

Item No. 04

Court No. 1

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

Original Application No. 177/2022
(I.A. No. 263/2022)

Abhist Kusum Gupta

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 17.07.2025

CORAM: **HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON**
 HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Ms. Samanwaya, Adv. for Applicant (Through VC)

Respondent: Ms. Garima Prasadh, AAG with Ms. Priyanka Swami, Adv. for DM,
 Gautam Budh Nagar
 Mr. Ravindra Kumar, Senior Advocate with Mr. Shivam Saksena, Adv. for
 R - 9
 Mr. Pradeep Misra & Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)
 Mr. Bhanwar Pal Singh Jadon, Ms. Hemlata Singh, Ms. Anjali Sharma &
 Ms. Gargi Chaturvedi, Adv. for DFO, Gautam Budh Nagar
 Mr. Amar Gupta & Mr. Pranav Tanwar, Adv. for R - 10
 Mr. Ravindra Kumar, Senior Advocate with Mr. Abdhesh Chaudhary, Mr.
 Nishi Kant Singh & Mr. Swatej Jetta, Adv. for R - 5

ORDER

1. The Tribunal by order dated 19.03.2025 had directed the District Magistrate, Gautam Buddha Nagar to ascertain the original area of the water bodies on the basis of 1359 Fasli and find out the encroachment and file a report disclosing the details of original area of the water body on that basis and also the progress which is made in clearing the encroachment from the water body.

2. In compliance of the above order, the District Magistrate, Gautam Buddha Nagar has filed the compliance report dated 15.07.2025 disclosing as under:

“2. That pursuant to the Hon’ble Tribunal’s order dated 19 March 2025, the following details are now submitted in compliance with that direction.:

- i. That the following tehsil-wise statement sets out, for each tehsil of Gautam Buddha Nagar, the total number of ponds/waterbodies, their original area as recorded in the 1359 Fasli revenue record, and the extent of area presently encroached thereon.
- ii. **Tehsil Dadri** – There are **480** ponds whose total original area, on the basis of **1359 Fasli**, is **227.5292 ha**. Of this, **16.922 ha** stands encroached.
- iii. **Tehsil Sadar** – There are **245** ponds with a total original area of **111.2835 ha** as per **1359 Fasli**. Encroachment measured on the same basis is **30.2558 ha**.
- iv. **Tehsil Jewar** – There are **293** ponds; the total original area of ponds / waterbodies, on the basis of **1359 Fasli**, is **122.9980 ha**, out of which **2.8163 ha** is encroached.

S. No.	Tehsil	Total No. of Ponds / Waterbodies	Area (in ha) of Total Original 1359 Fasli Ponds/ Waterbodies	Encroachment relative to Total Area on the basis of 1359 Fasli (in ha)	Expected Timeline for Removal of Encroachment
	Dadri	480	227.5292	16.922	About 6 months
	Sadar	245	111.2835	30.2558	
	Jewar	293	122.9980	2.8163	
Total		1018	461.8107	49.9941	

- v. There are **1018** ponds / waterbodies in Gautam Buddha Nagar District. Their combined original area, based on the **1359 Fasli** record, is **461.8107 ha**, against which **49.9941 ha** is currently encroached. The respective Tehsildars of Dadri, Sadar and Jewar have reported that the identified encroachments are proposed to be removed within **approximately six (06) months**.
- vi. That the undersigned respectfully submits that he is at the disposal of this Hon’ble Tribunal and stands ready to carry out any further directions or clarifications that may be issued.

3. Though in the above report, the total area of all the ponds together as per 1359 Fasli and the area of encroachment has been disclosed, but the report does not give the particulars of area as per revenue record of each pond and the area of that pond which has been encroached upon.

4. Learned AAG appearing for the District Magistrate, Gautam Buddha Nagar seeks three weeks’ time to give full particulars of each of

the water body in the three Tehsils, namely, Dadri, Sadar and Jewar of District Gautam Buddha Nagar.

5. The action taken report dated 15.07.2025 has been filed by the Respondent No. 10, Yamuna Expressway Industrial Development Authority.

6. Learned Senior Counsel appearing for Respondent No. 9 submits that the report on behalf of Respondent No. 9 has been filed yesterday, but since it has been filed belatedly, therefore, it has not come on record. Office to examine it and place it on record. He further submits that the report on behalf of Respondent No. 5 will be filed within three weeks.

7. It will be open to the Applicant to file rejoinder/objection to the reports of the respondents within three weeks.

8. List on 17.10.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

July 17, 2025
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