

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.
ORIGINAL APPLICATION NO. 918 OF 2022**

IN THE MATTER OF:

Narendra Kushwaha

...Applicant

Versus

Union of India and Ors.

...Respondents

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NDOH: 22.11.2024

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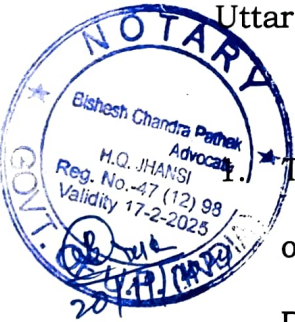
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**REPORT ON BEHALF OF JHANSI DEVELOPMENT AUTHORITY IN
COMPLIANCE OF ORDER DATED 09.08.2024**

I, Alok Yadav S/o Sh. V.S. Yadav, aged about 34 years, working as Vice Chairman, Jhansi Development Authority (JDA), having office at Commissioner Compound, Circuit House Road, Gwal Toli, Jhansi, Uttar Pradesh – 284001, do hereby solemnly affirm and state as under:

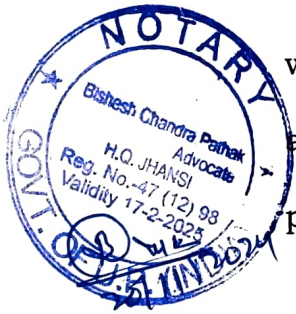


The present Report is being filed by the Deponent in compliance of order dated 09.08.2024 passed by this Hon'ble Tribunal. The Deponent was posted as the Vice President, JDA in June 2022.

2. I say that under the Master Plan of 2021 with effect from 04.05.2005, the disputed area is about 170 hectares of land, out of which about 125 hectares is private land, which was reserved for

'Recreational Facility/City Park'. The said parcel of land was however never acquired by the State Government. Over the last few years, many houses have been constructed over the said, parcel of land.

3. I say that for raising the said constructions on the said parcel of land, no permission was obtained from JDA by the occupants/owners. The occupants/owners of the said land have given representations under Section 54 of the U.P. Urban Planning and Development Act, 1973 for change of land use, which is pending consideration before the State Government. However, the said residential units have been provided with basic amenities such as water connections, electricity connections, etc. by various agencies/departments from time to time and it is a densely populated area.



4. I say that as on date, there are 2705 unauthorized constructions on the said land that have been identified so far, and notices have been issued under the relevant provisions of the U.P. Urban Planning and Development Act 1973. After 09.08.2024, Notices for demolition have been issued to the remaining 705 occupants/owners of the said unauthorized constructions. Hence, as on date, demolition

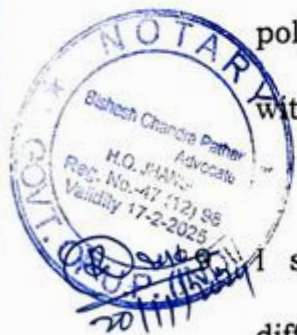
notices have been issued to all 2705 unauthorized constructions. Therefore in so far as notices required to be issued under the relevant laws are concerned, there is full compliance on behalf of the JDA.

5. After issuance of necessary notices to the occupants/owners of the unauthorized construction, demolition proceedings were carried out in 28 cases. This has been recorded in the last Order dated 09.08.2024. The Authority's enforcement team, along with police administration and deployed officials, has tried to carry out demolition proceedings from time to time, but due to severe resistance from local residents, obstacles were created in further demolition, which led to law and order problems, and to prevent any loss of life, it was mutually decided to halt the demolition proceedings at various sites.

6. There is another impediment in carrying out demolition activities which must be pointed out here. I say that various Writ Petitions were filed before the Hon'ble Allahabad High Court seeking stay of the demolition orders passed by the JDA. There are multiple petitions with multiple parties pending before the Hon'ble High Court.



7. It is also noteworthy to mention that against the demolition orders passed by the JDA, various Appeals have been filed by the occupants/owners under Section 28(4) of the U.P. Urban Planning and Development Act, 1973, which is currently under consideration.
8. Hence, in compliance with the orders passed by this Hon'ble Tribunal, the JDA has issued 2705 Notices against the illegal constructions at the site and passed demolition orders and is continuously endeavoring to comply with the order passed by the Hon'ble Tribunal by requesting for necessary cooperation from the police and administration along with the limited resources available with the Authority for carrying out demolition proceedings.



I say that the officers/staff members of the JDA are facing difficulty/physical threat in executing the orders of this Hon'ble Tribunal from the local population. I also say that because of the efforts of the JDA for complying with the orders passed by this Hon'ble Tribunal, the local administration of Jhansi is also facing impediments by the occupants/owners of such unauthorized constructions by way of larger scale dharna, road blockages, gherao, etc., making it difficult for the officers of the local administration

and the JDA to implement the orders of this Hon'ble Tribunal. Such large scale dharna, road blockages, gherao, etc. has led to major law and order issues thereby resulting in inordinate delay in execution of the orders of this Hon'ble Tribunal. However, I say that the Jhansi Development Authority is duty bound to implement the orders of this Hon'ble Tribunal.

10. The present Report has been drafted by the Counsel on my instructions and I have gone through the contents of the same. I state that the contents of the present Affidavit are true and correct to the best of my knowledge and to the extent of the records maintained by the JDA and nothing material has been concealed therefrom.



[Handwritten signature]

DEPONENT

VERIFICATION

Verified at Jhansi on this 20th day of November, 2024 that contents of above paragraphs of my affidavit are true to the best of my knowledge and belief. No part of it is false, nothing material has been concealed.

3195
2024
Certified that the foregoing statements
sworn before me this day at 5:00 P.M.
by Shri/Smt./M/s. Alok Yadav
to whom the contents of this affidavit have
been read over and explained and who
is identified by Shri. *[Signature]*
Received the legal fee Rs. 351/-

[Handwritten signature]

DEPONENT

[Signature]
DISHESH CHANDRA PATNA 20.11.2024
ADVOCATE
NOTARY JHANSI DISTRICT