



पत्रांक:- 407/L-189/2024

दिनांक:- 16-08-2024

To,

E-Filing/E-mail

The Registrar,  
The National Green Tribunal,  
Principal Bench,  
New Delhi  
E-mail- judicial-ngt@gov.in

**Sub: Response on behalf of U.P. Pollution Control Board in compliance of the order dated 03-04-2024 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 110 of 2024 Vivekanand Singh Vs State of Uttar Pradesh & Ors.**

Sir,

That in compliance of the order dated 03-04-2024 passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 110 of 2024 Vivekanand Singh Vs State of Uttar Pradesh & Ors, please find enclosed annexed herewith response on behalf of U.P. Pollution Control Board. It is kindly requested that the same may be placed before the Hon'ble Tribunal for consideration and necessary directions.

Yours Sincerely

  
(Utsav Sharma)  
Regional Officer

**Copy to:**

1. Shri Amit Shukla, Advocate, Hon'ble Supreme Court/ NGT, New Delhi for perusal and necessary action please.
2. Chief Environmental Officer (Circle-1), U.P. Pollution Control Board, Lucknow for information.
3. Law Officer-I, U.P. Pollution Control Board, Lucknow for information.

Regional Officer

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

**ORIGINAL APPLICATION NO. 110 OF 2024**



**Vivekanand Singh  
Versus  
State of Uttar Pradesh & Ors.**

**REPLY ON BEHALF OF U.P. POLLUTION CONTROL  
BOARD**

I, Utsav Sharma, S/o. late Shri Rajiv Sharma, aged about 39 years, Regional Officer, U.P. Pollution Control Board, NOIDA at present at New Delhi do hereby solemnly affirm and declare as under:

1. That I in the above noted capacity am well conversant with the facts and records of the present case, hence am competent to swear this affidavit.
2. That the above noted matter came up for hearing on 03.04.2024 when this Hon'ble Tribunal issued directions for filing reply.
3. That the present case is regarding overhanging of telephone wires, internet wires optical fiber cables (OFCs) on trees causing civic nuisance, ecological crises, inconvenience and health problems to the nearby inhabitants. This Hon'ble Tribunal has taken up the matter and has issued notice to the parties including the replying Respondent.
4. That it has also been alleged that these wires are causing damage to trees which in turn is adding to air pollution. It has



been further alleged that respondents have issued permission for laying these overhead cables.

5. That it is humbly submitted that no such permission is issued to agencies by the State Board under the Air (Prevention & Control of Pollution) Act, 1981 or the Water (Prevention & Control of Pollution) Act, 1974.
6. That upon receipt of notice from Hon'ble Tribunal, the State Board has issued directions to IT & Electronic Departments, Uttar Pradesh, New Okhla Industrial Development Authority, Noida, Greater Noida Industrial Development Authority, Yamuna Expressway Industrial Development Authority, Uttar Pradesh State Industrial Development Authority and Forest Department, UP on 27.03.2024 to initiate remedial action and file their response and action taken report before the Hon'ble Tribunal. Copy of said letter dated 27.03.2024 is annexed as **Annexure I**.
7. That the above facts are being placed for kind consideration of this Hon'ble Tribunal.



*[Signature]*  
16/8/24  
DEPONENT

**VERIFICATION:**

I, the deponent abovenamed, do hereby verify that the contents of above reply are true and correct to my knowledge derived from official record. No part of the same is false and nothing material has been concealed therefrom.

VERIFIED ON THIS THE 16<sup>th</sup> DAY OF AUGUST, 2024 AT NOIDA, GAUTAM BUDDHA NAGAR.

ATTESTED

*[Signature]*  
Rajpal Singh  
Notary Public Noida  
Gautambudh Nagar (U.P.)

*[Signature]*  
16/8/24  
DEPONENT

16 AUG 2024



140  
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref No- H08730 / C-1 / O.A-110/2024/1/1/1/1

Date: 27-3-24

मा0 एन0जी0टी0 प्रकरण

सेवा में,

1. प्रमुख सचिव  
आई.टी. एण्ड इलेक्ट्रॉनिक्स  
डिपार्टमेंट उ0प्र0, 702, सातवों  
तल, सी-ब्लाक  
लोकभवन, लखनऊ।  
ps.ite@up.gov.in
2. मुख्य कार्यपालक अधिकारी  
नोयडा, सेक्टर-8,  
नोयडा,  
उ0प्र0। noida@noidaauthorityonline.com
3. मुख्य कार्यपालक अधिकारी  
ग्रेटर नोयडा  
नोलेज पार्क-IV, ग्रेटर नोयडा,  
उ0प्र0।  
authority@gnida.in
4. मुख्य कार्यपालक अधिकारी  
यमुना एक्सप्रेसवे अथॉरिटी  
प्रथम तल, कामर्शियल काम्प्लेक्स  
पी-2, सेक्टर ओमेगा-1, ग्रे.नोयडा, गौतमबुद्ध नगर।  
ceo@yamunaexpresswayauthority.com
5. मुख्य कार्यपालक अधिकारी  
यूपीसीडा, लखनपुर, कानपुर।  
ceo@upsida.co.in
6. प्रधान मुख्य वन संरक्षक,  
17, राणा प्रताप मार्ग,  
लखनऊ। (pccf-up@nic.in )।

