

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

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma

Versus

Applicant

State of Haryana & Ors

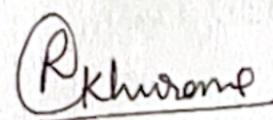
Respondent

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Filed By:

Date:17.03.2025



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Counsel for HSPCB
09811894060
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No.34/2025

IN THE MATTER OF:

Sunil Sharma ... Applicant

Versus

State of Haryana & Ors ... Respondent

**STATUS REPORT ON BEHALF OF THE JOINT COMMITTEE
CONSTITUTED VIDE ORDER DATED 10.02.2025**

MOST RESPECTFULLY SHOWETH:

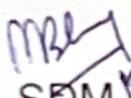
1. That Mr. Sunil Sharma, resident of 114/11E, Faridabad has sent the present letter petition to this Tribunal, which has been treated and registered as O.A. No. 34/2025 in exercise of suo moto jurisdiction as per Judgment of Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897.
2. That the Hon'ble Tribunal taking note of the allegations made in the above subjected complaint letter, passed the order dated 10.02.2025.
3. That in the compliance of order dated 10.02.2025, the Haryana State Pollution Control Board issued the letter to all the concerned joint committee members. Accordingly the Joint committee comprising of SDM, Ballabgarh (Nominee of Deputy Commissioner Faridabad) Joint Commissioner MCF (Nominee of Municipal Commissioner Faridabad), Superintending Engineer, HSVP (Nominee of

Administrator HSVP) and Assistant Environmental Engineer (Representative of HSPCB) decided to inspect the said site by associating the applicant and representative of the Respondent No.5 namely Sh. Devender Maan resident of B1/118/ Block B, Sector-11, Faridabad).

4. That inspection of site in question was carried out by the Joint Committee alongwith respondent No.5 on 11.03.2025 in consultation with applicant Mr. Sunil Sharma, who expressed his inability to accompany the joint committee on the day of inspection but shared videos/photos of encroachment of said site through Whatsapp. The applicant was also asked to share any proof of tree cutting but he did not submit any proof.
5. That during joint inspection it was told by persons gathered at spot that they live in the vicinity and temple was constructed by pooling money from residents on land specified for tubewell. No permission for construction of temple was shown by anyone including Respondent No.5. It was informed that the said sector i.e. Block B1 Sector 11, Faridabad was privately colonized by DLF and now the park is being maintained by RWA but the area in question falls under municipal limits of Faridabad. Photographs of the site in question are annexed as **Annexure-1**.
6. That according to MCF, the said land in question belongs to MCF and no permission has been obtained by RWA for construction of the temple. It was also informed that a tubewell was installed on this land which became defunct 15 years ago. MCF tried to demolish the temple on 22.10.2024 but could not demolish the temple due to the protest of the local residents. It has also been reported by MCF that no tree cutting was done at site.

7. That HSPCB being the Nodal Agency vide its letter dated 12.03.2025 sought Action Taken Report from MCF. (Copy of HSPCB letter dated 12.03.2025 attached as **Annexure-2**).
8. That further vide letter dated 13.03.2025, the MCF has submitted that it has issued notice to the person found at site, Sh. Devender Maan under section 408 of Municipal Corporation Act, 1994 on 13.03.2025. (Copy of the MCF's reply dated 13.03.2025 is enclosed as **Annexure-3**).

The Compliance report is being submitted for kind consideration of this Hon'ble Tribunal.


SDM, 17/3/25
Ballabgarh


Joint
Commissioner, MCF


Superintending
Engineer, HSVP


AEE, HSPCB

Place: Faridabad
Date: 17.03.2025



86A, Street No.4, opposite Milan plaza restaurant, Block B, Sector 11,
Faridabad, Haryana 121006, India

Latitude

28.37332037743181°

Longitude

77.31786500662565°

Local 01:17:26 PM

GMT 07:47:26 AM

Altitude 202 meters

Tuesday, 11.03.2025



 **GPS Map
Camera Lite**

B189, Pocket D, Sector 11, Faridabad, Haryana 121006, India

Latitude

28.373157433234155°

Longitude

77.31808461248875°

Local 01:18:22 PM

GMT 07:48:22 AM

Altitude 202 meters

Tuesday, 11.03.2025

No. HSPCB/BR/2025/ 2018

Dated: 12/03/2025

To

The Joint Commissioner,
Municipal Corporation,
Faridabad (Old Zone).

