

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

Execution Application No. 56/2025
In
Original Application No. 65/2020

Sushil Raghav
Versus
State of Uttar Pradesh & Ors.

Applicant
Respondent(s)

Date of hearing: 29.08.2025

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Ms. Shreepurna Dasgupta, Adv. for Applicant in E.A 56/2025

Respondents: Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat, Ms. Gargi Chaturvedi & Ms. Anjali Sharma, Advs. for the State of UP

ORDER

1. By this execution application, the Applicant is seeking compliance of the order of the Tribunal dated 17.03.2021 passed in OA No. 65/2020.
2. In the OA, the Applicant had alleged the misuse of the water bodies in Ghaziabad. The Tribunal by the order dated 17.03.2021 had disposed of the OA by directing as under:

“xxx.....xxx.....xxx

7. In view of above, the Chief Secretary, UP may take further action and ensure compliance in the matter of removing of encroachments and taking other steps for restoration of water bodies by periodically holding meetings with the District Magistrate for monitoring. In this regard, community involvement in appropriate manner may be considered. The data of steps taken may be placed on the relevant websites for awareness.”

3. Learned Counsel for the Applicant submits that none of the above directions have been complied with by the concerned authority. She has relied upon paragraph 11 of the affidavit dated 28.04.2025 filed by the District Magistrate, Ghaziabad in OA No. 958/2024 in the matter of *Himanshu Tyagi vs. State of UP* and has submitted that admittedly the

encroachments are still existing. The reliance has been placed on paragraph 11 of the said affidavit which states as under:

“xxx.....xxx.....xxx

11. In accordance with the abovementioned detailed status of the ponds the summary of the 1075 ponds in the entire Ghaziabad district is tabulated as below:

| Sr. No. | Name of Tehsil/ Block | Total no. of ponds/ water bodies | Area (In Hec.) | Total no. of encroached ponds | Encroached area (In hec.) | Action taken |
|----------------|---------------------------------|---|-----------------------|--------------------------------------|----------------------------------|---|
| 1 | Tehsil-Sadar | 217 | 110.9334 | 29 | 9.4119 | Direction has been issued by District Magistrate Ghaziabad to Tehsildar, Ghaziabad to take action against encroached ponds |
| 2 | Tehsil-Modinagar | 579 | 288.469280 | 120 | 25.902480 | Direction has been issued by District Magistrate Ghaziabad to Tehsildar Modinagar, Ghaziabad to take action against encroached ponds |
| 3 | Tehsil-Loni | 139 | 57.576 | 38 | 7.323580 | Direction has been issued by Magistrate District Ghaziabad to Tehsildar Loni, Ghaziabad to take action against encroached ponds |
| 4 | Municipal Corporation Ghaziabad | 140 | 69.80380 | 44 | 14.404380 | Direction has been issued by District Magistrate Ghaziabad to Municipal Commissioner, Ghaziabad to take action against encroached ponds |

| | | | | | | | |
|--|--------------|-------------|-----------------|------------|-----------------|----------|---|
| | Total | 1075 | 525.1862 | 231 | 57.04212 | - | " |
|--|--------------|-------------|-----------------|------------|-----------------|----------|---|

4. She has also referred to the Annexure A-5, a tabulated information alongwith the photographs of the water bodies to show that the encroachments are still existing and they have not been cleared till now.
5. Learned Counsel appearing for the State of UP has informed that the same issue is involved in OA No. 958/2024 where the Tribunal has issued directions for removal of the encroachment and has also directed for personal appearance of the authorities. The Tribunal in the matter of *Sarvadaman Singh Oberoi vs. Union of India* in M.A. No. 26/2019 in OA No. 325/2015 dated 10.05.2019 directed that water bodies be assigned Unique Identification (UID) no. and steps be taken for restoration. In this view of the matter, need for conservation and protection of water bodies is not confined to the State of Haryana alone but extends to the whole country.
6. Issue notice in this execution application to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.
7. The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.
8. List alongwith OA No. 958/2024 on 07.10.2025.

Prakash Shrivastava, CP

Ishwar Singh, EM

August 29, 2025
EA No. 56/2025 In OA No. 65/2020
dv