

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. No. 402 OF 2024

IN THE MATTER OF: -

GHIRRAU LAL MISHR AND ORS.

...APPLICANT

VERSUS


STATE OF UTTAR PRADESH

...RESPONDENT

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DATE: 16.10.2024
 PLACE: NEW DELHI


 FILED THROUGH
BHANWAR PAL SINGH JADON
 STANDING COUNSEL OF STATE OF U.P.
 NATIONAL GREEN TRIBUNAL

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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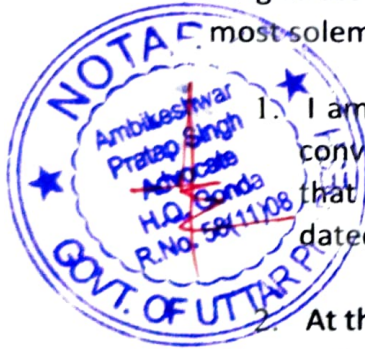
VERSUS

STATE OF UTTAR PRADESH

...RESPONDENT

**AFFIDAVIT ON BEHALF OF DISTRICT MAGISTRATE GONDA, UTTAR PRADESH IN
THE COMPLIANCE WITH ORDER DATED 19.09.2024.**

I **Neha Sharma** aged about **40** years, W/O Shri **Darpan Amravanshi**, District Magistrate of **Gonda**, state of Uttar Pradesh, presently at **Gonda**, do hereby most solemnly state and affirm as under;



1. I am the District Magistrate of Gonda, State of Uttar Pradesh and fully conversant with the facts and circumstances of the present case. I affirm that this affidavit is being filed by the Deponent in compliance of order dated 19.09.2024 of this Hon'ble Tribunal.

At the outset, with the utmost respect it is submitted that all the officers and authorities of the State of Uttar Pradesh have the highest respect and regard to the orders passed by the Hon'ble Tribunal and duty bound to fulfill the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal in true letter and spirit.

3. This original application No. 402 of 2024 issue in this matter is with regard to encroachment of flood plain area which would first require determination/demarcation of 'flood plain zone' of concerned River.
4. That the operative part of the order dated 19.09.2024 of this Hon'ble Tribunal has been mentioned below:
"PARA 3 Sh. Bhawar Pal Singh Jadon, learned standing counsel has appeared for respondent 1, 2, 4 and 5.

PARA 4. He prays for and allowed three weeks' time to file reply wherein it shall be disclosed as to what action has been taken with regard to determination/demarcation of 'flood plain zone.'

5. It is humbly submitted that the Tedhi River originates from Chittaura Lake, located at latitude 27.538831 and longitude 81.641290, in Bahraich district. It traverses through the districts of Bahraich and Gonda, flowing in a south-eastern direction. The river ultimately merges with the Ghaghra River near the village of Lolpur, situated in the Vikramjot Development Block of Basti district. The total estimated length of the Tedhi River is approximately 230 kilometres.
6. It is respectfully submitted that considering the estimated Highest Flood Level (Hereinafter referred as 'HFL'), a flood zone map covering an area of 5 kilometres on both sides of the site in question was prepared. This was achieved by conducting 3D contouring using modern techniques, including Shuttle Radar Topography Mission (Hereinafter referred as 'SRTM'), Arc GIS, and Google Earth. True copy of the map is attached herein as **ANNEXURE R1**.
7. It is most humbly submitted that through vide letter no 684/S.D.K-1, Gonda/N.G.T. dated 26.09.2024, from the office of the Executive Engineer of the Saryu Drainage Division-1, Gonda, to the Director of the UP Geo-Spatial Directorate, Gomtinagar, Lucknow. It is submitted that a request was made to survey the Tedhi River area and provide a map with 1-meter contour intervals, along with a proforma bill for the survey work. The UP Geo-Spatial Directorate expressed the need to mark the entire river on Google Earth up to 500 meters on both sides in a KML/KMZ file. The required information was subsequently provided via email on 07.10.2024. True copy of vide letter no 684/S.D.K-1, Gonda/N.G.T. dated 26.09.2024 is attached herein as **ANNEXURE R2**. True copy of mail dated 07.10.2024 is attached herein as **ANNEXURE R3**.
8. It is germane to mention that from the office of Executive Engineer, Saryu Drainage Division-1, Gonda, to the Chief Engineer, Information System Organization, Irrigation and Water Resources Department, Uttar Pradesh, Lucknow. It was requested to provide the necessary data for floodplain mapping, including remote sensing images of the catchment area and an inundation map. The same has been received and analysis of data is in progress.



