

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

Response/Reply/Objection

**IN
ORIGINAL APPLICATION No 275 of 2023**

IN THE MATTER OF

MAHESH KUMAR

....APPLICANT

VERSUS

STATE OF UTTAR PRADESH & OTHERS

....RESPONDENTS

AND IN THE MATTER OF

AIR COMMODORE ABHAY GUPTA & 3 OTHERS

.....APPLICANTS/INTERVENORS/OBJECTORS

NEXT DATE: 02.11.2023

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Li. WML Sumit

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1. AIR COMMODORE ABHAY GUPTA

WML

2. MANOJ SINGH

Sumit

3. SUMIT MEHTA

Amf

4. AMITAVA DEV

INTERVENORS/OBJECTORS

Dated: 01/11/2023

li: WML Sumit Amf

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5. AIR COMMODORE ABHAY GUPTA
6. MANOJ SINGH
7. SUMIT MEHTA
8. AMITAVA DEV

.....APPLICANTS/INTERVENORS/OBJECTORS

NEXT DATE: 02.11.2023

**STATEMENT OF OBJECTIONS BY THE
INTERVENORS/OBJECTORS ON THE "REPORT BY DM,
GAUTAM BUDH NAGAR DATED 31.10.2023" IN OA NO. 275 OF
2023 in Mahesh Kumar VS State of Uttar Pradesh & Ors.**

RESPECTFULLY SHEWETH

That the present statement of objections are being filed by the 4 intervenors having properties near Yamuna Pushta. The objections are being filed on the "REPORT BY DM, GAUTAM BUDH NAGAR, DATED 31.10.2023" IN OA NO. 275 OF 2023 in Mahesh Kumar VS State of Uttar Pradesh & Ors. The report of DM is in compliance with the order of Hon'ble Tribunal dated 27.07.2023 to demarcate the flood plains of River Hindon & Yamuna. Relevant excerpts of the order are as below:

11. The District Magistrate, Greater Noida/Gautam Budha Nagar is

Li: Sumit Sumit

directed to ensure the identification and demarcation of flood plain zone of River Yamuna and Hindan which shall be done by referring Notification dated 07th October, 2016 on “River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016” and Office Memorandum dated 14th February, 2022 on “Guidelines for siting industries which are in close proximity with the river” and submit a report within two months 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.

A copy of the said order is enclosed at **ANNEXURE-1**

In compliance with the said order of the Hon’ble NGT, A team was formed by DM Gautam Buddh Nagar to demarcate the floodplains. Based on the findings of the team a report dated 31.10.2023 was submitted by the DM Gautam Budh Nagar to the Hon’ble tribunal. A copy of the said report is enclosed at **ANNEXURE-2**. The said team took reliance on the marginal bunds constructed by the Government many years back which exist at few places and missing at many other places and the team has arbitrarily declared the lands between the bunds and the river channel as flood plain zone in the said report. The objections by the intervenors on the said report and reliance on demarcation of the floodplains by DM Gautam Budh Nagar are as under:

1. Though the Hon’ble tribunal had ordered to demarcate the flood plains according to the notification of dated 07th October, 2016 on “River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016” and Office Memorandum dated 14th February, 2022 on “Guidelines for siting industries which are in close proximity with the river. But the team did not follow the provisions given in the notification of dated 07th October, 2016 on “River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016” and Office Memorandum dated 14th February, 2022 on “Guidelines for siting industries which are in close proximity with the river. The team took reliance on the existing bunds and declared the land between the bunds and the river as flood plain zone arbitrarily.
2. It is to be noted that the Government of Uttar Pradesh has not notified any policy for demarcation of flood plains and to regulate the activities in it. So the existing bund has not been scientifically constructed without following any policy.
3. The bund exist at many places but is missing at others.
4. There are private lands of many villages and lacs of people are living in the

