

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MA No. 38/2023 INOA NO.196/2022**

IN THE MATTER OF

Hariom Gupta & Ors.

Applicant

Versus

Nagar Palika Parishad, Loni & Ors.

Respondent (s)

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*Manoj Kumar
Adv.*

[Signature]

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Complainant

Mangrimal
Adv.
D-167/05



HARIOMGUPTA

AD – 66, Sector C-1

Trans Delhi Signature City

Loni, Ghaziabad – 201102. (UP)

Date: August 20, 2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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This Hon'ble Tribunal is most respectfully requested to kindly take note of the current situation of Green Belt and surrounding areas, which is given in following paragraphs:

1. That, the sole purpose of this complaint was to rehabilitate the Green Belt and stop disposal of municipal sewage and solid waste to protect environment. But till date the sewage disposal in the Green Belt adjacent to Sector C-1, Trans Delhi Signature City, has not been stopped by the Nagar Palika Parishad. Recently a pit has also been made to clean the pipe by which the sewage goes to Green Belt and dumping of solid waste is also continuing. A picture of the Green Belt is attached herewith as Annexure-1.
2. Not a single Kg. of solid waste was removed from the Green Belt but the Nagar Palika Parishad had submitted their false and fabricated Compliance report (Copy attached as Annexure-2) on oath. In their Affidavit dated August 8, 2023, the Nagar Palika Parishad claimed that the recommendations of Uttar Pradesh Pollution Control Board (UPPCB) have been fully complied by them.

Mauj



3. That, to misguide this Hon'ble Court, Nagar Palika Parishad also attached photographs of a clean area, called Balram Nagar, which is about 4 KM away from the Green Belt of residential Sector C-1, Trans Delhi Signature City, for which the current complaint has been lodged.
4. That, now the sewage silt has degraded the soil of green belt, thereby the porosity is lost and no more water absorption capacity remains in the soil of Green Belt. This has resulted to stagnation of sewage in the Green Belt and with a little more sewage inflow or rain, the sewage overflows and enters into Residential area in A block and D Block of Sector C-1.
5. That, the NHAI Road Contractor, Mr. Ramneek Sehgal (MD, Ceigall India Limited) and Mr. Y. K. Singh (CPM, Ceigall India Limited) increased the amount of hazardous solids in sewage by connecting the Green Belt area by laying about 4-5 large diameter underground pipes across the road, to dispose-off large amount of sewage from Pavi Village, in the Green Belt. This was done to ease the pressure of sewage to facilitate road and flyover construction. As the sewage entered in the colony and damaged the nearby roads and other structures such as boundary wall etc. On Complaint to NHAI authorities, they favoured only the Contractor and did not take any action. Picture showing sewage on the residential colony road is attached herewith as Annexure - 3.
6. That, the Principal Owners of Sector C-1, Uttar Pradesh State Industrial Dev. Authority (UPSIDA), have shown their apathy towards their duty to safeguard the interest of allottees by taking action against the errant(s) Nagar Palika Parishad and NHAI.
7. That, the rehabilitation of the Green Belt can only be attained with the active involvement of UPSIDA. Even though, the sewage entered into the residential area, in Block A and D surrounding the residents' house, UPSIDA didn't heed to the complaints and did not take any action against Nagar Palika Parishad, to

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Sharma

protect their Sector C-1, as they themselves are also engaged in Water and Air Pollution.

8. That, UPSIDA has not connected the sewage lines of residential Sector C-1, to proper sewer disposal system, thereby the sewage of the residential Sector C-1, is accumulating the vacant plots and creating very bad smell all around to make the lives of residents difficult. UPSIDA is also not cleaning the sewer lines, thereby the sewage is entering the water streams and polluting the ground water. Copy of UPSIDA letter dated September 23, 2014, is attached herewith as Annexure-4, confessing that the **following works are incomplete and pending (UPSIDA letter dated September 23, 2024, attached as Anenxure -5) for the last 20 years:**

- Sewage work
- Cleaning of Sewer line
- Level difference in sewer line of Sector C-1 and UPSIDC sewer Connection

9. That, under the circumstances, we request this Hon'ble Court to kindly order to serve notice for appearance of Uttar Pradesh State Industrial Development Authority through:

- a. Chief Executive Officer
Uttar Pradesh State Industrial Dev. Authority (UPSIDA)
UPSIDA Complex, A-1/4 Lakhanpur Kanpur-208024.
E-mail ID: ceo@upsida.co.in
- b. Project Officer
U. P. State Industrial Dev. Authority., Trans Delhi Signature
Administrative Building, Sector B-3, Trans Delhi Signature City
(Tronica City), Ghaziabad (UP)
E-mail ID: potronica@upsida.co.in

PRAYER:

- a. Kindly direct Nagar Palika Nigam to clean the whole Green Belt and make the same free of sewage and municipal waste.