Sub: Regarding compliance of Hon'ble NGT order dated 10-02-2025 in the matter of Sunil Sharma Vs State of Haryana & Ors.

Kindly refer to subject noted above, in compliance of order dated 10/02/2025 of Hon'ble NGT the joint Committee visited the site of near B1/118/ Block B, Sector-11, Faridabad on 11/03/2025. During the inspection of the Joint Committee, the residents of Sector-11 could not submit any permission from MCF for construction of temple on land adjacent to green park near B1/118/Block B, Sector-11, Faridabad. As per order of Hon'ble NGT appropriate remedial action needs to be taken by joint committee members by following due course of law.

In view of above, you are requested to direct the concerned officers to submit the following detail pertaining to the said NGT matter:-

1. Submit the exact detail of Khasra No. of the park, total area of the park and the area on which temple has been constructed alongwith the designated nature of land in question.
2. In case any permission has been granted by the MCF for the construction of the temple, then copy of all documents related to such permission.
3. In case there is an encroachment on the said land then action taken such as FIR against the violators by the MCF.
4. Action taken such as fine imposed by Executive Engineer, Horticulture Department, MCF on the project proponent for cutting of trees alongwith number of trees which have been cut for the construction above the said temple.
5. Remedial action to be taken by MCF such as demolition or any other punitive action as applicable in this case.

These details are mandatory to prepare the joint committee report and can only be availed from the office of MCF.

It is also requested that these details be submitted within 01 day so that the joint committee report be filed in the Hon'ble NGT before the next date of hearing i.e. 18-03-2025.

TREAT IS AS MOST URGENT


12.03.25

**Regional Officer
Ballabgarh Region**

Dated:- 12/03/2025

Endst. No. 2019-2022

A copy of above is forwarded to the following for information please:-

1. The Deputy Commissioner Faridabad.
2. The Municipal Commissioner Faridabad.
3. The Administrator, HSVP.
4. Sh. Devender Mann, B1/118/Block B, Sector-11, Faridabad


12.03.25

**Regional Officer
Ballabgarh Region**



फरीदाबाद नगर निगम

बी.के.चौक, एन.आई.टी. फरीदाबाद-121001, हरियाणा-इंडिया
Tel. : 0129-2411649, 2411664, 2415549
Fax : 0129-2416485

प्रेषक

संयुक्त आयुक्त (फ)
नगर निगम फरीदाबाद।
ओल्ड जोन।

प्रेषित

क्षेत्रिय अधिकारी,
हरियाणा पोलूशन कन्ट्रोल बोर्ड,
सैक्टर- 16, फरीदाबाद।

क्रमांक नं.:- न0नि0फ0/सहा0अभि0/2025/519

दिनांक:- 13/03/2025

विषय:- **Regarding compliance of Hon'ble NGT order dated 10-02-2025 in the matter of Sunil Sharma Vs State of Haryana & Ors.**

उपरोक्त विषय के संदर्भ में आपके पत्र क्रमांक 2018 दिनांक 12.03.2025 बारे मांगी गयी सूचना बिन्दुवार निम्न प्रकार से है:-