Li: WML Sumit

- area. The team formed by the DM Gautam Budh Nagar has not given any clarification on how these villages were left towards the river side while constructing the existing bund.
5. That there are bunds existing on both sides of the Yamuna river at few places. The distance between both the bunds is kept as minimum of 600 meters in many areas and it extends up to 4 Kms in other areas. A Google map showing the varying distances between both the bunds along its 27 Kms length in Noida, is placed as **Annexure-3**. The rationale for the creating the existing bunds on both sides of the river arbitrarily with an un uniform flood plain width is not understood. Keeping floodplains of 4 kilometres width in urban areas is tantamount to displacing the villagers / residents of so many villages in this belt.
 6. The team did not mention the reason why the private lands left between the existing bund and river were not notified as river land by the authorities.
 7. That there is habitation in the lands between the existing bund and the river prior to enactment of the notification dated 07th October, 2016 on "River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016".
 8. That the said private lands of various villages existed well before the British rule in India.
 9. That The owners of the said private lands are either ancestral owners under bandobasti done by the Government or had purchased the lands either through registered sales deeds for which the Government has collected revenue.
 10. During the 1978 floods most of the areas of Delhi, Whole Noida and part of Ghaziabad was submerged under the water of the rivers but the habitations were saved by constructing the bunds of sufficient heights.

PRAYER

It is hereby prayed to:

1. Order to Involve the expert team of National Mission for clean Ganga for demarcating the flood plains.
2. Order the authorities to determine and demarcate the floodplains scientifically according to the order of Hon'ble tribunal dated 27.07.2023 in the original application.
3. Order to create bunds scientifically for the leftover villages between unscientifically built existing bunds and river to prevent habitations and villages from the floods in the river.

Li: WML Sumit

4. Such order and further order which the hon'ble tribunal deems fit and proper be also passed in the interest of justice.

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9. AIR COMMODORE ABHAY GUPTA

WML

10. MANOJ SINGH

Sumit

11. SUMIT MEHTA

Amf

12. AMITAVA DEV

INTERVENORS/OBJECTORS

Dated: 01/11/2023

li: WML Sumit Amf

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ANNEXURE-1

A True copy of order of Hon'ble NGT Dated 27.07.2023

Item No. 12

Court No. 1

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

(BY HYBRID MODE)

Original Application No. 275/2023

Mahesh Kumar

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 27.07.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Satyabeer Singh, Advocate

Respondent: Mr. Daleep Dhyani, Adv. for UPPCB
Ms. Priyanka Swami, Adv. for the State of UP
Mr. Abdhesh Chaudhary, Adv. for R - 5 & 6
Ms. Deeksha Aggarwal, Adv. for Intervenors

ORDER

1. The issue raised in this application is unauthorized constructions over the flood plain zone of Yamuna and Hindan River in Greater Noida, Gautam Budh Nagar, Uttar Pradesh. The contention of the applicant is that in OA No. 89/2013, Akash Vasishtha & Anr. vs. Union of India & Ors., vide order dated 20.05.2013, this Tribunal held that no unauthorized constructions will be raised over Yamuna flood plain zone and any construction raised within the Yamuna River flood plain zone will be unauthorized and necessary action be initiated against the violator of law.

2. Case set out in the application is that there are more than 250 constructions in the above Flood Plain Zone, including the construction in question and though representation has been made to the authorities, the

Li: WML Sumit

same are not being removed. The applicant has referred to earlier order of the Tribunal on the subject dated 20.05.2013 in *Application No. 89/2013, Akash Vashishtha & Anr. vs. Union of India & Ors.*, and reports dated 05.07.2022, 27.07.2022 and 17.10.2022 of SDM Sadar, Gautam Buddha Nagar, dated 11.10.2022 of Irrigation Department and dated 07.10.2022 by Greater Noida Industrial Development Authority.

3. The matter was taken up by this Tribunal on 20.04.2023 and District Magistrate, Gautam Buddha Nagar, Noida was directed to submit a report.

4. In compliance thereof, the District Magistrate, Gautam Buddha Nagar, Noida vide report dated 25.07.2023 has submitted that plot no. 507(क + ख) total area 0.6570 hectare is in notified area of Greater Noida Development Authority and within the flood plain zone of river Hindan. Plot nos. 652 and 673 is also within the flood plain zone of river Hindan and notified area of the Noida Development Authority but on the spot, there are residential complexes and colonies.

