

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION No. 36 of 2023
IN
ORIGINAL APPLICATION No. 329 OF 2021

IN THE MATTER:

DEVANSHU BOSE

... APPLICANT

VERSUS

AGRA DEVELOPMENT AUTHORITY & ORS

...RESPONDENT(S)

SHORT REPLY TO
RESPONSE BY
PS, URBAN DEVELOPMENT
DEPTT, UTTAR PRADESH
Dated 14 December 2023

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14- DECEMBER- 2023

Filed by:

DEVANSHU BOSE (APPLICANT IN PERSON)

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SHORT REPLY BY THE APPLICANT

(To Response By P.S. Urban Development Deppt Uttar Pradesh)

To,

The Hon'ble Chairperson

And His Companion Members

Principle Bench - National Green Tribunal

The humble submission of
the applicant abovenamed

MOST RESPECTFULLY SHOWETH:

1. The applicant in abovesaid matter craves permission of this Hon'ble Tribunal to file a short reply to the response of PS Urban Development Deppt, Uttar Pradesh dated 14 December 2023.
2. In response to para 1, claiming to have submitted funds with regards to environmental compensation, it is hereby submitted that source of funds has not been disclosed.
3. If the environmental compensation is not recovered from erring officials and burden is passed on to tax-payers or funds diverted from other developmental activity, it will cause severe miscarriage of justice.

4. In response to para 2, claiming to have procured electricity connection for the STP by the colonizer entity in the month of March 2023, it is hereby submitted that such procurement of electricity connection by the colonizer entity is of no consequence wherein the colonizer entity has clearly stated it will not operate the STP.
5. The electricity connection of non compliant STP has been procured in the name of an individual and not any entity.
6. Further, it is submitted that the test results of water quality is of no consequence when no entity is operating the STP on that given date.
7. In response to para 3, it is submitted that R1- Agra Development Authority with it's statutory powers and the obligations to manage sewage is evading those duties.
8. Further, it is submitted that compliance to ensure no sewage is discharged in open is not essentially dependent on the function of STP. There are several reasonable means to ensure the ultimate objective.
9. In response to para 4 with regards to issue of other 62 colonies in the village of Baroli Ahir and adjacent Rajrai, it is submitted that:
 - a. The essential requirement to establish and operate an STP is the consent granted by the State Pollution Control Board under the provisions of Water (prevention and control of pollution) Act
 - b. The claim stating STP is established in 15 colonies without any substantial proof indicates that due process of law has not been followed.

- c. Further it is submitted that erecting bare physical infrastructure with the intention to lay claim that pollution controlling device has been installed, does not absolve the Agra Development Authority with it's duty to regulate and manage sewage.
 - d. It is submitted that erecting bare physical infrastructure of STP done with intention to reduce liabilities of environmental compensations does not absolve liabilities of the R1 Agra Development Authority.
10. With regards to 62 Colonies, it is submitted that the applicant is unable to file a detailed response due to paucity of time and prays for permission to file a detailed report within four weeks to bring on record on ground realities.

Agra
14 December 2023

Filed by:
Devanshu Bose