विषय:- मा0 हरित अधिकरण नई दिल्ली द्वारा ओ0ए0 संख्या- 110/2023 विवेकानन्द सिंह बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक 31.01.2024 के अनुपालन के संबंध में।

महोदय,

कृपया उपरोक्त विषयक मा0 हरित अधिकरण नई दिल्ली द्वारा ओ0ए0 संख्या- 110/2023 विवेकानन्द सिंह बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक 31.01.2024 का संदर्भ ग्रहण करने का कष्ट करें। उक्त ओ0ए0 में गौतमबुद्ध नगर में पेड़ों पर झूलते बिजली/टेलीफोन/इन्टरनेट आदि के तारों, विज्ञापनों, साईन बोर्ड आदि को हटाये जाने के संबंध में है। श्री विवेकानन्द द्वारा पूर्व में ओ0ए0 संख्या- 82/2013 में जारी किए गए आदेश दिनांक 23.04.2013 एवं अन्य संबंधित विवरण भी प्रेषित संलग्न किया गया है।

मा0 हरित अधिकरण नई दिल्ली द्वारा ओ0ए0 संख्या- 110/2023 विवेकानन्द सिंह बनाम उ0प्र0 राज्य एवं अन्य में पारित आदेश दिनांक 31.01.2024 का कार्यकारी अंश निम्नानुसार है:-

"Accession 2. The applicant has submitted that this Tribunal vide order dated 23.04.2013 passed in OA 82/2013 directed removal of sign boards, names, advertisement, any kind of boards or signages, electric wires and high-tension cables from the trees and in compliance thereof instructions were issued by the Department of Forest & Wildlife, Government of NCT of Delhi and by other authorities regarding removal of sign boards, names, advertisement, any kind of boards or signages, electric wires and high-tension cables from the trees and also for de-concretization of specified area around the trees. The applicant has further submitted that the Uttar Pradesh Public Land (Permission for placing and maintaining optical fibre cable) Act, 2001 was enacted to provide for grant of permission to place and maintain optical fibre cables on public land. The

कृपयउ0

टी0सी0-12वीं, विभूति खण्ड  
गोमती नगर, लखनऊ-226010  
दूरभाष : 2720831, 2720826, 2720801, 2720881  
फैक्स : 0522-2720764  
ई-मेल : info@uppcb.com] website: www.uppcb.com  
www.uppcb.com

TC-12V, Vibhuti Khand,  
Gomti Nagar, Lucknow-226010  
Phone : 2720831, 2720826, , 2720881  
Fax : 0522-2720764  
e.mail : info@uppcb.com] website:

lack of infrastructure to lay overhead cables and wires has caused the companies and agencies to lay cables on trees and the trees around the region have been loaded massively with cables and wires causing a great risk of fire and also causing falling of such trees resulting into accidents thereby endangering the life of the pedestrians. The overhanging wires are also causing great threat to environment as the air quality in the region and the adjoining area is also getting worst. The applicant has referred to the instances of Bengaluru and Chandigarh where similar situation arose. In Bengaluru the Hon'ble High Court of Karnataka and in Chandigarh the Municipal Corporation Chandigarh directed the cellular companies to remove overhead wires hanging from trees and poles.

3. Prima facie the averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010.
4. Let notices alongwith copies of the application and documents attached therewith be issued to the respondents requiring them to file their reply/response to the allegations made in the application within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
5. List on 03.04.2024 for further consideration."

अतः उपरोक्त के दृष्टिगत आपसे अनुरोध है कि प्रकरण पर अग्रिम आवश्यक कार्यवाही करते हुए मा० एन०जी०टी० में समयानुसार रिप्लाई/रिस्पांस दाखिल कराने हेतु संबंधित को निर्देशित का कष्ट करें ताकि मा० अधिकरण के आदेशों का अनुपालन सुनिश्चित हो सके।

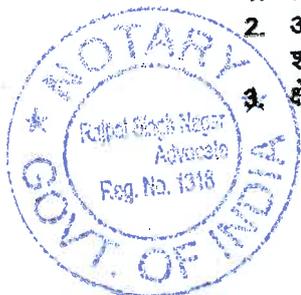
भवदीय

संलग्नक:- उपरोक्तानुसार।

९ (संजीव कुमार सिंह)  
सदस्य सचिव

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु प्रेषित:-

1. जिलाधिकारी गौतमबुद्ध नगर।
2. अनु-सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन, उ०प्र० शासन को इस अनुरोध के साथ कि शासन स्तर से भी समस्त संबंधितों को पत्र प्रेषित कराने का कष्ट करें।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, नोयडा।



९ सदस्य सचिव  
(६६)