5. It is submitted that this Tribunal, vide order dated 13.07.2017 in OA No. 200/2014, *M.C. Mehta vs. Union of India & Ors.*, has passed following directions:

"182.3. We pass the following directions for compliance:

- i. We direct and constitute a Special Committee consisting of representatives from MoWR, Senior Officer from Department of Irrigation, State of Uttar Pradesh, Revenue Department of Uttar Pradesh and Central Water Commission which shall identify and demarcate the floodplains of river Ganga in Segment B of Phase-I on one in twenty five years cycle.*
- ii. Till the said identification and demarcation of floodplain is completed, we direct that 100 meters from the edge of the river would be designated as no development/construction zone in Segment B of Phase-I i.e. Haridwar to Unnao, Kanpur.*
- iii. The Special Committee would also identify no development/construction zone, regulatory zone and the activities that can be/cannot be carried on in the regulatory zone of the floodplain.*

Li: WML Sumit

- iv. *There shall be a complete prohibition on disposing of MSW, E-waste or bio-medical waste on the floodplain or in river Ganga or its tributaries falling in Segment B of Phase-I.*
- v. *As directed in our order dated 11th April, 2017, for each default, the defaulter would be liable to pay Environmental Compensation of Rs. 50,000/- per default for such dumping and/or throwing the waste of any kind into the river.*
- vi. *All the concerned authorities including the UPPCB, UPJN and State of UP shall be responsible for carrying out these directions as well as the directions contained in our order dated 11th April, 2017 (supra).*
- vii. *There shall be no dumping or landfill sites for any kind of waste irrespective of any technology for waste processing, within 500 meters from the edge of the river Ganga and/or its tributaries."*

6. In pursuance of above, MoEF&CC has issued Office Memorandum dated 14th February, 2022 on "Guidelines for siting industries which are in close proximity". Relevant part of the Notification is reproduced below:

"xxx.....xxx.....xxx

4. *Further vide judgement dated 13.07.2017 in OA No. 200/2014, M.C. Mehta vs. Union of India & Ors. reported in 2017 NGTR (3) PB1 in the context of river Ganga, it was observed that "till the demarcation of the floodplains and identification of permissible and non-permissible activities by the State Government of this judgement, we direct that 100 meters from the edge of the river would be treated as no development/construction zone in Segment-B of Phase-I (Haridwar to Unnao, Kanpur)".*

5. *Based on the above, the aspect related to siting of industries was deliberated in the Ministry and suggestions/comments/observations were sought from different Ministries including Ministry of Jal Shakti (MoJS). Based on the inputs received, it is hereby directed that the following criteria for siting of industries in close proximity to rivers shall be followed:*

"Industries shall not be located within the river flood plain corresponding to one in 25 years flood, as certified by concerned District Magistrate/Executive Engineer from state water resource Deptt. or any other officer authorised by State Govt. for this purpose."

6. xxx.....xxx.....xxx

i&ii. xxx.....xxx.....xxx

iii. *Further, in respect of regulatory activities in floodplain of the river Ganga and its tributaries, prior approval of National Mission on Clean Ganga (NMCG) is required to be taken by the concerned authorities/ departments/agencies / persons."*

Li: WML Sumit

7. The District Magistrate and learned Counsel appearing for the respondents had submitted that a Writ Petition being WRIT – C No. 15166 of 2023, *Green Valley Colony Resident Welfare Association vs. State of UP and Ors.* was filed before the Hon'ble Allahabad High Court in which certain interim orders have been passed. Vide order dated 05.05.2023, Hon'ble Allahabad High Court passed an order as follows:

“Heard learned counsel for the parties.

The petitioner has challenged the order dated 15.02.2023 passed by Senior Manager, Work Circle 10 NOIDA and Deputy Collector, NOIDA, directing demolition of constructions existing over Khasra No. 652 and 673.

Sri Kaushalendra Nath Singh, learned counsel for the respondent authority submits that against the impugned order, the petitioner has alternative remedy of filing appeal before the Chairman under the New Okhala Industrial Development Authority (Building & Regulation) Act, 2010.

He further states that in case any appeal is filed, it will be decided expeditiously and no coercive action will be taken until the appeal is decided.