1. योजना शाखा, नगर निगम फरीदाबाद से प्राप्त रिपोर्ट में बताया गया है कि वहा पर खसरा नं. ले आउट प्लान में नहीं दिया गया है। व उक्त जमीन की मलकियत नगर निगम की है। रिपोर्ट साथ सलंग्न है।
2. योजना शाखा, नगर निगम फरीदाबाद से प्राप्त रिपोर्ट में बताया गया है कि मंदिर बनाने की कोई परमिशन नहीं दी गयी है। रिपोर्ट साथ सलंग्न है। इसके अलावा संबंधित वार्ड के कनिष्ठ अभियंता व सहायक अभियंता द्वारा रिपोर्ट दी गयी है। कि इस जमीन में ट्यूबवैल लगा हुआ था। जोकि 15 वर्ष पहले खराब हो गया था। रिपोर्ट साथ सलंग्न है।
3. इस कार्यालय द्वारा एफ.आई.आर. दर्ज नहीं कराई गयी है। इसको तोड़ने के लिए दिनांक 22.10.2024 को तोड़फोड़ विभाग की टीम गयी थी, लेकिन वहा पर विरोध होने के कारण कार्यवाही अमल में नहीं लाई जा सकी। जिसके फोटो साथ सलंग्न है।
4. उद्यान विभाग से प्राप्त रिपोर्ट अनुसार पेड़ों को नहीं काटा गया है। रिपोर्ट साथ सलंग्न है।
5. इस पर कार्यवाही करते हुए आज दिनांक 13.03.2025 को नगर निगम अधिनियम 1994 की धारा 408 के तहत नोटिस जारी कर दिया गया है। जिसकी प्रति साथ सलंग्न है।

संयुक्त आयुक्त (फ)

Sub: Regarding compliance of Hon'ble NGT order dt.
10-02-2025 in the matter of Sumil Sharma v/s State
of Haryana & Ors.

May kindly see letter received from JC(F) office regarding to provide detail of land/green/park near B1/118/Block B, Sector-11, Faridabad as sought by Regional officer, Ballabgarh Region in the said case.

Detail is as under:

1. Detail of khasra no. of the park is not available being part of layout plan. Total area of the park and temple is also not available. AE(S) old Faridabad may check the dimension of the park at site.
2. No permission is allowed by this office to temple.
- 3,4,5. Necessary action is to be taken by o/o JC(F)

Regarding ownership of said park it is submitted that as per take over orders ownership of land under park or statutory green shall be vested with MCF.

Therefore ownership of this park is vested with MCF, being Lawn, is earmarked as per layout plan of the sector. and green belt (30m wide) along D-M Road.

Hence office of JC(F) may be intimated accordingly.

S/A May be forwarded to JC(F) for taking f.o.a. in the matter of Sumil Sharma
13-03-25

CFP

13/3/25



फरीदाबाद नगर निगम

बी.के.चौक, एन.आई.टी. फरीदाबाद-121001, हरियाणा-इंडिया
Tel. : 0129-2411649, 2411684, 2415549
Fax : 0129-2416485

कार्यालय टिप्पणी:-

विषय:- **Regarding compliance of Hon'ble NGT order dated 10-02-2025 in the matter of Sunil Sharma Vs State of Haryana & Ors.**

उपरोक्त विषय के संदर्भ में रिपोर्ट की जाती है कि उक्त जमीन बारे वार्ड के फिल्ड स्टाफ से रिपोर्ट ली गयी थी। फिल्ड स्टाफ ने बताया कि वहा पर वहा पर ट्यूबवैल लगा हुआ था। जोकि लगभग 15 वर्ष पहले खराब हो गया था।

रिपोर्ट सूचनार्थ प्रस्तुत है।

AS


13/3/25
Surinder Khattar
AE

AEU


13/3/25
Ravinder JE

Site Plan App-Total sft = 2,44,874.50

Market Sector-11

20' Road

78' Road

Community Center
 App-area - $210' \times 271' = 58536 \text{ sft}$

Rani Laxmi Bai Park
 App area - $728' \times 217' = 157,976 \text{ sft}$

Petrol Pump

$72' \times 26' = 1872 \text{ sft}$

MATHURA-ROAD

Temple area
 App-area $96'6'' \times 72' = 6948 \text{ sft}$

Park
 App-area - $171' \times 101' = 17271 \text{ sft}$

Residential area
 Block-B

HSPCB
 $51'6'' \times 23' = 1184.50$

Vita Booth
 $39' \times 28' = 1092$

Gate Entry

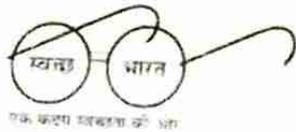
12' Road

[Signature]

