

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**M.A. No.68 OF 2025  
IN  
O.A. NO.117 OF 2024**

**IN THE MATTER OF:**

News item titled “Nawabganj Bird Sanctuary Not (bird’s) paradise lost yet but solace becoming a causality” appearing in the Hindustan Times dated 25.12.2023.

**INDEX**

| <b>S. No.</b> | <b>Particulars</b>                                                                                                   | <b>Page No.</b> |
|---------------|----------------------------------------------------------------------------------------------------------------------|-----------------|
| 1.            | Additional Affidavit on behalf of Respondent No.6/ National Highways Authority of India (NHAI) along with Affidavit. | 1-7             |

**RESPONDENT NO.6**



**THROUGH**

**Singhania & Partners LLP  
Solicitors & Advocates  
P-24, Green Park Extension  
New Delhi-110016**

**Dated: 11.07.2026  
Place: New Delhi**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**MA NO.68 OF 2025  
IN  
OA NO.117 OF 2024**

**IN THE MATTER OF:**

News Item titled "Nawabganj Bird Sanctuary Not (bird's) paradise lost yet but solace becoming a casualty" appearing in The Hindustan Times dated 25.12.2023

**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.6/ NHAI**

**MOST RESPECTFULLY SHOWETH:**

1. The present Additional Affidavit is being filed on behalf of Respondent No. 6/National Highways Authority of India (NHAI) in compliance with the Order dated 24.12.2025 passed by this Hon'ble Tribunal and for the purpose of placing on record the technical assessment and factual position pertaining to the proposed installation of sound barriers near the Nawabganj Bird Sanctuary, for the kind consideration of this Hon'ble Tribunal.

2. The Respondent No.6 has filed a detailed reply to the present Original Application and the same is part of the record of this Hon'ble Tribunal. The present Additional Affidavit is being filed in continuation of the same and shall be read as part and parcel thereof.

3. Pursuant to the directions passed by this Hon'ble Tribunal with respect to the issue of installation of sound barriers in the vicinity of the Nawabganj Bird Sanctuary, the Respondent No. 6 has examined the necessity and technical feasibility of installation of such sound barriers at the subject

Project Director  
National Highways Authority of India  
Lucknow (U.P.)



location. In this regard, the Respondent No. 6 respectfully submits as under:

**A. Diversion of Traffic from the Nawabganj Bird Sanctuary to the Kanpur-Lucknow Expressway**

3.1. That subsequent to the filing of the reply by Respondent No. 6, the construction of the six-lane Lucknow-Kanpur Expressway has been completed and the said Expressway is to be commissioned from 14 July 2026.

3.2. Upon commissioning of the said Expressway, a substantial portion of the vehicular traffic presently plying on the existing Lucknow - Kanpur Highway adjoining the Nawabganj Bird Sanctuary is expected to shift to the newly constructed Expressway. Consequently, the traffic volume on the existing highway stretch passing in the vicinity of the Nawabganj Bird Sanctuary is likely to reduce significantly.

3.3. Vehicular movement constitutes the primary traffic generated noise in the area adjoining Bird Sanctuary. Therefore, the anticipated diversion of traffic to the newly constructed Expressway is likely to result in a substantial reduction in traffic volume as well as noise levels in the vicinity of the Nawabganj Bird Sanctuary. In view of the aforesaid material change in circumstances and the consequent reduction in anticipated traffic-induced noise, Respondent No. 6 submits that installation of sound barriers at the subject location is not warranted or necessary.

**B. In the Alternative, Installation of Sound Barriers is Technically Infeasible**

  
Project Director  
National Highways Authority of India  
Lucknow (U.P.)

4. Without prejudice to the aforesaid, the Respondent has also examined the feasibility of installation of sound barriers at the subject location from the perspective of highway engineering, structural stability, road safety, drainage requirements and operational considerations. Upon examination, it has been observed that installation of sound barriers at the subject location is not considered technically feasible, *inter alia* for the following reasons:

- 4.1. The sound barriers are ordinarily installed over reinforced concrete Jersey crash barriers, with the supporting posts anchored thereto. The crash barrier provides the necessary structural support and stability to the sound barrier system and also serves as a protective element against vehicular impact. In the event of accidental vehicular movement, loss of control or impact, or unbalanced driving conditions, the impact is absorbed by the crash barrier, thereby preventing direct damage to the sound barrier and ensuring its continued effectiveness.