9. It is prudent to mention that through vide letter no 707/S.D.K-1, Gonda /NGT dated 04.10.2024, from the office of Executive Engineer, Saryu Drainage Division-1, Gonda, to the Director of National Institute of Hydrology (Hereinafter referred as 'NIH'), Roorkee, Uttarakhand. It was communicated to provide the institute's expertise and a proforma invoice for the thematic work. Following this, further communication was made with the NIH, Roorkee, requesting that the Tedhi River be marked on Google Earth and made available in the form of a KML/KMZ file. The required information was subsequently provided via email on 07.10.2024. True copy of vide letter no 707/S.D.K-1, Gonda/NGT dated 04.10.2024 is attached herein as **ANNEXURE R4**. True copy of mail dated 07.10.2024 is attached herein as **ANNEXURE R5**.
10. It is pertinent to mention that from the office of Executive Engineer, Saryu Drainage Division-1, Gonda, to the Executive Engineer, Investigation & Planning Division (Water Resources) Basti. It was requested to provide the hydrological data of the Tedhi River. The same has been received and analysis of data is in progress.
11. It is respectfully submitted for the kind consideration of this Hon'ble Tribunal that the completion of the floodplain zoning work for the entire length of the Tedhi River will require consultation and expertise from the NIH. It is further submitted that, once the necessary data is made available, the floodplain zone will be determined and finalized within 7 months. This was communicated via letter no. SWHD/NIH/2024-25, dated 09.10.2024, from the NIH Roorkee office to the Executive Engineer, Saryu Drainage Division-1, Gonda. True copy of letter no. SWHD/NIH/2024-25, dated 09.10.2024 is attached here in as **ANNEXURE R6** True copy of the proposal by NIH is attached herein as **ANNEXURE R7**
12. I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.




DEPONENT

विलय अफिसर
41084

VERIFICATION

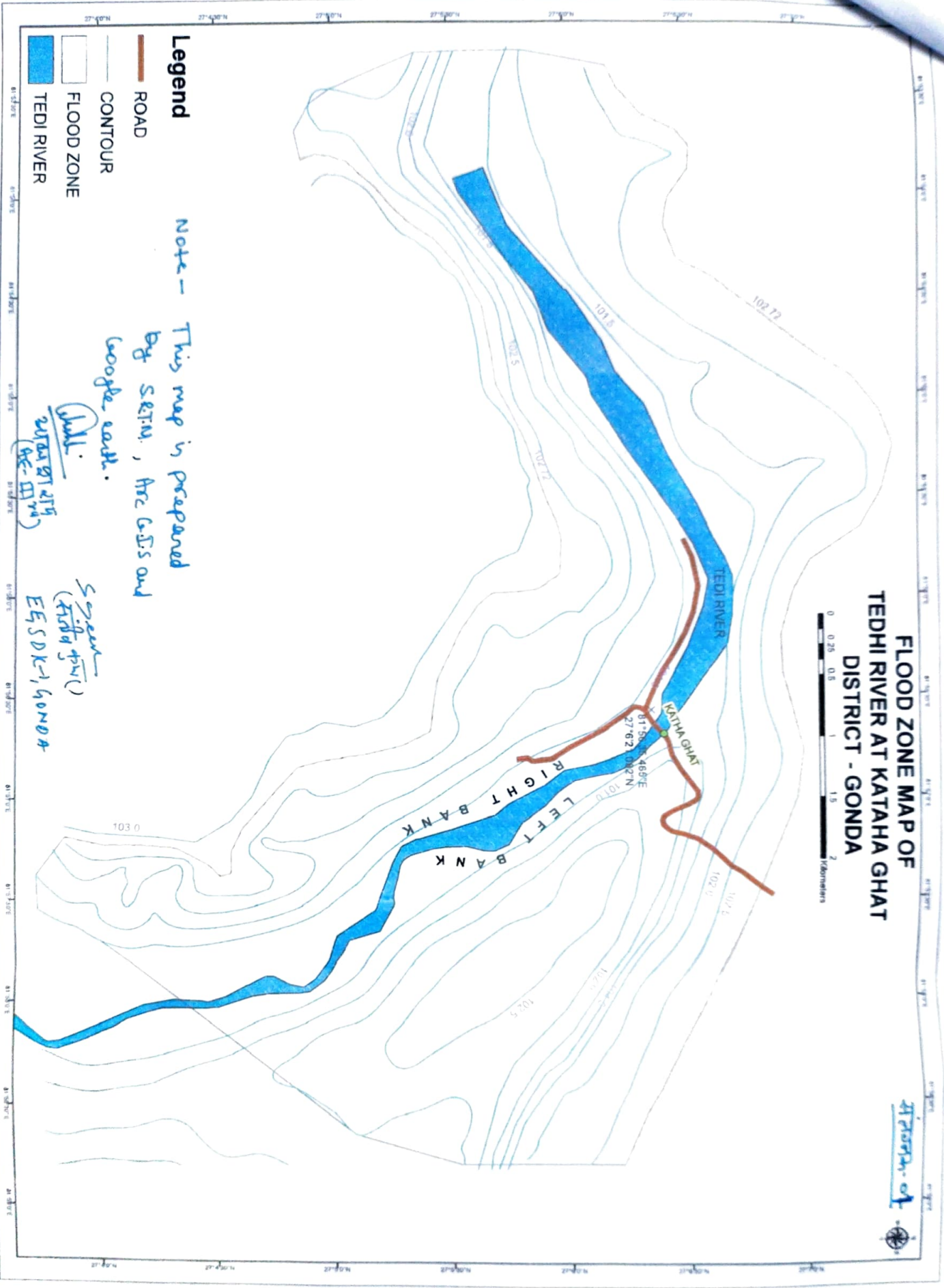
Verified at **Gonda** on this **16th** day of October, 2024, that the contents of the above affidavit from paragraphs 1 to 12 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.