Block-B - Sector-11







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Municipal Corporation, Faridabad
B.K. Chowk N.I.T. Faridabad - 121001, Haryana-India
Tel: 0129-2411649, 2411664, 2415549
Fax: 0129-2416465



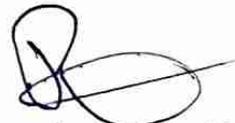
**Subject:- Regarding compliance of Hon'ble NGT order dated
10-02-2025 in the matter of Sunil Sharma Vs State of
Haryana & Ors**

On the subject cited above it is submitted that point No. 4 is related to Horticulture Wing, MCF. It is reported that no any trees were cut in the premises of constructed temple.

Submitted for information please.

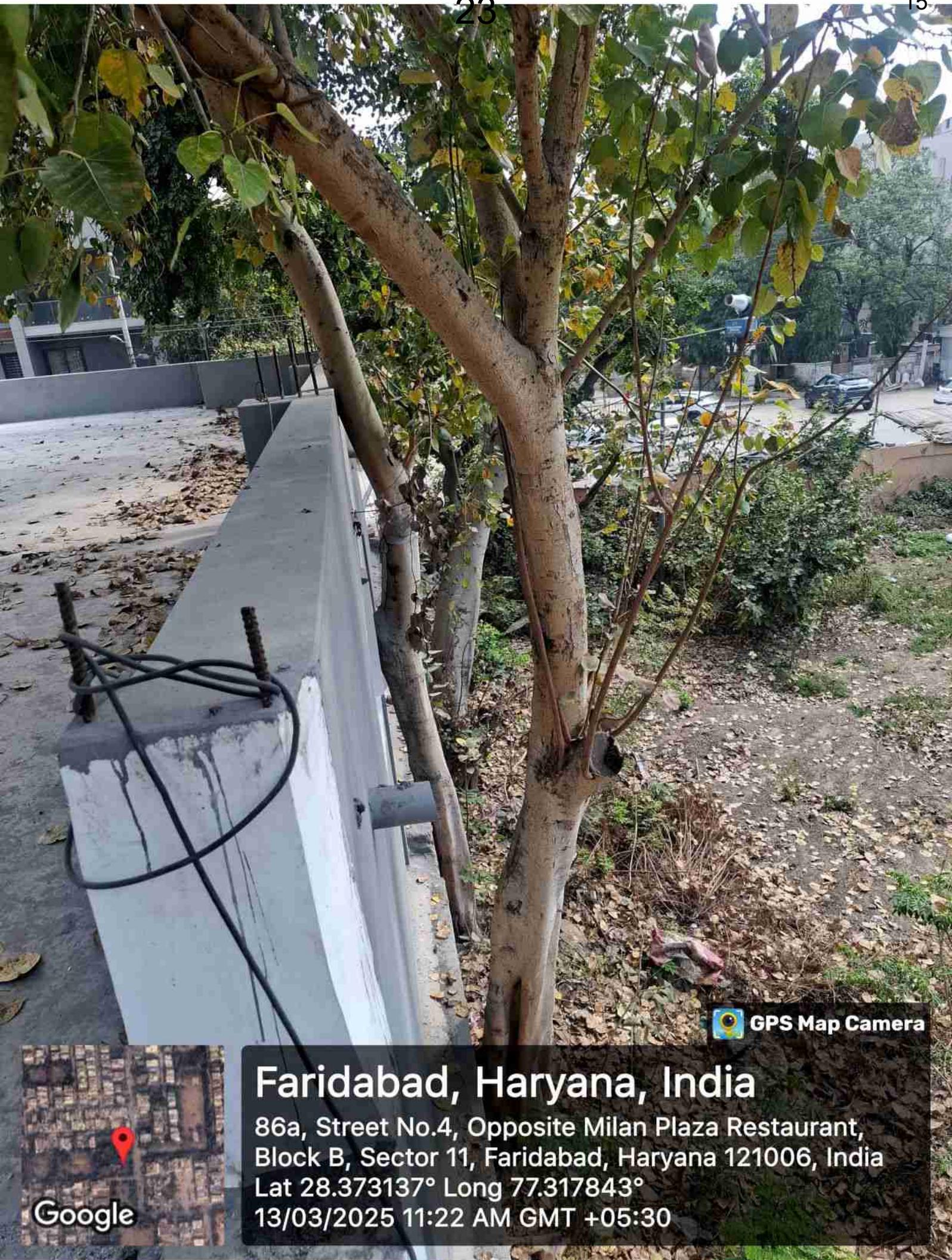
JC(F)
1700
13/03/2025

A.E.(H)


13/3/25
RAJ KUMAR
A.E.

Jc(F)


13/03/2025
NARENDER
J.E.(HORT.) M.C.F.



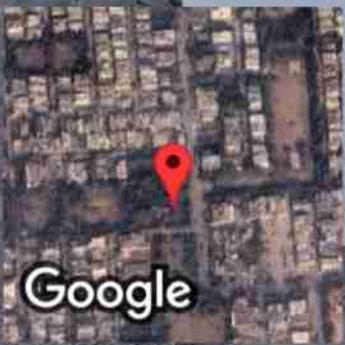
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Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373137° Long 77.317843°

13/03/2025 11:22 AM GMT +05:30



Google



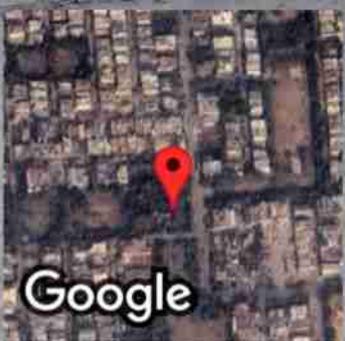
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Faridabad, Haryana, India

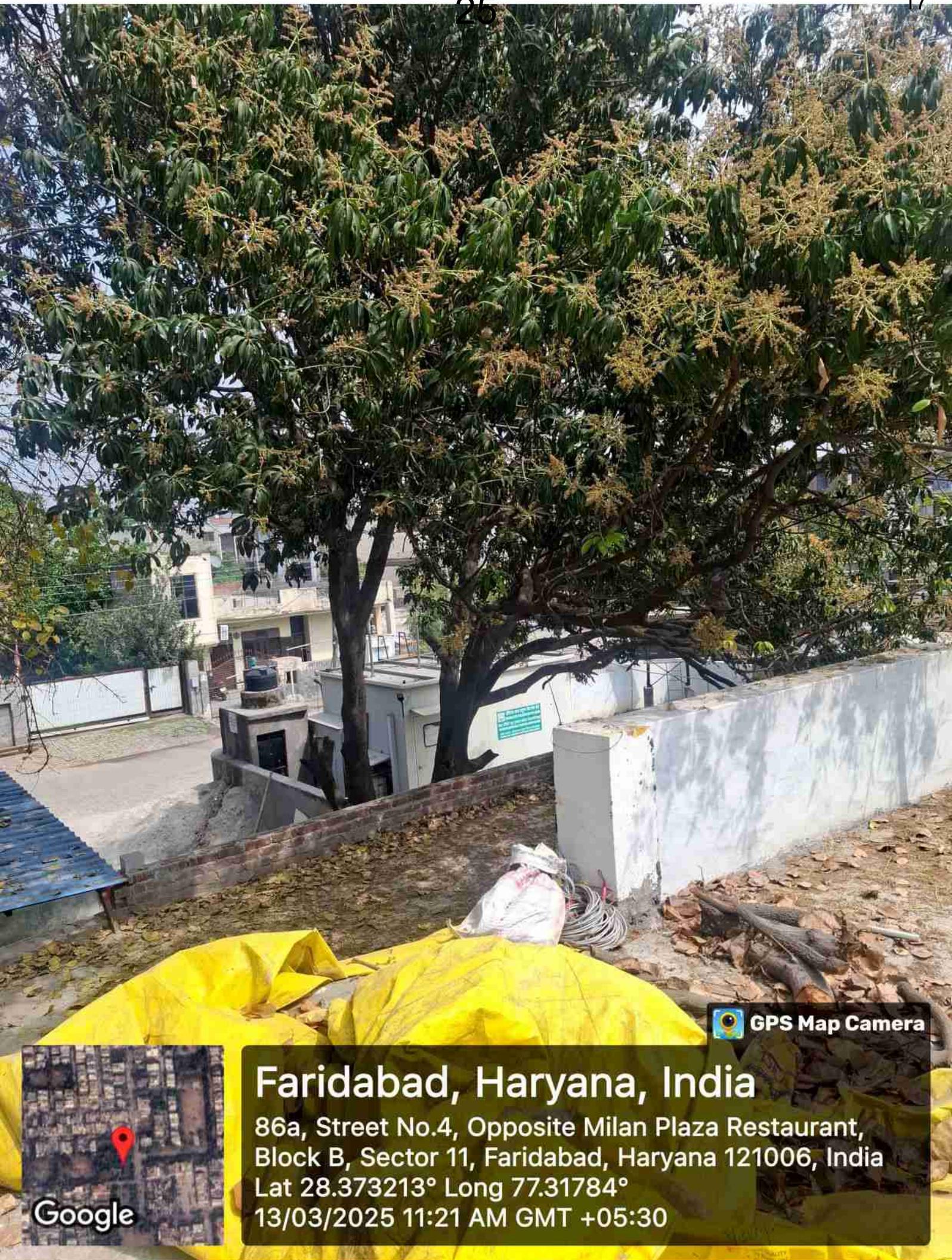
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13/03/2025 11:22 AM GMT +05:30