Accordingly, the instant petition is disposed of by providing that in case any appeal is filed within two weeks from today, the same will be decided by the competent authority within next four weeks and until the appeal is decided, no coercive action shall be taken against the petitioner in pursuance of the impugned order. The petitioner will not raise any further construction on the spot.”

8. The contentions of learned Counsel appearing for the respondents are that in pursuant to the said order dated 05.05.2023 passed by the Hon'ble Allahabad High Court, the alleged violators have filed their representation/appeal before Chairman/CEO, NOIDA Authority under New Okhala Industrial Development Authority (Building & Regulation) Act, 2010 and the same is under consideration and is yet to be decided on merit.

9. In response to the application, an application has been moved by one Manoj Singh with the prayer that the authorities may be directed to demarcate the flood plain area of river Yamuna and Hindan.

10. In view of above, since the Hon'ble Allahabad High Court has already passed an order in above Writ Petitions and a revision/application is pending before the NOIDA Authority, thus the New Okhala Industrial Development Authority is directed to decide the application within a reasonable time say within two months according to the rules.

11. The District Magistrate, Greater Noida/Gautam Budha Nagar is directed to ensure the identification and demarcation of flood plain zone of River Yamuna and Hindan which shall be done by referring Notification dated 07th October, 2016 on "River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016" and Office Memorandum dated 14th February, 2022 on "Guidelines for siting industries which are in close proximity with the river" and submit a report within two months 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.

List the matter on 02.11.2023.

A copy of this order be forwarded to District Magistrate and Greater Noida/Gautam Buddha Nagar by e-mail for compliance.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 27, 2023
Original Application No. 275/2023
DV

Li: WML Sumit

प्रेषक,

जिलाधिकारी,
गौतमबुद्धनगर।

सेवा में,

रजिस्ट्रार,
मा0 राष्ट्रीय हरित अधिकरण,
नई दिल्ली।

पत्रांक 362 / डी0एल0आर0सी0 / 2023

दिनांक 31-10-23

विषय:- मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0 संख्या 275/2023 महेश कुमार बनाम उ0प्र0 राज्य व अन्य में मा0 अधिकरण द्वारा पारित आदेश दिनांक 27.07.23 के अनुपालन के सम्बन्ध में।

महोदय,

सादर उल्लेख करना है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0 संख्या 275/2023 महेश कुमार बनाम उ0प्र0 राज्य व अन्य में मा0 अधिकरण द्वारा दिनांक 27.07.23 को आदेश पारित किये गये हैं। आदेश दिनांक 27.07.23 का सारवान अंश निम्नवत् है:-

11. "The District Magistrate, Greater Noida/Gautam Budha Nagar is directed to ensure the identification and demarcation of flood plain zone of River Yamuna and Hindan which shall be done by referring Notification dated 07th October, 2016 on "River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016" and Office Memorandum dated 14th February, 2022 on "Guidelines for siting industries which are in close proximity with the river" and submit a report within two months 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."

List the matter on 02.11.2023

मा0 अधिकरण द्वारा पारित उपरोक्त आदेश के अनुक्रम में हिण्डन व यमुना नदी के डूब क्षेत्र के चिन्हिकरण व सीमांकन हेतु जनपद स्तर पर कार्यालय आदेश संख्या 699/सा0प0-194/23 दिनांक 30.08.2023 द्वारा अपर जिलाधिकारी (वि0/रा0), की अध्यक्षता में निम्नवत् समिति का गठन किया गया है:-

1. मुख्य कार्यपालक अधिकारी नोएडा/ग्रेटर नोएडा/यमुना एक्सप्रेसवे औद्योगिक विकास प्राधिकरण द्वारा नामित अधिकारी (सदस्य)
2. प्रभागीय वनाधिकारी गौतमबुद्धनगर (सदस्य)
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियन्त्रण बोर्ड नोएडा/ग्रेटर नोएडा (सदस्य)
4. अधिशासी अभियन्ता, सिंचाई विभाग, गौतमबुद्धनगर (सदस्य संयोजक)