- b. This Hon'ble Tribunal may kindly take cognizance of the acts of NHAI Road Contractor, Mr. Ramneek Sehgal (MD, Ceigall India Limited) and Mr. Y. K. Singh (CPM, Ceigall India Limited) and pass necessary order as per Water and Air Pollution laws and direct NHAI to restore the roads and structure damaged due to sewer disposed-off by them in the Sector C-1.
- c. This Hon'ble Tribunal may please order to serve Notice for appearance of UPSIDA, as they are also contributing to water and Air pollution for the last more than 20 years, in the Sector C-1, Trans Delhi Signature City, Loni, Ghaziabad.

Mandeep Kumar
Adv.
D-167/05

Complainant



HARIOMGUPTA

AD - 66, Sector C-1

Trans Delhi Signature City

Loni, Ghaziabad - 201102. (UP)

Date: August 20, 2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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IN THE MATTER OF

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Versus

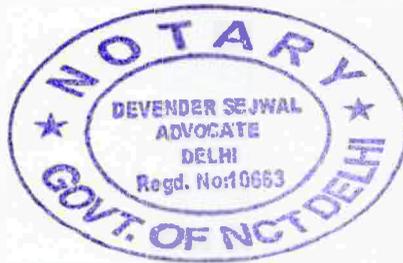
Nagar Palika Parishad, Loni & Ors.

Respondant(s)

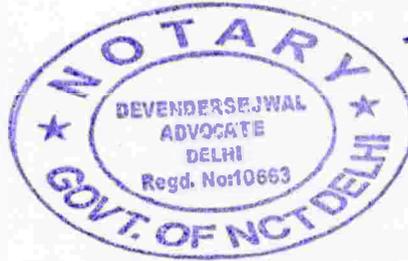
AFFIDAVIT

Affidavit of Shri Hariom Gupta, aged about 59 years, S/o Late Shri Prakash Chand, Resident of AD –66, Ansal East End, Sector C-1, Trans Delhi Signature City, Loni, Ghaziabad– 201103 (Uttar Pradesh):

1. That, I am conversant with the facts of the present case and as such competent to swear this affidavit before Hon'ble National Green Tribunal.
2. That, the accompanying report has been drafted by my counsel upon my instructions.



3. That, contents of the accompanying report are true and correct and the knowledge has been derived from sources available. Nothing material has been concealed there from.



A handwritten signature in blue ink, written over a dotted line.

DEPONENT

VERIFICATION

Verified on solemn affirmation at Ghaziabad on this 20th August 2024, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed there from.

A handwritten signature in blue ink, written over a dotted line.

DEPONENT

ATTESTED
A handwritten signature in blue ink, written over a dotted line.
NOTARY DELHI

22 AUG 2024

Annexure - 1

**Present Status of Green Belt, Ansal East End, Sector C-1
Sewer filled in Green Belt**



Solid Municipal Waste being dumped in Green Belt



IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 196 OF 2022

IN THE MATTER OF:

Hariom Gupta & Ors

... Applicant

Versus

Nagar Palika Parishad, Loni & Ors.

... Respondent(s)

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2.	Action taken report on behalf of Nagar Palika Parishad, Loni, Uttar Pradesh alongwith affidavit.	3-
3.	Annexure- 1 True copy of the letter dated 14.06.2023.	
4.	Annexure- 2 The photographs of the cleaning of sewerage.	

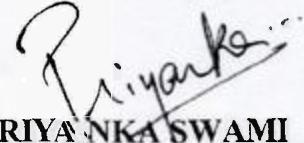


5.	Annexure- 3 The photographs of the regular Sanitation of surrounding.	
6.	Annexure- 4 True copy of letter delegating duties to PWD.	
7.	Annexure- 5 True copy of letter requesting of NOC from forest department.	



Respondent

THROUGH



PRIYANKA SWAMI

Advocate

Counsel for Nagar Palika Parishad, Loni, U.P.

