

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 1096 of 2024IN THE MATTER OF:

CHADER SHAKHAR GUPTA.

.....APPLICANT

VERSUS

STATE OF UTTAR PRADESH & OTHERSRESPONDENTS

INDEX

SL. NO.	PARTICULARS	PAGES
1.	Affidavit/Status Report on behalf of U.P. Pollution Control Board.	1-4
2	<u>ANNEXURE-1</u> Copy of the inspection Report Dated 25.09.2025	5-12

NEW DELHI

DATED: 01.10.2025


(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

New Delhi-110001

(M.) 9810252518

Email: pradeepmisra@yahoo.com

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

ORIGINAL APPLICATION NO. 1096 OF 2024

IN THE MATTER OF:

CHANDER SHAKHAR GUPTA

.... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

.... RESPONDENTS

RESPONSE ON BEHALF OF U.P. POLLUTION CONTROL
BOARD

I, Bhuvan Prakash Yadav, S/o Shri C.L. Yadav, aged about 46 years, Regional Officer, Uttar Pradesh Pollution Control Board Meerut, U.P. do hereby solemnly affirm and state on oath as under:

1. That in the abovenoted capacity am well conversant with the facts and records of the present case and being authorized by Member Secretary of U.P. Pollution Control Board, am competent to swear this affidavit.
2. That the abovenoted matter came up for hearing on 21.07.2025 when this Hon'ble Tribunal pleased to pass the following order:

"1. In this original application, the complaint of the Applicant is in respect of the encroachment on following two parks

(i) Jagannath Puri Public Park behind Bahadur Motor Transport Nagar, Meerut, UP

(ii) Public Park in Magantapuram Colony behind Gopal Gaushala, Delhi Road, Meerut, UP.



2. Learned Counsel appearing for the Meerut Development Authority (MDA) referring to the reply affidavit dated 08.05.2025 has submitted that there was no encroachment existing in Magantapuram park and whatever encroachment was there in Jagannath Puri Public Park that has now been removed. The applicant has disputed it.

3. To ascertain the correct position, we direct the Member Secretary, UPPCB to get the inspection of the above two parks done and ascertain, if there is any encroachment on the said parks and submit the report before the Tribunal within eight weeks

4. Let the inspection be done in the presence of the Applicant and the MDA Officials.

5. List on 09.10.2025."

3. That the site in question was inspected on 23.09.2025 by the officers of U.P. Pollution Control Board and the Applicant was contacted by the Regional Officer of the Board many times on his mobile No. 8630828853,

however, his mobile was found switched off. Hence, the inspection was done by the officers of both the parks.

- 1- Jagannath Puri Public Park behind Bahadur Motor Transport Nagar, Meerut, U.P.

The area of the park is about 2750 Sq. Meters. It consists of Khasra Nos. 1938/1, 1938/2, 1934/1 and 1931/1 as per sanctioned layout plan of the colony. This park is like open land having no boundary wall. Around 12 big trees are present at site. There were some permanent encroachment in the park which stated to be demolished by Meerut Development Authority on 04.01.2025, however, debris of the said demolition are still existing. The park is surrounded by motor workshops which used to repairs various vehicles like buses, trucks etc. and in the absence of any boundary wall, various vehicles are parked on this land.



- 2- Public Park in Magantapuram Colony behind Gopal Gaushala, Delhi Road, Meerut, U.P.

This park falls within a sanctioned residential layout approved under Layout Map No. 146 dated 02.05.1989. Its area is about 957 Sq. Yard (800 Sq. Meters). At the time of inspection no encroachment has been found in the park, however, in one corner of the park overhead water tank with small cable for the purpose of electricity has been constructed. Besides this, there is no other illegal construction.

True copy of inspection report dated 25.09.2025 is being enclosed herewith and marked as Annexure-1.

The above facts are being placed for kind consideration of this Hon'ble Tribunal.

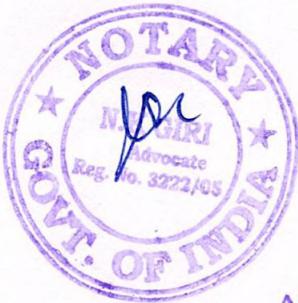
P. Yadav

DEPONENT

VERIFICATION:

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

VERIFIED ON 30th DAY OF SEPTEMBER, 2025 AT MEERUT.



P. Yadav

DEPONENT

ATTESTED NOTARY
N. K. GIRI
Advocate, Meerut
Reg. No.-3222/05

30/9/25

Site Inspection report of Regional Office,UPPCB,Meerut in compliance of order dt. 21-07-2025 of Hon'ble NGT passed in O.A. No. 1096/2024 Chandra Shekhar Gupta Vs State of Uttar Pradesh & Ors.