उपरोक्त प्रकरण में जिलाधिकारी/अध्यक्ष जिला आपदा प्रबन्धन प्राधिकरण, गौतमबुद्धनगर के कार्यालय आदेश संख्या 672/सी0आर0ए0/2023-24 दिनांक 09.10.2023 द्वारा मा0 अधिकरण के आदेश दिनांक 27.07.2023 के अनुपालन में चिन्हिकरण किये जाने तथा वर्तमान में डूब क्षेत्र की स्थिति एवं सरकारी भूमि पर अतिक्रमण/अनाधिकृत रूप से आबादी प्रयोग के सम्बन्ध में सर्वे कर आख्या उपलब्ध कराये जाने हेतु निम्नवत् टीम का गठन किया गया है:-

- 1- नवीन ओखला औद्योगिक विकास प्राधिकरण/ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण/यमुना एक्सप्रेसवे औद्योगिक विकास प्राधिकरण का सक्षम अधिकारी, (मुख्य कार्यपालक अधिकारी महोदय द्वारा नामित अधिकारी)
- 2- पुलिस विभाग का सक्षम अधिकारी (पुलिस आयुक्त महोदय द्वारा नामित अधिकारी)।
- 3- उप जिलाधिकारी दादरी/सदर/जेवर गौतमबुद्धनगर।
- 4- सहायक अभिलेख अधिकारी, गौतमबुद्धनगर।
- 5- क्षेत्रीय अधिकारी प्रदूषण नियन्त्रण बोर्ड, नोएडा/ग्रेटर नोएडा।
- 6- अधिशासी अभियन्ता, सिंचाई गौतमबुद्धनगर।

Li: Sumit

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- उक्त के क्रम में समिति की बैठक दिनांक 19.10.23 एवं 27.10.23 को हुई थी। मा0 अधिकरण द्वारा पारित आदेश दिनांक 27.07.23 के अनुक्रम में हिण्डन व यमुना नदी के डूब क्षेत्र के चिन्हीकरण व सीमांकन कराये जाने के सम्बन्ध में समिति द्वारा आख्या प्रस्तुत की गई है। जिसकी प्रति मूल रूप में संलग्न कर मा0 अधिकरण के समक्ष सादर प्रस्तुत है।
संलग्नक:- उपरोक्तानुसार।

भवदीय,
31/10/23
(मनीष कुमार वर्मा)
जिलाधिकारी,
गौतमबुद्धनगर।

Li: WMI-Commit Smf

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0 संख्या 275/2023 महेश कुमार बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 27.07.2023 के अनुक्रम में हिण्डन व यमुना नदी के डूब क्षेत्र के चिन्हीकरण व सीमांकन कराये जाने के संबंध में आख्या

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ0ए0 संख्या 275/2023 महेश कुमार बनाम उत्तर प्रदेश राज्य व अन्य में मा0 राष्ट्रीय हरित अधिकरण अधिकरण द्वारा पारित आदेश दिनांक 27.07.2023 के अनुक्रम में हिण्डन व यमुना नदी के डूब क्षेत्र में चिन्हीकरण व सीमांकन हेतु आख्या निम्नानुसार है:-

यमुना नदी के बाँयें किनारे पर यमुना मार्जिनल बन्ध लम्बाई किमी0 17.150, हिण्डन यमुना दोआब बन्ध लम्बाई किमी0 29.343 (यमुना नदी पर ग्राम छपरौली मगरौली से ग्राम मोमनाथल तक लम्बाई लगभग किमी0 13.343), अट्टा तटबंध ग्राम कासना से ग्राम भाईपुर ब्राहमन तक तथा चौधरी चरण सिंह जेवर टप्पल बन्ध लम्बाई किमी0 12.100 ग्राम रामपुर से ग्राम झुप्पा तक तटबन्ध निर्मित है। बन्ध तथा नदी के मध्य का क्षेत्र फ्लड प्लेन जोन ~~है~~ है, जो कि चिन्हित व सीमांकित है।

