

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

(By Video Conferencing)

Original Application No. 999/2019
(I.A. No. 141/2020 & I.A. No. 142/2020)

(With Report dated 20.03.2020)

Dr. Ajay Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 20.05.2020

CORAM:

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s):

Mr. Rachit Mittal, Advocate for MDA

ORDER

1. This order is being passed in continuation of order dated 08.01.2020. A factual and action taken report was sought from the Meerut Development Authority (MDA) and the State Pollution Control Board (SPCB) with reference to the allegation of encroachment and illegal construction on land reserved for stadium, park and open space, green space and green verge at Villages Rampur Pavti and Shobhapur, Meerut.
2. The matter was considered on 08.01.2020 in the light of report filed by the State PCB on 19.12.2019 and it was observed:

“Accordingly, a report has been filed by the SPCB on 19.12.2019 which is vague and does not advert to the allegation of illegal constructions and encroachment. The

basis of the report is incomplete information by the Meerut Development Authority.

In view of above, CEO of the Meerut Development Authority may remain present in person on the next date with a proper action taken report in the matter.”

3. Accordingly, an action taken report has been filed by the MDA on 20.03.2020 inter-alia stating as follows:

“(4) Since for compliance of the aforesaid directions mentioned in the G.O. No. 169/Eight-3-20-206 Misc./18TC dated 19.02.2020, it would be necessary to get them superimposed on the location map, which may take some time. Therefore, the Authority has written a letter bearing no. 07/C.T.P./20 dated 17.03.2020 to the office of Stamp and Registration mentioning that till the time the exercise of getting the khasra nos. superimposed on the location map is not over, the office of Stamp and Registration should before registration of the sale deed enquire from the Authority about the land use of the said land in the Master Plan 2021.

5. Apart from the above, the Authority in first phase has identified 231 illegal constructions. The show cause notices under Section 26-A (4) and Section 27 of the Uttar Pradesh Urban Planning and Development Act, 1973 have been issued to all 231 violators asking as to why the demolition order is not passed on the constructions raised by the violators.

(6) In addition to that the public notice boards have been installed at various places mentioning that no construction is permitted on the land reserved for Park, Open Spaces, Green Verge and Stadium or Road mentioned in the Meerut Master Plan 2021.”

4. The above report does not show of tangible final action while the problem is acknowledged. Learned Counsel for the MDA states that requisite action will now be taken expeditiously.
5. Let the necessary effective steps be taken in accordance with law and further report filed before the next date. Report be sent 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.

6. Learned Counsel for the MDA has stated that another matter on the same issue being *O.A. No. 380/2018, Park Avenue Plot Holders Welfare Society & Anr. Vs. Union of India & Ors.* is also pending before this Tribunal and is fixed for hearing on 17.07.2020.

List again on 17.07.2020 alongwith *O.A. No. 380/2018.*

Adarsh Kumar Goel, CP

Sheo Kumar Singh, JM

Dr. Nagin Nanda, EM

May 20, 2020
O.A. No. 999/2019
DV