That Hon'ble NGT has passed an order dt 21-07-2025 in O.A. No. 1096/2024 Chandra Shekhar Gupta Vs State of Uttar Pradesh & Ors.

The operative portion of the order is as under-

"...1. In this original application, the complaint of the Applicant is in respect of the encroachment on following two parks:

- (i) *Jagannath Puri Public Park behind Bahadur Motor Transport Nagar, Meerut, UP.*
- (ii) *Public Park in Magantapuram Colony behind Gopal Gaushala, Delhi Road, Meerut, UP.*

2. Learned Counsel appearing for the Meerut Development Authority (MDA) referring to the reply affidavit dated 08.05.2025 has submitted that there was no encroachment existing in Magantapuram park and whatever encroachment was there in Jagannath Puri Public Park that has now been removed. The applicant has disputed it.

3. To ascertain the correct position, we direct the Member Secretary, UPPCB to get the inspection of the above two parks done and ascertain, if there is any encroachment on the said parks and submit the report before the Tribunal within eight weeks.

4. Let the inspection be done in the presence of the Applicant and the MDA Officials....."

In compliance of the above said order the two parks were inspected on dt. 23.09.2025 by the officers of Regional Office, UPPCB and Shri Arpit Yadav, Enforcement officer and Shri Mahadev Sharan, Junior Engineer of Meerut Development Authority, Meerut. The complainant Shri Chandra Shekhar Gupta was contacted many times on his mobile number(8630828853) but his mobile number was found switched off. The site inspection report of the two parks is as under-

1- Jagannath Puri Public Park behind Bahadur Motor Transport Nagar, Meerut, UP-

- (i) The park is situated behind Bahadur Motor in Transport Nagar, Meerut in Jagannath Puri colony. As per the Master plan and

YK

sanctioned layout of the colony, the land comprising Khasra No-1938/1,1938/2,1934/1 and 1931/1 has been demarcated as a public park.

- (ii) The area of park is estimated to be approximately 2750 sq. meter.
- (iii) One side of park is situated on metalled main road connecting to main Delhi road. The rest three sides are surrounded by 20ft roads approx and are non metalled/rough.
- (iv) The three sides of park are surrounded by many workshops, where large vehicles like bus and trucks are being repaired.
- (v) It was found that some structures were constructed illegally earlier in this park which were demolished by MDA on dt. 04.01.2025.
- (vi) The park has no constructed boundary. Around 12 big trees like Banyan, mulberry etc. are present in the park.
- (vii) The park is being used as a parking for damaged vehicles due to absence of any boundary.
- (viii) Shri Trilochan Singh Bedi president of Meerut Motor Parts union alongwith Shri Darshan Kumar Arora of M/s Standard Auto and Shri Hemant Kalia of M/s City Motor were present at site inspection. They told that many years ago there existed boudary around this park, which disappeared with the time.
- (ix) At present there is no permanent illegal construction within the park.
- (x) The geo-tagged photographs taken at the time of inspection is attached as **Annexure-1**.

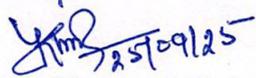
2- Public Park in Magantapuram Colony behind Gopal Gaushala, Delhi Road, Meerut, UP.

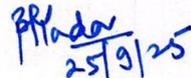
- (i) The land identified as Mangatpuram colony park located behind Gopal Gaushala along Delhi Road in Meerut and falls within a sanctioned residential layout approved under layout map no 146 dt.02.05.1989.

Ying

- (ii) As per the said layout, it is earmarked as "Park/Open Space" It is situated within Block D of the Mangatpuram residential colony.
- (iii) The area of park is approximately 957 square yard (800 square meter).
- (iv) At the time of inspection no encroachments or illegal structure were found within the boundaries of the land demarcated as a park.
- (v) One overhead tank is constructed at one corner of the park. One small cabin for electricity purposes is present just adjacent to this tank within the park.
- (vi) Another one park of 976 square yard (816 square meter) area is also situated in the same colony behind this park. This park is also encroachment free.
- (vii) At present there is no illegal construction within the park.
- (viii) The geo-tagged photographs taken at the time of inspection is attached as **Annexure-2**.

The above report is submitted for perusal please.


(Yogesh Kumar Mishra)
Asstt. Environmental Engineer
UPPCB, Meerut


(Bhuvan Prakash Yadav)
Regional Officer
UPPCB, Meerut

Jagannath Puri Colony





Mangatram Colony Park

Park- 1





Park- 2