जनपद गौतमबुद्धनगर में हिण्डन नदी का फ्लड प्लेन जोन दोनों ओर तटबन्ध बनाये जाने से सुस्पष्ट चिन्हित व सीमांकित है। हिण्डन नदी के बाँयें किनारे पर आमनाबाद बन्ध लम्बाई किमी0 4.700 (ग्रेटर नोएडा पश्चिम से गौर चौक तक), कुलेसरा बन्ध लम्बाई किमी0 5.330 (दादरी मैन रोड से ग्रेटर नोएडा पश्चिम), अलाबांस बन्ध लम्बाई किमी0 18.100 (ग्राम कुलेसरा से ग्राम कासना तक) तथा दाँयें किनारे पर हिण्डन मार्जिनल बन्ध लम्बाई किमी0 13.200, हिण्डन यमुना दोआब बन्ध लम्बाई किमी0 29.343 (लगभग किमी0 16.000) निर्मित है। इनके मध्य का क्षेत्र फ्लड प्लेन जोन है, जो कि चिन्हित तथा सीमांकित है।

हिण्डन नदी के बाँयें किनारे पर एन0एच0-24 से चारमूर्ति गौर चौक (जिला गौतमबुद्धनगर के अन्तर्गत लगभग 3.00 किमी0) तक बन्ध निर्मित नहीं है। तटबन्ध निर्मित न होने से यहाँ डूब क्षेत्र स्पष्ट नहीं हैं। वर्तमान में इस क्षेत्र में नदी से ग्राम शाहबेरी तक घनी आबादी, ग्राम मल्तीप्लेक्स, कई रिहायशी सोसाइटी निर्मित हो गई हैं, जिसके कारण उक्त क्षेत्र में बाढ़ से बचाव के लिये बन्ध का निर्माण नहीं किया जा सकता। आई0आई0टी0 दिल्ली ने सिंचाई निर्माण खण्ड, गाजियाबाद के अनुरोध पर वर्ष 2019 में 25 वर्ष आवृत्ति के आधार पर हिण्डन नदी के फ्लड प्लेन का निर्धारण किया था, जिसके अनुसार डूब क्षेत्र 3196 मी0 से लेकर 1800 मीटर तक है। उक्त के अनुसार डूब क्षेत्र का निर्धारण करने से बड़ी आबादी/डूब क्षेत्र में आ जायेगी।

वर्ष 1978 में हिण्डन नदी में अब तक सबसे ज्यादा फ्लड लेविल रिकार्ड (205.06 मीटर) हुआ है। हिण्डन नदी का बैड स्लोप 20सेमी0/किमी0 मानते हुए एन0एच0-24 (लगभग 4.00 किमी0 दूरी) पर हाई फ्लड लेविल 204.26 निर्धारित होता है। हिण्डन नदी के दाँयें किनारे पर हिण्डन मार्जिनल बन्ध निर्मित है, जो कि एन0एच0-24 पर हिण्डन नदी से 350 मीटर तथा लेविल 204.95 मीटर है। वर्तमान में गौर चौक से एच0एच0-24 को जोड़ता हुआ एक मार्ग ताज हाई वे निर्मित है, जिसकी नदी से दूरी 1500 मीटर से 200 मीटर तक है, जिसका लेविल 203.50 मीटर के आसपास है। यदि उक्त सड़क की ऊँचाई हिण्डन नदी के दाँयें किनारे पर निर्मित हिण्डन मार्जिनल बन्ध के लेविल के समरूप कर देते हैं तो उक्त सड़क तटबन्ध का कार्य करेगी जिससे डूब क्षेत्र स्पष्ट रूप से चिन्हित किया जा सकेगा, साथ ही बड़े आबादी क्षेत्र को डूब क्षेत्र में शामिल होने से बचाया जा सकेगा।

क्रमशः-2-

Handwritten signatures and initials at the bottom of the page, including:

- OSD (GNDIA)
- OSD Noida
- DC (Muz)
- RD, UP PCB
- Co. Holda
- Sumit
- San

हिन्दन मार्जिनल बन्ध तथा उक्त सडक का प्रति किमी० लेविल में अन्तर निम्न प्रकार है:-