*Solemnly Affirmed &
Declared Before me
On 16.10.2024*

*Ambikeshwar Pratap Singh
Notary Public, Gonda*

[Signature]
DEPONENT
[Faint text]



**FLOOD ZONE MAP OF
TEDI RIVER AT KATAHA GHAT
DISTRICT - GONDA**

0 0.25 0.5 1 1.5 2
Kilometers

Legend

- ROAD
- CONTOUR
- FLOOD ZONE
- TEDI RIVER

Note - This map is prepared
By S.E.M., Arc GIS and
Google earth.

Shubh
27/07/2019
(A.E.M.)

S. S. S. S.
(A.E.M.)
EE, S.D.K-1, GONDA



प्रेषक,

अधिकासी अभियन्ता
सरयू ड्रेनेज खण्ड-प्रथम
गोण्डा।

प्रेषित,

निदेशक
यू0पी0 मू-स्थानिक निदेशालय
गोमतीनगर, लखनऊ।

पत्रांक 684/स0ड्रे0ख0प्र0गो/एन0जी0टी0/दिनांक- 26-09-2024

विषय:- मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन वाद संख्या ओ0ए0-402/2024 घिराऊ लाल मिश्र व अन्य बनाम स्टेट आफ उ0 प्र0 व अन्य में पारित आदेश के अनुपालन में जनपद-गोण्डा में टेढ़ी नदी के फ़्लड जोन निर्धारण के सम्बन्ध में।

महोदय,

उपरोक्त विषयक के सम्बन्ध में अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन वाद संख्या ओ0ए0-402/2024 घिराऊ लाल मिश्र व अन्य बनाम स्टेट आफ उ0 प्र0 व अन्य में पारित आदेश जनपद-गोण्डा में टेढ़ी नदी के फ़्लड प्लेन जोन के चिन्हांकन एवं सीमांकन के अनुपालन में मा0 राष्ट्रीय हरित अधिकरण द्वारा अगली तिथि 18.10.2024 को सुनवाई हेतु निर्धारित की गयी है।

