BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1343 OF 2024

(Under Section 18(1) read with Sections 14, 15 & 17 of National Green Tribunal Act 2010)

IN THE MATTER OF:

HARISH YADAV ...Applicant

VERSUS

STATE OF UTTAR PRADESH & ORS. ...Respondents

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APPLICANT

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THROUGH

AMARNATH & BRAJESH KUMAR JHA,
Counsels for Applicant
Bungalow No. 8-B, LGF,
Jangpura – B, Main Mathura Road
NEW DELHI - 110014

Place: New Delhi
Date: 21.11.2026

(J)

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REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY FILED BY RESPONDENT NO. 3 (GHAZIABAD DEVELOPMENT AUTHORITY)

MOST RESPECTFULLY SHOWETH:

1. That the reply filed by Respondent No. 3 is incomplete and evasive, as it has failed to disclose the foundational documents, approvals, development plans and records relating to the development of the Integrated Township "Aditya World City", which are necessary for proper adjudication of the issues raised in the present Original Application.

(2)

2. That the Applicant strongly objects to the averment made by Respondent No. 3 in Paragraph No. 8 at Page No. 1247 of its reply, wherein an alleged challenge to the land acquisition proceedings by the family members of the Applicant before the Hon'ble High Court of Allahabad has been referred to. The said averment is wholly irrelevant, unwarranted and extraneous to the adjudication of the environmental issues involved in the present Original Application. Respondent No. 3 has neither placed any document on record in support of the aforesaid allegation nor demonstrated as to how the alleged land acquisition proceedings have any bearing upon the environmental violations complained of by the Applicant. The Applicant submits that such an irrelevant reference, without any supporting material, appears to be an attempt to divert the attention of this Hon'ble Tribunal from the actual issues involved in the present proceedings and to obfuscate the alleged lapses, violations and failures on the part of Respondent No. 2 and the concerned authorities in relation to the protection of village drains, natural drainage, sewage disposal and prevention of waterlogging and extraction of ground water for construction and development of integrated township. The statutory authorities, particularly Respondent No. 3, are expected to assist this Hon'ble Tribunal by placing relevant facts and records before it and not by introducing collateral allegations having no nexus with the environmental controversy. The aforesaid averment, being unsupported by any

(3)

documentary evidence and wholly unrelated to the issues requiring adjudication, deserves to be disregarded and expunged from consideration by this Hon'ble Tribunal.

3. That Respondent No. 3 has relied upon the revised approval dated 26.04.2014, without disclosing the earlier valid Detailed Project Report (DPR) and sanctioned layout plan, subject to which the aforesaid approval was granted. The revised approval cannot be read in isolation from the earlier approvals and the obligations arising thereunder.

4. That Respondent No. 3 has further failed to disclose the nature and particulars of the development required to be undertaken by Respondent No. 2 in respect of the surrounding areas of villages near integrated township falling within the scheme, particularly in terms of Condition No. 23 of the approval dated 26.04.2014, which requires development of the villages in accordance with the applicable Government Orders. The relevant Government Orders, approved plans, development particulars and compliance records have not been placed on record.

5. That the aforesaid documents and records are exclusively within the custody and possession of Respondent No. 3, being the statutory development authority, and it is incumbent upon Respondent No. 3 to disclose the same to enable this Hon'ble Tribunal to examine whether the development of the township was undertaken in accordance with the

sanctioned plans, Development Agreement and applicable environmental requirements.

6. That the Applicant has specifically raised the issue of blockage/obstruction of the village drains by the Project Proponent (Respondent No. 2), resulting in accumulation of sewage, stagnant water and waterlogging and extraction of ground water for construction and development of integrated township. The photographs filed along with the rejoinder prima facie demonstrate the condition of the affected area and warrant proper site inspection and verification.

7. That Respondent No. 3 has failed to disclose any drainage plan, inspection report, site verification record or other document demonstrating that the existing village drains and natural drainage outlets were protected and maintained during the development of the integrated township. It has also failed to explain whether any existing drain was obstructed, diverted, altered or filled during the development activities.

8. That the Applicant submits that merely relying upon the approvals granted and completion certificate issued in favour of Respondent No. 2 does not answer the specific environmental issues raised in the Original Application, particularly when the actual condition of the village drains, sewage discharge and waterlogging requires independent verification.

9. That the Applicant, therefore, submits that Respondent No. 3 be directed to produce the original DPR, earlier and revised layout plans, relevant Government Orders, records of compliance with Condition No. 23 of the approval dated 26.04.2014, and the approved drainage plans and inspection reports relating to the project and adjoining village.

10. That the Applicant further prays that an independent site inspection be conducted to ascertain the water used, blockage/obstruction of village drains, the condition of drainage outlets, accumulation of sewage and waterlogging, and the environmental impact of the development activities carry out by the Respondent No. 2 upon the village and surrounding area of township.

11. That the Applicant craves leave to rely upon the Original Application, rejoinder and documents already filed, including the photographs relating to blockage of drains and waterlogging, which may be read as part and parcel of the present additional reply.

PRAYER

In view of the facts stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

(6)

a) Direct Respondent No. 3 to disclose and produce the original DPR, earlier and revised layout plans, relevant Government Orders and records of compliance with Condition No. 23 of the approval dated 26.04.2014;

b) Direct an independent site inspection to ascertain the water used in construction and development activities, blockage/obstruction of village drains, accumulation of sewage and waterlogging and its impact upon the adjoining village; and

c) Pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice and environmental protection.

APPLICANT

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THROUGH

AMARNATH & BRAJESH KUMAR JHA
Counsels for Applicant
Bungalow No. 8-B, LGF,
Jangpura – B, Main Mathura Road
NEW DELHI - 110014

Place: New Delhi
Date: 21.11.2026

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AFFIDAVIT

I, Harish Yadav, S/o Shri Jagat Yadav, R/o 767, Shahpur, Bamheta, Dasna, Ghaziabad – 201002, Uttar Pradesh, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above noted case and am well conversant with the facts and circumstances of the case, as such am authorised and competent to swear this affidavit.

NOTARY PUBLIC
R K GUPTA
Govt. Of India
Reg. No. 7123
11.6.2008
Commission
Expire on
10-June-2028
Govt. Of India

(8)

2. That I have read the contents of the accompanying rejoinder be read as part of this affidavit as the same are not being repeated herein for the sake of brevity.

3. That no part of it is false and nothing material has been concealed therein.

DEPONENT

VERIFICATION:

Verified at _____ on _____ of November, 2026 that the content of the affidavit is true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed for the sake of brevity.

DEPONENT

NOTARY PUBLIC
R K GUPTA
Govt. Of India
Reg. No. 7123
11.5.2008
Commission
Expire on
10-June-2028
Govt. Of India

ATTESTATION
R. K. GUPTA
Notary Public
Govt. of India

21 NOV 2026