- 4.2. At the subject location, only an earthen shoulder available and no reinforced concrete Jersey crash barrier exists. Consequently, there is no suitable structural platform available for installation of a sound barrier system. Installation of sound barriers directly on the earthen shoulder would expose the structure to direct vehicular impact and even a minor collision could damage or displace the sound barrier panels and supporting posts, thereby rendering the system ineffective and creating potential safety hazards.

- 4.3. Installation of sound barriers at the subject location would require construction of independent foundations and supporting arrangements on the earthen shoulder. Such construction is likely to affect the existing shoulder profile, drainage infrastructure and maintenance operations. Since



the highway embankments has been designed with drainage facilities for safe disposal of surface runoff, such construction may necessitate modification of the existing drainage system and adversely affect its performance. That installations on an earthen shoulder would not provide the same degree of structural stability and impact protection as a sound barrier system integrated with a reinforced concrete Jersey crash barrier.

- 4.4. It is pertinent to note that there is presently no operational, geometric or road safety requirement warranting installation of a reinforced concrete Jersey crash barrier at the subject location. Construction of a reinforced concrete Jersey crash barrier solely for the purpose of supporting a sound barrier would require substantial additional civil works and modification of the existing highway infrastructure without any corresponding road safety requirement. Thus, installation of sound barriers on the subject location is not feasible.



5. It is submitted that the Answering Respondent has undertaken measures to minimise noise disturbance in the vicinity of the Bird Sanctuary by installing appropriate cautionary signages, including "No Honking Zone" signboards.
6. In view of the facts and circumstances stated hereinabove, it is respectfully submitted that installation of sound barriers at the subject location is not considered technically feasible. Further, the anticipated diversion of traffic to the newly constructed Lucknow - Kanpur Expressway is expected to substantially reduce traffic-generated noise levels in the vicinity of the Bird Sanctuary.
7. In view of the facts and circumstances set out hereinabove, it is respectfully submitted that installation of sound barriers at the subject

  
Project Director  
National Highways Authority of India  
NHU - Lucknow (U.P.)

location is neither warranted nor technically feasible for the reasons elaborated herein. It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to take the present Additional Affidavit on record and pass such further orders as may be deemed fit and proper in the facts and circumstances of the present case.

8. The Answering Respondent further reserves its right to place on record such further facts, documents, material and submissions as may be necessary for the just and proper adjudication of the present proceedings, subject to the leave of this Hon'ble Tribunal.



Project Director  
National Highways Authority of India  
P.O. - Lucknow (U.P.)

**RESPONDENT NO.6**

**THROUGH**

*Madhu Sweta*

**DATED: 26.06.2026**  
**PLACE: NEW DELHI**

**SINGHANIA & PARTNERS LLP**  
**SOLICITORS & ADVOCATES**  
**P-24, GREEN PARK EXTENSION**  
**NEW DELHI-110016**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**MA NO.68 OF 2025  
IN  
OA NO.117 OF 2024**



**IN THE MATTER OF:**

News item titled "Nawabganj Bird Sanctuary Not (bird's) paradise lost yet but solace becoming a causality" appearing in The Hindustan Times dated 25.12.2023

**AFFIDAVIT**

Nakul Prakash Verma S/o Dharam Prakash Verma aged about 35 years, working as Project Director at National Highways Authority of India, having office at 2/5, Vikrant Khand, Gomtinagar, Lucknow, do hereby on solemn affirmation state and submit as under:

1. I say that I am the authorized representative of the Respondent No.6 and as such am conversant with the facts and circumstances of the present Additional Affidavit. I have been duly authorized by the Respondent No.6 to initiate and pursue the present proceedings for and on behalf of the Respondent No.6 and hence, am competent to swear the present affidavit.
2. I say that the accompanying Additional Affidavit has been drafted by my counsel on my instructions and I have read and understood the contents of the same. The contents of the reply are true and correct on the basis of the records being maintained by the Respondent No.6 in the ordinary course of its business.

Project Director  
National Highways Authority of India  
PIN - Lucknow (U.P.)

**DEPONENT**

BEFORE ME  
JAY KUMAR DWIVEDI  
Advocate & Notary  
25.12.2023

**VERIFICATION:**

Verified at \_\_\_\_\_ on this \_\_\_\_ day of July 2026 that the contents of the above affidavit are true and correct to the best of my knowledge. No part of it is wrong and nothing material has concealed there from.

Project Director  
National Highways Authority of India  
P.O. Lucknow (U.P.)

**DEPONENT**



TRUST & VERIFICATION  
BEFORE ME  
By 10-7-2026  
JAY KUMAR DWIVEDI  
Advocate & Notary  
12388 Govt. of India