मा0 राष्ट्रीय हरित अधिकरण द्वारा टेढ़ी नदी को फ़्लड प्लेन जोन निर्धारित करने हेतु निर्देशित किया गया है। उपरोक्त के क्रम में अनुरोध करना है कि टेढ़ी नदी के क्षेत्र का नया सर्वे कर 01 मीटर कन्टूर इन्टरवल के मैप इस खण्ड को उपलब्ध कराने की कृपा करें। यदि नये सर्वे करने हेतु इस खण्ड को भुगतान करना आवश्यक हो तो सर्वे कार्य हेतु प्रोफार्मा बिल इस कार्यालय को शीघ्र उपलब्ध कराये, जिससे की भुगतान की कार्यवाही की सके।

अतः आपसे अनुरोध है कि प्रकरण मा0 राष्ट्रीय हरित अधिकरण से सन्दर्भित होने के कारण गम्भीरता से लेते हुए कार्यवाही करने की कृपा करें।

भवदीय

26/9/24

अधिकासी अभियन्ता
सरयू ड्रेनेज खण्ड-प्रथम,
गोण्डा

पत्रांक:- /स0ड्रे0ख0प्र0गो/एन0जी0टी0/तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. जिलाधिकारी महोदया, गोण्डा।
2. मुख्य अभियन्ता सरयू परियोजना-प्रथम सिंचाई एवं जल संसाधन विभाग उ0प्र0, अयोध्या।
3. अधीक्षण अभियन्ता, पंचदशम मण्डल सिंचाई कार्य, गोण्डा।

अधिकासी अभियन्ता
सरयू ड्रेनेज खण्ड-प्रथम,
गोण्डा

10/7/24, 7:41 PM

Gmail - Regarding Map of 1 mtr. Contour interval of Tedhi River

23

संलग्नक - 3

Gmail

Executive Engineer <eesaryudrainagekhand1@gmail.com>

Regarding Map of 1 mtr. Contour interval of Tedhi River

1 message

Mon, Oct 7, 2024 at
7:32 PM

Executive Engineer <eesaryudrainagekhand1@gmail.com>


To: up.gdc.soi@gov.in

Cc: se15circlegonda@gmail.com, cesaryu1fzbid@gmail.com

Sir

Please Refer to Letter Number 684 of this Division as per your requirement KMZ file of Tedhi river is attached with this mail. Please provided the time required and profarma bill of your organization for the mentioned work.
Kindly find the attachment with this mail

2 attachments

 AnyScanner_09_30_2024(2).pdf
553K

 Tedi_river_Area_Length.kmz
410K

<https://mail.google.com/mail/u/2/?ik=81c9b31a16&view=pt&search=all&permthid=thread-or-1475252315454095182&siml=msg-aj-24981396732581...> 1/1

प्रेषक,

अधिकासी अभियन्ता,
सरयू ड्रेनेज खण्ड-प्रथम,
जनपद-गोण्डा।
पिन-271001, फोन नं-9918021271
ईमेल-eesaryudrainagekhand1@gmail.com

प्रेषित,

निदेशक,
नेशनल इन्स्टीट्यूट ऑफ हाइड्रोलोजी
रूड़की, उत्तराखण्ड।

पत्रांक:- 707 / स0ड्रे0ख0प्र0गो0 / एन0जी0टी0 /

दिनांक-04.10.2024

विषय:- जनपद-गोण्डा में टेढ़ी नदी के फ्लड प्लेन जोन निर्धारण के सम्बन्ध में।

संदर्भ:- मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में विचाराधीन वाद संख्या ओ0ए0-402 / 2024 धिराऊ लाल मिश्र व अन्य बनाम स्टेट आफ उ0प्र0 व अन्य में पारित आदेश दिनांक 19.09.2024।

महोदय,

उपरोक्त संदर्भित (अभिलेख की प्रति संलग्न है) आदेश के क्रम में जनपद-गोण्डा से होकर बहने वाली टेढ़ी नदी के फ्लड प्लेन जोन का निर्धारण किया जाना प्रस्तावित है, जिसमें आपके संस्थान के विशेषज्ञता की आवश्यकता है।

अतः अनुरोध है कि विषयगत कार्य हेतु संस्थान की बीजक सम्बन्धी प्राक्कलन शीघ्र प्रेषित करने की कृपा करें, जिससे टेढ़ी नदी के फ्लड प्लेन जोन के निर्धारणोंपरान्त माननीय राष्ट्रीय अधिकरण में अनुपालन आख्या दाखिल की जा सकें।

