

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH AT NEW DELHI****EXECUTION APPLICATION NO. 33 OF 2021****IN****ORIGINAL APPLICATION NO. 68 OF 2021****IN THE MATTER OF:**

SUSHIL RAGHAV

... APPLICANT

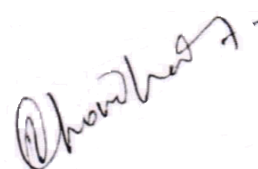
VERSUS

UNION OF INDIA &amp; ORS.

... RESPONDENTS

**INDEX**

<b>S.NO.</b>	<b>PARTICULARS</b>	<b>PG.NO.</b>
1.	<b>Reply to the Affidavit of Chief Secretary of the State of Uttar Pradesh dated 1.10.2024 on behalf of the Applicant along with Affidavit</b>	1-4
2.	<b>ANNEXURE A-1</b> Photographs showing sewage flowing in the open in Karkarmodel Village	5-6

**THROUGH****RITWICK DUTTA****RAHUL CHOUDHARY  
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Email: dclaw160@gmail.com**PLACE: NEW DELHI****DATE:- 13.12.2024**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH AT NEW DELHI****EXECUTION APPLICATION NO. 33 OF 2021****IN****ORIGINAL APPLICATION NO. 68 OF 2021****IN THE MATTER OF:**

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**REPLY TO THE AFFIDAVIT OF CHIEF SECRETARY OF THE STATE OF  
UTTAR PRADESH DATED 1.10.2024 ON BEHALF OF THE APPLICANT****MOST RESPECTFULLY SHOWETH:**

1. That the Applicant had filed the above-mentioned Execution Application No. 33 of 2021 before this Hon'ble Tribunal seeking execution of order dated 19.03.2021 passed in O.A No. 68 of 2021. The grievance raised by the Applicant was that the Respondents have failed to comply with the order dated 19.03.2021, which had directed the State of Uttar Pradesh to take further action as directed in order dated 27.01.2021 in O.A. No. 6 of 2012 titled *Manoj Mishra v. Union of India*. As per the said order dated 27.01.2021, the Hon'ble Tribunal had directed the State of Uttar Pradesh to implement septage management by December 20 in all areas which have not been sewerred, in terms of the Yamuna Monitoring Committee.
2. That the Chief Secretary of State of Uttar Pradesh had filed its affidavit on 1.10.2024 in compliance of order of this Hon'ble Tribunal dated 2.09.2024 directing the State to comply with the order dated 16.05.2024 of this Hon'ble Tribunal which stated that:

*"8. Strangely when we had put a question to the counsel appearing for the State in respect of the compliance to be done by the District Magistrate, Ghaziabad, he has answered that the District Magistrate, Ghaziabad has no responsibility and no role in the matter. Hence we require the Chief Secretary, State of U.P. to appear virtually on the next date or to file his personal affidavit explaining the above situation and also disclosing reason for non-compliance of the order."*

3. That the present Reply is being filed by the Applicant in response to the Affidavit of the Chief Secretary, State of Uttar Pradesh dated 1.10.2024. The Applicant reiterates that all facts and submissions made in the above-titled Execution Application may be read as part of the instant Reply and are not being repeated for the sake of brevity.
3. It is submitted that in Para 6, it is mentioned that a sewer line was laid down in 2009. However, such a sewer line is not connected to any of the household, only makeshift pipes have been constructed by residents nearby, for their household waste water to exit into the sewer line. Further, since other households do not have a line attached, all the untreated sewage from these households gets mixed into open storm water drains constructed in front of these houses.
4. That in Para 13 of the above-mentioned Affidavit, it is an admitted fact that there is no house connected to the sewer line as on 30.09.2024. There are total 1955 household in Ward No. 43 of Ghaziabad Nagar Nigam, and none of the houses have been connected to an appropriate sewer line. Further, in Para 7, it has been stated that a new Pumping Plant has been installed by which sewage is being pumped through the close Rising Main into the common chamber of 1800 mm diameter Trunk Sewer Line. Therefore, it has been stated that the primary concern of dumping the sewage into the open drain has been put to a permanent stop.
5. It is submitted that such a statement is incorrect as when no household is connected to the sewer line networks, which shall carry the collected sewage to the Pumping Plant mentioned above, the said Pumping Plant does not have any waste water to pump and send it to the 56 MLD STP in Indirapuram.
6. That further, in the Affidavit mentioned above, it has been stated in Para 15, that the funds have been allocated for completion of the sewer line network connected to the 1955 household. It is submitted that the present Affidavit was filed on 1.10.2024, and as of 13.12.2024, no sewer line has been established in the Karkarmodel village, Ward No. 43, Sahibabad, Ghaziabad, and the sewage is still flowing in the open.

A copy of the photographs showing sewage flowing in the open in Karkarmodel Village is annexed herewith as **ANNEXURE A-1**.

7. That in light of the above submissions and in the interest of justice, the Hon'ble Tribunal may very kindly allow the prayer made in the Execution Application.

**APPLICANT**

**THROUGH**

**RITWICK DUTTA**

**RAHUL CHOUDHARY  
ADVOCATES**

COUNSELS FOR THE APPLICANT  
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**VERIFICATION**

Verified by Sushil Raghav, aged about 42 years, S/o Sh. Ratan Singh, R/o 266, Karkar Model Post Sahibabad, Site-4, Ghaziabad, do hereby verify that the contents of Paragraphs 1 to 7 are true to my personal knowledge and nothing material has been concealed therefrom.

**APPLICANT**

**PLACE: NEW DELHI**

**DATE:- 13.12.2024**

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH AT NEW DELHI

## EXECUTION APPLICATION NO. 33 OF 2021

IN

## ORIGINAL APPLICATION NO. 68 OF 2021

IN THE MATTER OF:-

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...RESPONDENTS

**AFFIDAVIT**

I, Sushil Raghav S/o, Sh. Ratan Singh, R/O 226, Karkar Model Post Sahibabad, Site-4 Ghaziabad, aged about 42 years, do, hereby solemnly affirm and state of under:

1. That I am the Applicant in the above titled Application and conversant with the facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the accompanying Reply are true and correct and nothing material has been concealed therefrom.


**DEPONENT****VERIFICATION**

Verified on this 13th day of December, 2024 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing has been concealed therefrom.


**DEPONENT**

**ATTESTED**  
  
**NOTARY PUBLIC**

I, IDENTIFIED THE  
 DEPONENT WHO HAS  
 SIGNED IN MY PRESENCE

## ANNEXURE A-1

Photographs showing flowing of sewage openly as taken on 11.12.2024 and 13.12.2024 in Karkarmodel village, Sahibabad, Ghaziabad



