated and registered as O.A. No. 34/2025 in exercise of suo moto jurisdiction as per Judgment of Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897.
2. That the Hon'ble Tribunal taking note of the allegations made in the above subjected complaint letter, passed the order dated 10.02.2025.
3. That in the compliance of order dated 10.02.2025, the Haryana State Pollution Control Board issued the letter to all the concerned joint committee members. Accordingly the Joint committee comprising of SDM, Ballabgarh (Nominee of Deputy Commissioner Faridabad) Joint Commissioner MCF (Nominee of Municipal Commissioner Faridabad), Superintending Engineer, HSVP (Nominee of

Administrator HSVP) and Assistant Environmental Engineer (Representative of HSPCB) decided to inspect the said site by associating the applicant and representative of the Respondent No.5 namely Sh. Devender Maan resident of B1/118/ Block B, Sector-11, Faridabad)

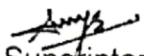
4. That inspection of site in question was carried out by the Joint Committee alongwith respondent No.5 on 11.03.2025 in consultation with applicant Mr. Sunil Sharma, who expressed his inability to accompany the joint committee on the day of inspection but shared videos/photos of encroachment of said site through Whatsapp. The applicant was also asked to share any proof of tree cutting but he did not submit any proof.
5. That during joint inspection it was told by persons gathered at spot that they live in the vicinity and temple was constructed by pooling money from residents on land specified for tubewell. No permission for construction of temple was shown by anyone including Respondent No.5. It was informed that the said sector i.e. Block B1 Sector 11, Faridabad was privately colonized by DLF and now the park is being maintained by RWA but the area in question falls under municipal limits of Faridabad. Photographs of the site in question are annexed as **Annexure-1**.
6. That according to MCF, the said land in question belongs to MCF and no permission has been obtained by RWA for construction of the temple. It was also informed that a tubewell was installed on this land which became defunct 15 years ago. MCF tried to demolish the temple on 22.10.2024 but could not demolish the temple due to the protest of the local residents. It has also been reported by MCF that no tree cutting was done at site.

7. That HSPCB being the Nodal Agency vide its letter dated 12.03.2025 sought Action Taken Report from MCF. (Copy of HSPCB letter dated 12.03.2025 attached as **Annexure-2**).
8. That further vide letter dated 13.03.2025, the MCF has submitted that it has issued notice to the person found at site, Sh. Devender Maan under section 408 of Municipal Corporation Act, 1994 on 13.03.2025. (Copy of the MCF's reply dated 13.03.2025 is enclosed as **Annexure-3**).

The Compliance report is being submitted for kind consideration of this Hon'ble Tribunal.


SDM, Ballabgarh


Joint Commissioner, MCF


Superintending Engineer, HSVP


AEE, HSPCB

Place: Faridabad

Date: 17.03.2025

Office of The Deputy Commissioner, Faridabad

Mini Secretariat, Sector-12, Faridabad

Office Phone:- 0129-2227936, 2226604, Email Id - dcfbd@hry.nic.in

ANNEXURE R-2



1. Administrator,
HSVP, Faridabad.
2. SDM, Ballabgarh (Nominee of District Magistrate).
3. Sh. Rajesh Kumar, HCS, Joint Commissioner,
Old Zone Faridabad
4. Regional Officer,
HSPCB, Faridabad.

Memo No. 2943-4/LFA/61-15 Dated 12-03-25

Subject:- **Order dated 10.02.2025 passed by the Hon'ble NGT in O.A. no. 34/2025 titled as Sunil Sharma V/s State of Haryana & Others.**

This has reference to this office letter no. 2918-19/LFA dated 27.02.2025 on the subject cited above..

In this connection it is intimated that next date of hearing in this case is fixed for 18.03.2025. As such you are requested to take immediate necessary action to comply with the directions of Hon'ble NGT and submit Action Taken Report under intimation to this office.

for Deputy Commissioner,
Faridabad. *PA*

Endst. No. 2947 /LFA/ 2025 Dated :- 12-03-25

A copy of above is forwarded to ADA, DC Office Faridabad for necessary action.

for Deputy Commissioner,
Faridabad. *PA*

ANNEXURE R-3



O/o Deputy Commissioner, Faridabad
 Mini Secretariat, Sector-12, Faridabad
 Office Phone: 0129-2227936, 2226604, Email Id: dcfd@hry.nic.in

To

Joint Commissioner,
 Municipal Corporation, Old Faridabad

Memo No 7664 / CAMP

Dated 10-04-2025

Subject:- Compliance report of NGT order in O.A no 34/2025

It is intimated that a compliance report of the action taken on the order of Hon'ble NGT in O.A no 34/ 2025 is to be submitted before the Hon'ble NGT by 12-04-2025. As such you are directed to submit report of the action taken by MCF for removal of structure in Sector 11 as directed by Hon'ble NGT. Compliance report be submitted to this office by 10-04-2025 Positively.


 For Deputy Commissioner,
 Faridabad.

Memo No 7665 / CAMP

Dated 10-04-2025

A copy above is forwarded to following for kind information necessary action.

1. Commissioner Municipal Corporation Faridabad
2. SDM Ballabgarh (nominee of District Magistrate Faridabad).
3. RO HSPCB Ballabgarh.


 For Deputy Commissioner,
 Faridabad.