S. S. S.
04/10/24
अधिकासी अभियन्ता
सरयू ड्रेनेज खण्ड-प्रथम,
गोण्डा

पत्रांक:- / स0ड्रे0ख0प्र0गो0 / तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. जिलाधिकारी महोदय, जनपद-गोण्डा।
2. मुख्य अभियन्ता (सरयू परियोजना-प्रथम), सिंचाई एवं जल संसाधन विभाग, उ0प्र0, अयोध्या।
3. अधीक्षण अभियन्ता, पंचदशम मण्डल सिंचाई कार्य, गोण्डा।

अधिकासी अभियन्ता
सरयू ड्रेनेज खण्ड-प्रथम,
गोण्डा

10/7/24, 7:40 PM



Exec - Regarding Flood Plain Zoning Of Tedhi River

Executive Engineer <eesaryudrainagekhand1@gmail.com>

Regarding Flood Plain Zoning Of Tedhi River
2 messages

Executive Engineer <eesaryudrainagekhand1@gmail.com>

Mon, Oct 7, 2024 at
7:39 PM

To: dir.nihr@gov.in
Bcc: cesaryu1fzbid@gmail.com, se15circlegonda@gmail.com

Sir

Please Refer to Letter Number 707 of this Division as per your requirement KMZ file of Tedhi river is attached with this mail. Please provided the time required and profama bill of your organization for the mentioned work. Kindly find the attachment with this mail
Thanks & Regards

2 attachments

 nih letter.pdf
642K

 Tedi_river_Area_Length.kmz
410K

Executive Engineer <eesaryudrainagekhand1@gmail.com>

Mon, Oct 7, 2024 at
7:39 PM

To: Jagadish Patra <patra.nih@gmail.com>

----- Forwarded message -----

From: Executive Engineer <eesaryudrainagekhand1@gmail.com>

Date: Mon, Oct 7, 2024 at 7:38 PM

Subject: Regarding Flood Plain Zoning Of Tedhi River

To: <dir.nihr@gov.in>

Sir

Please Refer to Letter Number 707 of this Division as per your requirement KMZ file of Tedhi river is attached with this mail. Please provided the time required and profama bill of your organization for the mentioned work. Kindly find the attachment with this mail
Thanks & Regards

<https://mail.google.com/mail/u/2/?ui=81c9b31e166&view=pt&search=all&permthid=thrpad-act-134109236073096396&dsqt=1&siml=trig-a7417770292...> 1/2



राष्ट्रीय जलविज्ञान संस्थान
 (जल शक्ति मंत्रालय, जल संसाधन, नदी विकास एवं गंगा संरक्षण विभाग,
 के अधीन भारत सरकार की शक्ति)
 जलविज्ञान भवन, रुड़की - 247 667 (उत्तराखण्ड) भारत
National Institute of Hydrology
 (A Government of India Society under Ministry of Jal Shakti,
 Department of Water Resources, R D & G R
 Jalvigyan Bhawan, Roorkee - 247 667, (Uttarakhand) INDIA
 (An ISO 9001 : 2015 Certified Organization)



Phone +91 1332-272108, 272106
 Web www.nihroorkee.gov.in

संलग्नक

No. SWHD/NIH/2024-25

Date: October 09, 2024

**Executive Engineer,
 Saryu Drainage Division -1,
 Dist:-Gonda
 Irrigation and Water Resources Department, Govt. of UP**

Sub.: Proposal regarding Flood plain zone delineation of Tedhi River.

Ref.: Your Letter No. 707/ स०ड्रे०ख०प्र०ग० / एन०जी०टी० Letter dated 04-10-2024

Sir,

With the approval of competent authority, the project proposal for "Flood plain zone delineation of Tedhi River" is enclosed herewith.

With

Regards,

Head, Surface Water Hydrology Division
 National Institute of Hydrology, Roorkee

Proposal by National Institute of Hydrology, Roorkee

Title of Study: Flood plain zone delineation of Tedhi River.

