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Before the Hon'ble National Green Tribunal Principal Bench

New Delhi

OA No- 433/2022

Pateshwari Prased Singh

Applicant

Versus

State of U.P.

Respondent

Compliance of order dated 13-2-2025 (Annexure-1) in OA number-433/2022. Part of this order which is related to Irrigation and Water Resources Department, Uttar Pradesh (IWRD) is being reproduced as hereunder-

Learned Counsel for Survey of India has submitted that major part of the river's zoning has been done and only small area is left which will be completed shortly. However, Survey of India has not filed report within timeline stipulated regarding Flood Plain Zoning (FPZ) of Suav River. The department of irrigation has also not filed reply with regard to the progress of identification and demarcation of FPZ on the basis of report already submitted by Survey of India. In view of non-demarcation of FPZ, there is all likelihood of further encroachments on one hand and undue delay in removal of encroachments already made by construction of houses, schools etc., We are of the view that Survey of India should submit final report to Irrigation Department expeditiously without any further delay and the Department of



Irrigation should accomplish all the tasks of FPZ and issue Notification in this regard well before next date of hearing.

Further, compliance response of Hon'ble NGT order dated 10-07-2024 by the department is also being reproduced for reference as hereunder-

In pursuance of the Hon'ble NGT order dated 18-10-2023 for identification of flood plain zone, a request has been made to National Institute of Hydrology, Roorkee and to Survey of India, Lucknow.

As observed long term hydrological data of Suav river is not available and Hon'ble NGT did not agree to methodology proposed in report dated 16-05-2023 by committee formed by Hon'ble NGT, following methodology may be adopted-

a- Levels of the area through LiDAR survey will be used to create DEM (digital elevation model). Survey of India agreed to provide this data in six months after receiving cost, as data has to be collected from aerial LiDAR survey.

b- As observed long term hydrological data of Suav river is not available, inundation maps (observed in this area during highest flood of 2022 and other years) received in form of processed satellite images from Remote Sensing Application Centre (RSAC), UP will be used.



c- Flood zoning will be done in consultation with officers of CWC, Lucknow, NIH, Roorkee, Survey of India, Lucknow, and RSAC, UP. Irrigation & Water Resources Department, UP will coordinate and provide data (procure if necessary) to concerning agencies.

Progress regarding flood plain zoning (FPZ) of river Suav for flood return period of 1 in 100 years is as following-

- 1- LiDAR survey has been done by Survey of India (SoI) and DEM (digital elevation model) & 1 meter contour data of whole area has been provided to the department on 08th April, 2025.
- 2- As mentioned earlier that hydrological data for river Suav is not available and considering expertise of NIH, Roorkee in this field, IWRD has made required payment to NIH to carry out FPZ for flood return period of 1 in 100 years. DEM, 1 meter contour data, and river cross section data of whole area has been provided to National Institute of Hydrology, Roorkee (NIH) on 08th April, 2025.
- 3- NIH in their letter No. SWHD/NIH 2025-26 dt. 7th April, 2025 (Annexure-2) mentioned that “it is expected that the draft report will be submitted by end of Jun, 2025 for ground truthing and comments. Final report will be submitted by one month after receiving comments”.
- 4- After draft report in Jun, 2025 from NIH, one month time will be required for ground truthing. After ground truthing in July, 2025, final



report from NIH will be submitted by end of the August, 2025 and Notification for FPZ for river Suav for flood return period 100 years can be issued prior to 15th September, 2025.

Compliance Response:

In notification dated 07-10-2016 issued by Ministry of Water Resources, River Development, and Ganga Rejuvenation, flood plain has been defined in para 3(1) as *“flood plain” means such area of River Ganga or its tributaries which comes under water on either side of it due to floods corresponding to its greatest flow or with a flood of frequency once in hundred years.* As time required for FPZ of river Suav for flood return period of 1 in 100 years is approximately 4 months away, to ensure compliance of order dated 13-02-2025 issued by Hon’ble NGT, maximum flood criteria as described in abovesaid definition has been adopted.

NIH, Roorkee carried out FPZ according to maximum flood criteria and provided the latitude and longitude of flood plain zone of River Suav via letter No. SWHD/NIH/2024-05 dated 27 March, 2025 (Annexure-3). In this report of NIH, it has been mentioned that “However, it is observed that at several locations there is exchange of flood water from Rapti to Suav river”. As per data of CWC gauge site at Balrampur, maximum flood in river Rapti has been observed in year 2022. Considering this fact, the inundation extent has been delineated as boundary of flood plain from satellite data of Balrampur district



from 2009 to 2023. During delineation of floodplain, the patches which are connected to Suav river are considered as flood plain of Suav river.

On the basis of report provided by NIH, Roorkee with letter dated 27 March, 2025 (Annexure-3), Government of UP (GoUP) has notified flood plain area of river Suav vide office letter number 151/2025-439/2025-27-~~Fi~~io-4-FCN-1832864 dated 08-04-2025 (Annexure-4).

This notification has been issued in compliance of order of Hon'ble NGT and new notification on the basis of hydrological modeling for flood return period of 1 in 100 years will be issued after completion of FPZ exercise by NIH. The inundation extent corresponding to 100 year return period flood (estimated from rainfall and convolution with SUH) using HEC RAS hydraulic model will be carried out. All data and resources required from department has already been provided to NIH.

Pillars for demarcation of FPZ on ground proposed to be constructed after issuance of notification for flood return period of 1 in 100 years.


(Himanshu Kumar)

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