	हिन्दन मार्जिनल बन्ध			ताज हाई-वे		
	नदी से बन्ध दूरी (मी० में)	बन्ध का टॉप लेविल (मी० में)	बन्ध की चौड़ाई (मी० में)	नदी से ताज हाईवे की दूरी (मी० में)	सडक का टॉप लेविल (मी० में)	सडक की चौड़ाई (मी० में)
13.200	350.00	204.95	5.50	1500.00	206.114	45.00
12.200	800.00	204.75	5.50	1000.00	203.738	45.00
11.200	1400.00	204.55	5.50	500.00	203.130	45.00
10.200	1500.00	204.35	5.50	200.00	202.230	45.00

ताज हाईवे की ऊँचाई बढ़ाकर एन०एच०-24 से गौर चौक तक फ्लड प्लेन जोन को स्पष्ट रूप से चिन्हित व सीमांकित किया जा सकेगा।

जनपद गौतमबुद्धनगर क्षेत्र में यमुना नदी के बाँयें किनारे पर तटबन्ध की कुल लम्बाई 70.093 किमी० है, जिसका फ्लड प्लेन जोन चिन्हित एवं सीमांकित है। हिन्दन नदी के दाँयें किनारे पर तटबन्ध की कुल लम्बाई 29.200 किमी० है तथा बाँयें किनारे पर तटबन्ध की कुल लम्बाई 31.200 किमी० है, जिसमें से 28.200 किमी० लम्बाई में फ्लड प्लेन जोन चिन्हित एवं सीमांकित है। हिन्दन नदी के बाँयें किनारे पर गौर चौक व एन०एच०-24 के मध्य मात्र 3.00 किमी० लम्बाई में फ्लड प्लेन जोन चिन्हित एवं सीमांकित नहीं है। एन०एच०-24 से गौर चौक तक ताज हाई-वे को तटबन्ध की भाँति प्रयोग करने पर फ्लड प्लेन जोन को स्पष्ट रूप से चिन्हित व सीमांकित किया जा सकेगा।

अधिसारी अभियन्ता
हेड वर्क्स खण्ड आगरा नहर
ओखला, नई दिल्ली-25

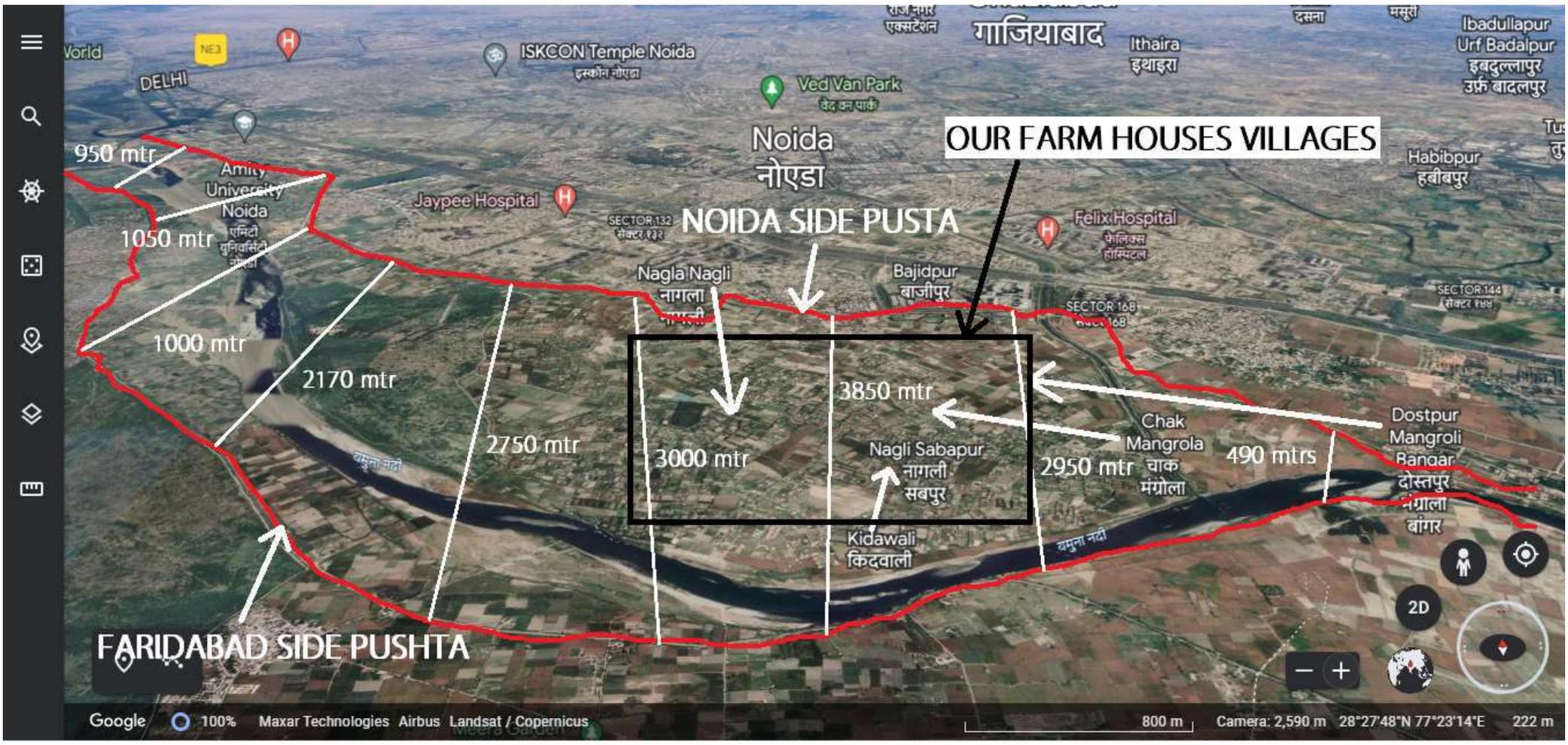
अधिसारी अभियन्ता
सिंचाई निर्माण खण्ड
गौतमबुद्धनगर