The Executive Engineer, Saryu Drainage Division -1 has approached Director, National Institute of Hydrology Roorkee to carry out the study for "Flood plain zone delineation of Tedhi River" as per direction given Hon'ble NGT. The observation of Hon'ble NGT was "River Tedhi meets River Saryu which ultimately meets River Ganga and therefore, River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 is applicable and flood plain zone has to be demarcated in the manner stated in the said order. Since the river in question ultimately a tributary of River Ganga, River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 is applicable to River Ganga and all its tributaries". Director, NIH has assigned Surface Water Hydrology Division of NIH to take up the study.

From the initial discussion with the office of the Executive Engineer, Saryu Drainage Division -1, Gonda, it has been found that the Tedhi River is about 230 km long originating at Chittaura Jheel and joins the left bank of Saryu river at Ayodhya. NIH is already carrying the flood plain delineation of the Ganga river in guidance of Hon'ble NGT. Similar methodologies will be used for delineation of flood plain corresponding to frequency of once in hundred year flood.

Brief Methodology:

Catchment Delineation

The catchment area of the Tedhi river will be delineated from the CartoSat DEM and Survey of India Topo Sheets in GIS platform.

Flood Frequency Analysis

Flood frequency analysis will be carried out from the observed annual maximum peak flood data. Where historical flood discharge data is not available, The flood value will be estimated from rainfall of corresponding return period rational formula or using unit hydrograph (UH) approach as applicable using delineated catchment area relevant catchment characteristics .

Hydraulic Modelling

Once the flood corresponding to 100 year return period is estimated, the hydraulic model (HEC RAS) will be used to simulate the flow pattern on the existing topography (represented through cross-section, Bathymetry i.e. Digital Elevation Model) for estimating flood inundation extent. The river cross-section and Digital Elevation Model is to be provided to NIH by the Irrigation and Water Resources Department, Govt. of UP.

Flood Plain Zone Demarcation

The hydraulic model will provide the flood inundation extent for 100 year return period flood. NIH will process the output and the line corresponding to outer extent of flood plain will be provided as a KML file and Shape file to the Irrigation and Water Resources Department, Govt. of UP. The coordinates (Lat, Log) at suitable interval (or bend to bend) will also be provided for further use. The Irrigation and Water Resources Department, Govt. of UP after verification/validation of the line may take up the work for physical demarcation and notification as per necessity and directive of Hon'ble NGT.

Data Requirement:

SN	Data	Source	Responsibility
1	Historical Observed Discharge and Water level data	CWC, Govt. UP	Sponsoring agency
2	River Cross-section	Survey	Sponsoring agency
3	High resolution DEM	SOI, Drone Survey	Sponsoring agency
4	CartoSat DEM	NRSC	NIH
5	Structures (bridge, barrage, embankment, etc.)	Govt. UP	Sponsoring agency
6	Previous Flood inundation extent from satellite data	NRSC, RSAC-UP	Sponsoring agency

Duration of Study:

The study will be completed in Seven months from the date of award of work, supply of data, and approval of Director, NIH Roorkee. The proposed timeline is given below:

SN	Activity	Month						
		1	2	3	4	5	6	7
1	Catchment delineation and selection of river reaches	■						
2	Data collection and Processing	■	■					
3	Flood frequency analysis: Estimation of flood for 100 year return period		■	■				
6	Hydraulic model setup using HEC RAS		■	■				
7	Finalization of hydraulic model results with structures, embankments etc. with sponsoring agency				■	■		
8	Submission of interim findings for discussion, result verification with sponsoring agency.					■		
9	Finalization of delineation of flood plain						■	
10	Submission of draft Report							■
11	Submission of final Report							■

Note: Timely availability of data is very important for maintaining the proposed activity schedule. Scientist of NIH and officers of sponsoring agency will interact regularly for monitoring progress of the study.

Cost and Payment Schedule:

The Total cost of the study will be Rs 25,00,000 plus GST charges (18% or as applicable)

- 60 % payment is to be made along with the award of work.
- 40% payment is to be made on submission of the final report of the study.

NIH will meet the travel expenses from the above budget. Sponsoring agency will assist during local field visits and accommodation as per requirement. NIH shall submit the final report with maps and the outer extent of flood plain will be provided as a KML file and Shape file to the Irrigation and Water Resources Department, Govt. of UP. The coordinates (Lat, Log) at suitable interval (or bend to bend) will also be provided as per requirement for further use.



Figure 1: Index map of study area