Google



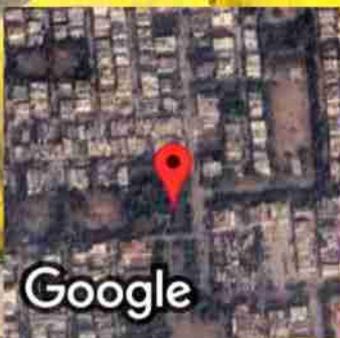
 GPS Map Camera

Faridabad, Haryana, India

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Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373213° Long 77.31784°

13/03/2025 11:21 AM GMT +05:30



Google



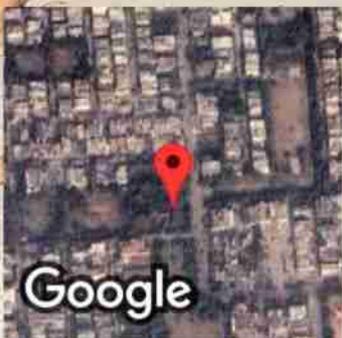
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Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373206° Long 77.317853°

13/03/2025 11:21 AM GMT +05:30





GPS Map Camera

Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373293° Long 77.31797°

13/03/2025 11:20 AM GMT +05:30

Google



GPS Map Camera

Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373312° Long 77.317921°

13/03/2025 11:20 AM GMT +05:30



Google



 GPS Map Camera

Faridabad, Haryana, India

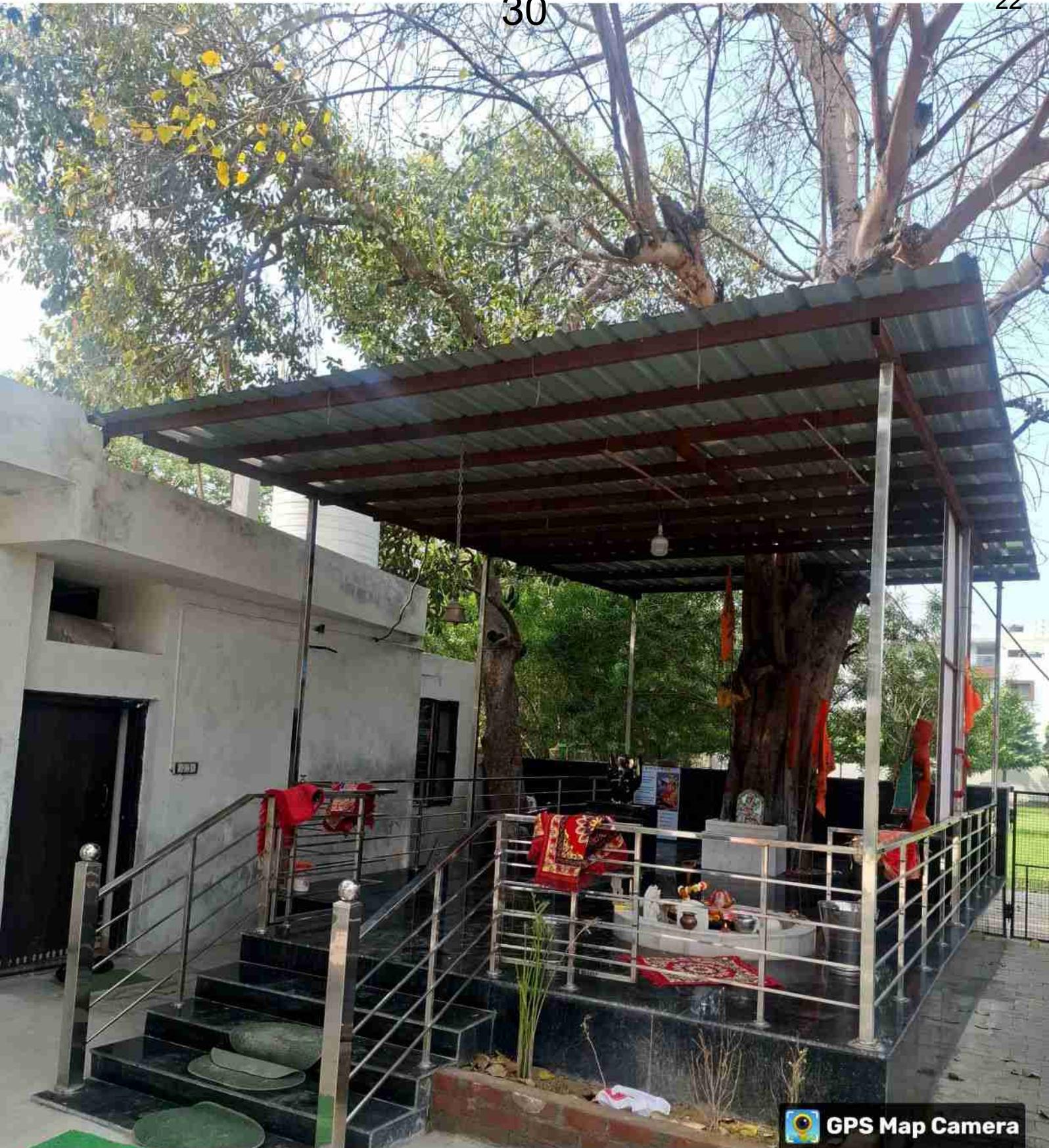
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13/03/2025 11:20 AM GMT +05:30



Google



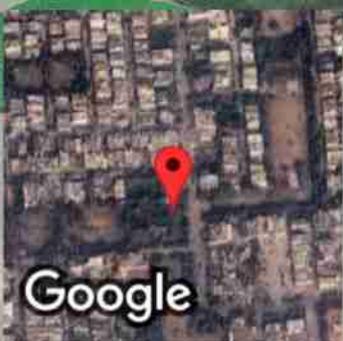
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Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

Lat 28.373334° Long 77.317882°

13/03/2025 11:20 AM GMT +05:30



Google



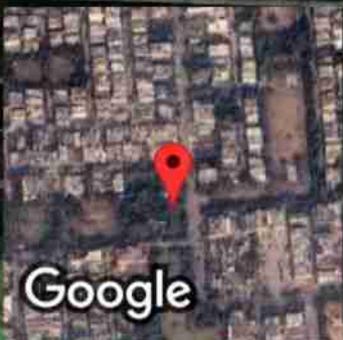
GPS Map Camera

Faridabad, Haryana, India

86a, Street No.4, Opposite Milan Plaza Restaurant,
Block B, Sector 11, Faridabad, Haryana 121006, India

