

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 287 OF 2022

IN THE MATTER OF:

Amit Kishore & Others.	...	Applicants
	Versus	
U.P.P.C.B and Others	...	Respondents

**WRITTEN SUBMISSION ON BEHALF OF APPLICANT IN COMPLIANCE
OF DIRECTION DTD: 24.11.2022.**

1. The present case is a glaring example of encroachment over the green belt spread across Vasundhara sectors and specially in sector 15 wherein 63 iron made kiosks have been illegally installed without following the due process of law and in flagrant violation of environmental and constitutional law. The map annexed at the page no. 36 of O.A clearly shows that the area in question is green belt and the same is further endorsed by Awas Vikas also saying that it is a green belt and Kiosks have been illegally installed there.
2. The whole Vasundhara was developed by Awas Vikas Parishad and had been handed over to Nagar Nigam Ghaziabad under Section 41 of U.P. Awas Vikas Parishad Adhinyam, 1965 for the limited purpose of maintenance only and without changing to the basic structure, façade and the services. If in any case there are any change is intended to be carried out by Nagar Nigam Ghaziabad then a prior written permission has to be taken from the Awas Vikas which is not done in the present case.
3. The green belt in question had been fenced with the wire which has been destroyed and iron made kiosks have been installed there. The said installation is against the proposal to set up vending zone in Sectors 10, 12 and 14 and not in Sector 15 according to the proposal passed by the Architecture and planning section of Awas Vikas Parishad.
4. The Awas Vikas Parishad has very categorically stated in its affidavit that the Kiosks have been installed there illegally by way of destroying the green belt and without following the due procedure of law.
5. In addition to what the Awas Vikas has deposed the Pariyojna Adhikari, DUDA has clearly stated in his response **dtd: 21/02/2022 to the D.M, Gzb. Which is at page no. 56** of the O.A that DUDA is not authorised to allocate or

remove the Kiosks and it is only after the Town Vending Committee recommends the same then it can be done however in this case the recommendation Town Vending Committee is missing. Not only that the **Ghaziabad Nagar Nigam and DUDA have clearly denied any involvement in the illegal allocation of said Kiosks in their letters dtd: 12/11/2021 & 20/12/2021 respectively which is annexed at page numbers 52 and 53 of O.A.**

6. That wherever the fencing on the stretch of Green Belt is missing or removed is being encroached by some illegal occupants and at many places DG set is installed and causing pollution by destroying Green Belt.

In view of submissions made herein above it is crystal clear that the Kiosks have been illegally installed by destroying the green belt and against the environmental laws as endorsed by Awas Vikas also and the allocation itself is done in flagrant violation of Laws as abovementioned and all the concerned authorities have denied their roles in said illegal allocation of the Kiosks.

It is therefore humbly requested before this Hon'ble Tribunal to pass a direction to restore the Green Belt to its original condition thereby passing an Order to remove the DG set and put a fencing thereon so that the encroachment could be stopped.

Dated: 24/11/2022

Applicants

Delhi:

through

Counsel