Chamber 04, Shivalik Tower

Kaushambi, Ghaziabad

Date: .07.2023



IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 196 OF 2022

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...Respondent(s)

**ACTIONS TAKEN AND COMPLIANCE UNDERTAKEN BY THE NAGAR
PALIKA PARISHAD, LONI**

You are requested to kindly take the following Action Taken Report on behalf of The Nagar Palika Parishad, Loni on record under ongoing matter, Original Application No. 196/2022, titled as- Hariom Gupta & Ors Versus Nagar Palika Parishad, Loni & Ors:-

1. The Nagar Palika Parishad, Loni filed an Action Taken Report in compliance of order dated- 11.03.2022. Upon hearing of the present matter on 11.03.2022, following directions were made by the Hon'ble National Green Tribunal ("NGT").

1. Grievance of the applicant Mr. Hariom Gupta is regarding dumping of hazardous sewerage of surrounding Nagar Palika area to the Green Belt, NH-709B, opposite Ansal State End., Sector C-1, Trans Delhi Signature City, Loni Ghaziabad. It is submitted that sewerage is filed in the Green Belt and when it over flows, it enters into Ansal State End and in temple area. It is further submitted that

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due to poisonous water of sewerage, hundreds of large trees have died. It is also submitted that this hazardous sewerage is also entering into the underground water streams, polluting the ground water and harming the environment at large.

2. Having regard to the allegations of the appellant, it appears necessary to ascertain the factual position in the matter through a Joint 2 Committee of the State PCB, District Magistrate & DFO, Ghaziabad, Uttar Pradesh. The State PCB will be the Nodal agency for coordination and compliance. The Joint Committee may meet within four weeks and undertake site visit and look into the grievance of the applicant. Factual and action taken report may be furnished before the Ld. Registrar General, NGT, Principal Bench, Delhi within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF, who may, if necessary, put up the matter before the Bench for directions. The application is disposed of.

A copy of this order, along with a copy of the complaint, be forwarded to the State PCB, District Magistrate & DFO, Ghaziabad, Uttar Pradesh by e-mail for compliance.

The actions taken in compliance of the direction are here under :

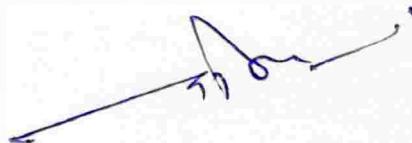
1. It is respectfully submitted that as per the letter dated 14.06.2023 as **Annexure I**, the grievance we received as the letter by upper district officer, we came to know about this grievance at the very said movement the inspection was carried out and regular cleaning of the said area is been done by the nagar palika parishad, but after NNPL took the extra efforts to ensure compliance.
2. It is respectfully stated that all the surrounding of sewerage area Near Lal Bagh Colony has been re clean again by the bulldozer and dumper, supporting photographs is annexed as **Annexure II**.
3. The regular cleaning and sprinkling of water is in the regular process, potholes and side drains are repaired on priority, supporting photographs is annexed as **Annexure III**, these activities are part of the daily routine to ensure public health and sanitation.
4. It is respectfully stated that the said reconstruction and repair of drainage has been allotted to Jal Nigam and the said amount has been credited in the