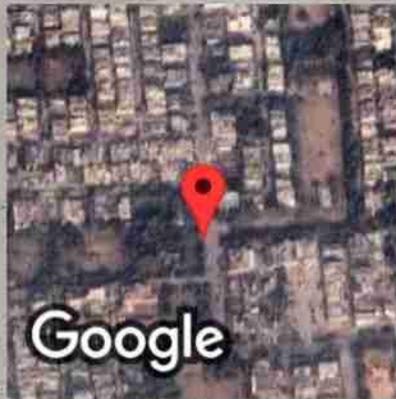
Lat 28.373296° Long 77.317888°

13/03/2025 11:19 AM GMT +05:30





 **GPS Map Camera**



Faridabad, Haryana, India
 B189, Pocket D, Sector 11, Faridabad, Haryana 121006, India
 Lat 28.373276° Long 77.318081°
 13/03/2025 11:06 AM GMT +05:30

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Faridabad, Haryana, India

B189, Pocket D, Sector 11, Faridabad, Haryana 121006, India

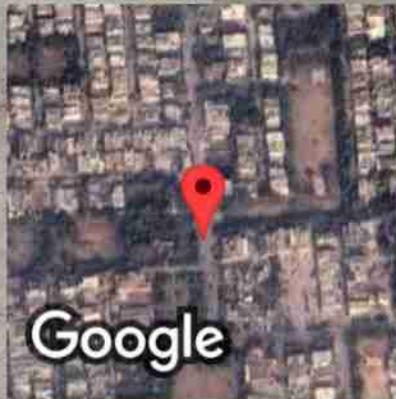
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13/03/2025 11:06 AM GMT +05:30



GPS Map Camera





Faridabad, Haryana, India
B189, Pocket D, Sector 11, Faridabad, Haryana 121006, India
Lat 28.373154° Long 77.318153°
13/03/2025 11:05 AM GMT +05:30



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Municipal Corporation, Faridabad
 B.K. Chowk N.I.T Faridabad -121001, Haryana-India
 Tel. : 0129-2411649, 2411664, 2415549
 Fax : 0129-2416465

NOTICE

Show Cause Notice Under Section 408A (1) (b) of the Haryana Municipal Corporation Act, 1994.

Document No. *MCF/JCF/2025/520* Date: *13/03/2025*

As reported by the field staff, it has been found that you have raised subsequent encroachment/are in U/a occupation of the premises/land or building/structure on the land bearing **Sector 11 Faridabad** situated within the revenue estate of **Mauja Sector-11 DLF Faridabad** belonging to Municipal Corporation, Faridabad in an illegal and U/a manner. The details of the impugned U/a Construction/illegal encroachment/occupation made by you are given as below:-

Description: Encroachment (approx. 96' x 72')

Location/Address: Near Milan Vatika Block-B, Sec- 11 DLF Faridabad

Person/Worker found at site: *Sh. Devender Maan*

You, through the notice, are hereby called upon to vacate the said premises/land/building/structure constructed thereon or demolish the U/a construction and to restore the same to its original state or to bring it in conformity with the provisions of the said Act or rules framed hereunder within a period of 7 days from the date of service of the notice otherwise the land in question shall be got vacated and building/structure constructed thereon shall be demolish/removed by Municipal Corporation, Faridabad at your cost, risk and responsibility. In case you have to say anything in this regard and or would like to appear in person, you are directed to appear on *19/03/2025* at *11:00 AM* in the office of the undersigned with all supported documents.

Please note that in case you fail to comply with the requirements of the present Notice issued under the provision of section 408A(1)(b) of the Haryana Municipal Corporation Act, 1994, legal/punitive/demolition/vacation of the land in question shall be taken against you without any further notice at your cost, risk and responsibility. Please be informed accordingly. Copy kept for record.

[Signature]
 Joint Commissioner (F)