

Item No. 4

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 177 /2022

Abhist Kusum Gupta

...Applicant

Versus

State of Uttar Pradesh & Ors.

...Respondents

Date of hearing: 08.02.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Mr. Sunil J. Mathews, Advocate (through VC).

Respondents: Ms. Garima Prashad, Senior Advocate, AAG with Ms. Priyanka Swami, Advocate for Respondents No. 1 and 6.
Mr. Bhanwar Pal Singh Jadon for Respondent No. 3.
Mr. Abdhesh Chaudhary and Mr. Nishi Kant Singh, Advocates for Respondents No. 5 and 9.
Mr. Amar Gupta and Mr. Pranav Tanwar Advocates for Respondent No. 10 with Mr. M.N. Tiwari, Manager (Project).
Ms. Perna Sharma, ACEO-GNIDA (through VC).
Mr. Prabhash Kumar, ACEO-NOIDA (through VC).
Mr. Ravinder Gupta, Chief Law Officer, NOIDA (through VC).

**Application under Section 18(1) read with Section 14 and 15 of the
National Green Tribunal Act, 2010.**

ORDER

1. Replies/response have been filed by Respondent No. 5-NOIDA and by the DFO-Gautam Buddha Nagar vide emails dated 12.10.2022. Applicant has filed submissions dated 08.11.2022, 11.01.2023, 13.01.2023 and 20.01.2023 vide emails of the same date. Replies/Action Taken Report have been filed by Respondent No. 9-GNIDA vide email dated 12.10.2022 and by Respondent No. 10-the Yamuna Expressway Industrial Development Authority (YEIDA) vide email dated 11.01.2023.

Action Taken Report/Compliance Affidavit have been filed by Respondent No. 5-NOIDA vide email dated 08.02.2023 and by Respondent No. 9-GNIDA vide email dated 08.02.2023.

2. Mr. Prabhash Kumar, ACEO-NOIDA, Mr. Ravinder Gupta, Chief Law Officer, NOIDA, Ms. Prerna Sharma, ACEO-GNIDA and Mr. Pramod Kumar, DFO have appeared through VC before this Tribunal and we have interacted with them.

3. Learned Counsel for the applicant has referred to the written submissions made by the applicant to point out the apathetic attitude of the authorities and has submitted that the requisite measures have not been taken by the respondents for restoration/rejuvenation of the ponds in compliance with the orders passed by this Tribunal.

4. Learned Counsel for the respondents have submitted that strenuous efforts are being made by the respondents for restoration/rejuvenation of the ponds as mentioned in the replies filed by Respondents No. 5, 9 and 10 and learned Counsel for the Respondents seek time to file further Status Reports/Action Taken Reports.

5. Detailed reply/Status Report/Action Taken Report be filed by the Respondents giving details regarding (i) restoration/rejuvenation of the ponds free from encroachment; (ii) action taken regarding removal of encroachments and restoration/rejuvenation of the ponds which have been encroached upon and (iii) creation of ponds/water bodies in lieu/substitution of water bodies/ponds acquired/utilized for construction for residential/industrial/commercial purposes/roads etc. **within two months** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

6. List for further consideration on 14.07.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 08, 2023
AVT