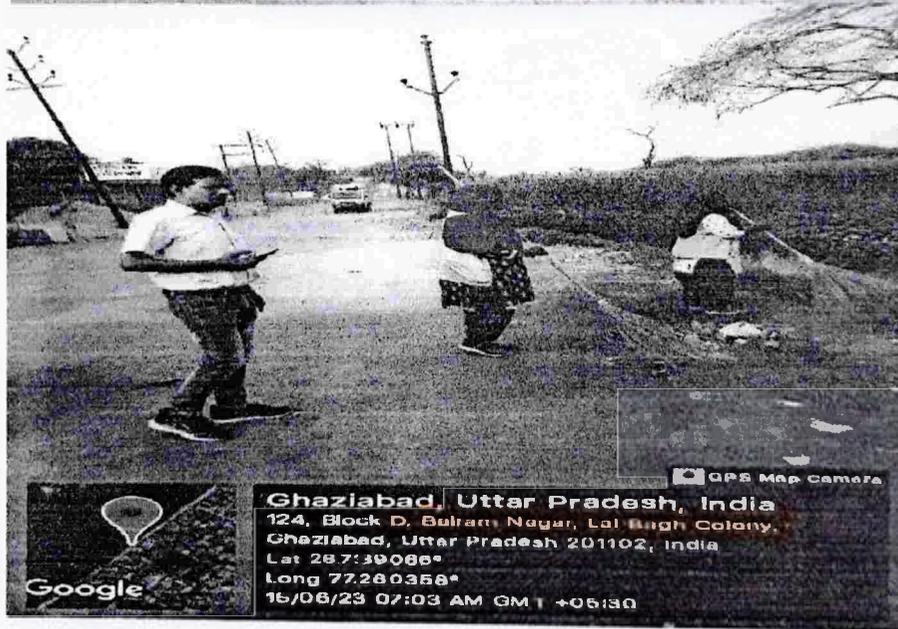
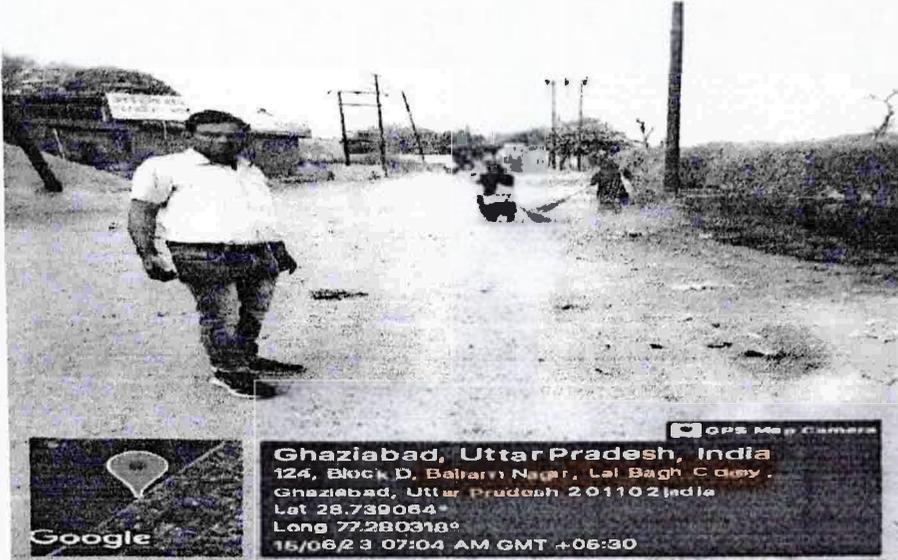
account of PWD who will be doing the construction work and it is to be completed in next six month post rainy seasons & the documents is annexed as Annexure IV.

5. It is respectfully stated that the work of reconstruction of drainage is pending because of the NOC which is requested by forest department is still awaited and the letter requesting for the NOC by Nagar Palika, Ioni is annexed as Annexure V, apart from this Nagar Palika is doing the daily measures to clean and protect the surrounding.

In view of the above-taken action by the department, it is to submit that the direction given in the said O.A. is being complied with and shall be maintained to avoid any unpleasant event as reported by the applicant. Further, the proposed work as per the directions of the court shall be commenced within the stipulated time on a priority basis. Until the other facility requires functional infrastructures, the department will ensure to make interim measures for the said issue.



मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित एम०ए० संख्या-38/2023 inओ०ए०
 संख्या-196/2022 Hariom Gupta & Ors. Vs Nagar Palika Parishad Loni & Ors व अन्य में पारित आदेश
 दिनांक 25.05.2023 के अनुपालन



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IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 196 OF 2022

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... Applicant

Versus

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... Respondent(s)

AFFIDAVIT

Affidavit of Sh. Krishna Kant Mishra aged about 46 years s/o Sh. Ram Lawat Mishra, presently posted as Executive Officer, Nagar Palika Parishad, Loni, Uttar Pradesh, having office at Loni, Ghaziaabad, Uttar Pradesh. Presently He

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.



(Signature)

3. That the contents of the accompanying reply are true and correct and the knowledge has been derived from official records and nothing material has been concealed there from.

[Handwritten signature]

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 1st 8 AUG 2023 day of July, 2023, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed there from.