उपजिलाधिकारी सदर
गौतमबुद्धनगर

अधिसारी अभियन्ता
खण्ड
गौतमबुद्धनगर

Annexure-3

A Google map showing the varying distances between 386th the bunds along its 27 Kms length in Noida



Li: Sumit Shr



BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Response / reply
IN
ORIGINAL APPLICATION No. 275 of 2023

IN THE MATTER OF

MAHESH KUMARAPPLICANT

VERSUS

STATE OF UTTAR PRADESH & OTHERS RESPONDENTS

AND IN THE MATTER OF

MANOJ SINGH ...APPLICANT / INTERVENOR

AFFIDAVIT

I, Manoj Singh S/o Matwar Singh, aged about 51 years at First Floor, 3 PC Chambers, Village Mamura, Noida – 201301 presently at Delhi, do hereby solemnly affirm as under:

- 1. That I am the Applicant / intervenor in the present application, and conversant with the facts of the case and thus competent to depose.
- 2. That the contents of accompanying response / reply are true and correct and read over to

[Handwritten Signature]
DEPONENT



VERIFICATION

Verified at New Delhi on this 1st day of Nov. 2023 that the contents of the above affidavit are true & correct and nothing has been concealed there from.

[Handwritten Signature]
DEPONENT

ATTESTED
[Handwritten Signature]
MAHAVIR SINGH
NOTARY
G B NAGAR

[Handwritten Signature] Li *[Handwritten Signature]* Sumit *[Handwritten Signature]*

Reply / Response by Air commodore Abhay Gupta and 3 others in OA No. 275 of 2023
"Mahesh Kumar versus State of Uttar Pradesh & others"

1 message

manoj@synergyinfracon.com <manoj@synergyinfracon.com>

Wed, Nov 1, 2023 at 7:35 PM

To: judicial-ngt@gov.in, satyaveersinghadv1992@gmail.com, dmgbn@nic.in, cp-pol.gb@up.gov.in, ceoadmin@uppcb.in, engineerinchiefdup@gmail.com, ceo@noidaauthorityonline.com, manoj@synergyinfracon.com, abhay gupta <tony51aoc@rediffmail.com>

Dear Sirs,

Please find enclosed the Reply / Response by Manoj Singh in OA No. 275 of 2023 "Mahesh Kumar versus State of Uttar Pradesh & others praying for considering in Hon'ble Tribunal and as a service to parties.

Regards

Air commodore Abhay Gupta

Manoj Singh

 **Objection Served.pdf**
3538K

Lt. WML Sumit Singh