Adv Priyanka Swarni
Identified for D/4476/1D

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DEPONENT



ATTESTED
Notary Public, Delhi
(as Presented)
1- 8 AUG 2023

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Annexure - 3



NHAI released Sewage flowing through residential colony road, Sector C-1

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Annexure -4



Sewer filled in vacant plots in Sector C-1, Trans Delhi Signature City, Ghaziabad

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**एनएसटी स्टेट इण्डस्ट्रियल
इन्वेस्टमेंट कारपोरेशन लिमिटेड**

UPSIDC

उप निदेशक (बीओडो)
उपप्रशासकीय विभाग
ए-1/4, लखनपुर
कानपुर।

एनएसटी इन्वेस्टमेंट कारपोरेशन लिमिटेड
Phone : 2506035
Fax : 2506044
Website : www.upsidc.com

संख्या 599-599(11) एसआईडीसी/ईई/सीडी-3/टीडीएस सिटी

दिनांक 27-9-2014

विषय :- श्री 0 अंशाल हाऊसिंग एण्ड कन्सल्टेशन लिमिटेड द्वारा विद्यमान कौलानी ईस्ट एण्ड अंशाल, सेक्टर सी-1 इन्दिरा सिटी, गाजियाबाद की समतलियों के निस्तारण के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक मुख्यालय के पत्रांक 1041-1042/एसआईडीसी/ओडो-अंशाल हाऊसिंग दिनांक 10.09.2014 का सन्दर्भ लेने का कष्ट करें, जिसमें प्रबन्ध निदेशक महोदय द्वारा दिये गए आदेश का अनुपालन करने की अपेक्षा की गई है।

अतः उक्त संदर्भित विषयक अनुपालन आख्या इस पत्र के साथ संलग्न कर आवश्यक कार्रवाई हेतु प्रेषित है।

संदर्भ नक :- यथोक्त

भवदीय

(एसआईडीसी कुरावाहा)
अधिसारी अभियन्ता(प्रो)

सन्दर्भ सं०

/एसआईडीसी/ईई/सीडी-3/टीडीएस सिटी

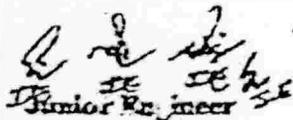
दिनांक

- प्रतिक्रिया :- 1. मुख्य अभियन्ता, उपप्रशासकीय विभाग, मुख्यालय, कानपुर को सादर सूचनाार्थ प्रेषित।
2. परियोजना अधिकारी, उपप्रशासकीय विभाग, ट्रांस दिल्ली सिनेमार् सिटी, गाजियाबाद को सूचनाार्थ प्रेषित।

(एसआईडीसी कुरावाहा)
अधिसारी अभियन्ता(प्रो)

Missing / to complete work of Housing Sector C-1 Developed by M/s Ansal Housing & Construction Ltd. at Trans Delhi Signature City (Ironica City), Ghaziabad.

SL No.	Missing Item/in complete item	Remark
(A)	Road Work	
(i)	Camber/pot holes/depressed portion	May be rectified by providing top coat stone ballast followed by 50mm BM & 25mm SDBC.
(ii)	Road side earthen paties	Road side earthen paties may be completed by excavating the item of earth work in filling in paties
(B)	Drain Work	
(i)	Filled with debris	May be desilted
(ii)	Damaged in some portion	May be reconstructed.
(C)	Culvert work	
(i)	finen t & R CC slab	Only R.C.C. drain covers are found laid at road junctions which may be rectified by constructing Abutments & R.C.C. slab for afresh culvert work.
(D)	Water Supply	
(i)	Fire Hydrant	May be provided on existing water line
(ii)	Standby Tubewell	Only tubewell is existing in OHT campus. A standby tubewell is required to be constructed according to the design submitted by M/s Ansal Housing & Construction Ltd.
(iii)	Pump house for existing tubewell.	May be Constructed.
(iv)	Staff quarter for operating tubewell/ O.H.T.	May be Constructed.
(E)	Sewage Work	
(i)	Cleaning of sewer line	May be executed by using Super Sucker machine.
(ii)	Level difference in sewer line of M/s Ansal & UPSIDC and improper sewer connection.	May be resolved by regular pumping.
(F)	Facility	
(i)	Community Centre	May be Constructed as plots are vacant for the purpose
(ii)	Dispensary/Sub-Post Office/ Shopping Complex	
(iii)	Parks-02 Nos.	Out of total 07 Nos parks 05 Nos parks have been developed, remaining 02 Nos parks may be developed.


Junior Engineer


Asst. Engineer


Executive Engineer

Annexure - 6

After Hon'ble NGT order to stop disposal of sewage in Green Belt, Nagar Palika, Loni, Ghaziabad, made Pit for smoother sewage disposal in Green Belt



Sewage filled in vacant plots in Ansal East End, Sector C-1, Trans Delhi Signature City, Loni, Ghaziabad



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