

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

Objection by Applicant

In

ORIGINAL APPLICATION NO. 166 OF 2024

IN THE MATTER OF

Priyank Bharati

APPLICANT IN PERSON

Versus

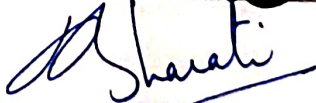
State of Uttar Pradesh through its Chief Secretary and ors.

RESPONDENTS

RESPONDENTS

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Priyank Bharati
Applicant in Person

Date : 09/07/25
Place : Meerut

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

Objection by Applicant to Affidavit of District Magistrate Muzaffarnagar

In

ORIGINAL APPLICATION NO. 166 OF 2024

IN THE MATTER OF

Priyank Bharati



APPLICANT IN PERSON

Versus

State of Uttar Pradesh through its Chief Secretary and ors.

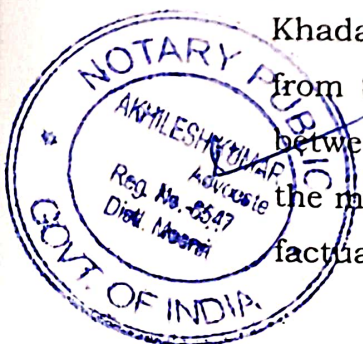
RESPONDENTS

Objections by Applicant

MOST RESPECTFULLY SHOWETH;

I, Priyank Bharati, aged about 36 years, resident of 148/4 Jagriti Vihar, Meerut - 250004, Uttar Pradesh, do hereby solemnly affirm and declare as under:

1. That Applicant received a copy of the affidavit of the District Magistrate, Muzaffarnagar, through the Standing Counsel via email dated 3rd May 2025.
2. That, it is entirely illogical and contrary to natural hydrological principles that the river Budhi Ganga is originated from village Firozpur Khadar in District Muzaffarnagar and directly enter District Meerut from Saipur Firozpur, with no continuous stretch acknowledged in between. Such a representation implies that a natural river vanishes in the middle and reappears later, which is scientifically implausible and factually incorrect.



3. That at page 59, the Applicant has referred to certain extracts from **O.A. No. 200/2014, M.C. Mehta vs. Union of India & Ors.** It is submitted that the District Ganga Committee, Muzaffarnagar, stated before the Hon'ble Tribunal that the origin of the river is Deval; however, the river has actually been observed to originate from Firozpur Khadar, which is approximately 16–17 kilometres away from Deval. Furthermore, in the affidavit submitted by the District Magistrate, Muzaffarnagar, the name "Deval" is conspicuously absent. **This omission indicates that the affidavit is factually incorrect and lacks evidentiary substantiation.**
4. That in the affidavit submitted by the District Magistrate, Muzaffarnagar, only three villages—namely **Firozpur Khadar, Kailashpur Jasmaur, and Purushottampur** have been mentioned. This limited reference fails to present a comprehensive and accurate account of all relevant villages pertaining to the matter. In village **Nasirpur**, Tahsil Jansath District Muzaffarnagar Budhi Ganga present in revenue records. **The omission of other relevant villages indicates that no actual work has been undertaken on the ground, and the affidavit lacks a comprehensive factual basis.** The online copy of record is attached herewith and marked as **ANNEXURE 1.**
5. That the affidavit is also devoid of evidentiary facts necessary to substantiate the claims made therein. Reference may be drawn to **ANNEXURE 2** in this regard.
6. According to the order of Hon'ble Tribunal dated 5 Aug 2024, some extracts are as follows:

The river Bhudi Ganga is a Tributary of River Ganga, therefore its flood plain are required to be defined in terms of Ganga Rejuvenation Order 2016. The District Magistrate is the Chairman of District Level Ganga Committee under the order. Hence, he will also disclose in the affidavit the the steps which have been taken to demarcate the

*flood plains of river Budhi Ganga in District
Muzaffarnagar.*

the District Magistrate who also holds the position of Chairman of the District Ganga Committee has failed to mention the specific village from which the floodplain of the river originates. This omission reflects a lack of due diligence and undermines the completeness and reliability of the affidavit.

7. That Contrary to the affidavit, ancient map (pg 57) and recent satellite imagery (pg 29-31) clearly depict the flow and physical presence of Budhi Ganga through several villages in Muzaffarnagar district. This geographical evidence refutes the claim that the river does not exist in these areas or is not recorded.
8. That the affidavit of the District Magistrate Muzaffarnagar lacks the most basic requirement of documentary substantiation. No copies of revenue maps, Khasra-Khatauni, or relevant land classification records have been annexed. The entire affidavit is based on **unsupported assertions and is devoid of credible, verifiable evidence**. Refer Annexure 2.
9. That the applicant had, in his written submissions filed before the Hon'ble Tribunal in **9 Nov 2024** (pg 64), specifically brought to light the illegal filling of sand on the floodplain of the Budhi Ganga in Village Deval, District Meerut. Despite this, the District Magistrate of Meerut failed to take any action on the ground, and the compliance report submitted by him does not mention this critical violation at all.
10. That the Applicant respectfully brings to the attention of the Hon'ble Tribunal a matter of significant concern---namely, that the reports in question were prepared on 11 March 2025 and were signed by the District Magistrate on 12 March, 2025, while the hearing before the Hon'ble Tribunal was scheduled for 17 March 2025. In such circumstances, it is evident that the reports could not have been prepared with the thoroughness and accuracy required, and therefore, cannot be deemed to be of requisite standard or reliability.

Verification

Verified on this 09 day of July 2025 that the contents of the present Application are true and correct to my knowledge and belief and nothing material is concealed therefrom.


Priyank Bharati

Applicant in Person

Date: 09/07/25

Place: Meerut



~~ATTESTED~~
AKHILESH KUMAR
NOTARY MEERUT
9/7/25

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ORIGINAL APPLICATION NO. 166 OF 2024

IN THE MATTER OF

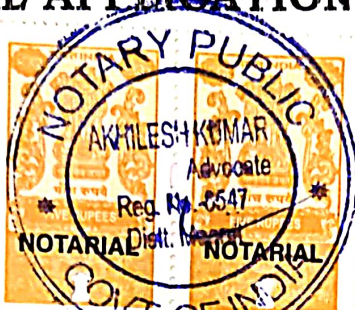
Priyank Bharati

Versus

State of Uttar Pradesh through its Chief Secretary

APPLICANT IN PERSON

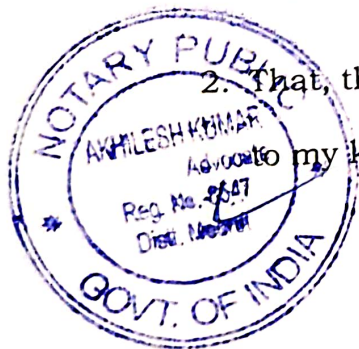
RESPONDENTS



Affidavit

I, Priyank Bharati aged about 148/4 Jagriti Vihar, Meerut-250004 UP do hereby solemnly affirm and declare as under:

1. That I am the Applicant/Applicant In Person in above mentioned application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.



2. That, the statements made in paragraphs 1 to 10 of this affidavit is true to my knowledge

Priyank Bharati
Applicant In Person

VERIFICATION

Verified on this 09th day of July 2025 that the contents of the present Application are true and correct to my knowledge and belief and nothing material is concealed therefrom.

Priyank Bharati
Applicant In Person / Deponent

ATTESTED
Akhilesh Kumar
AKHILESH KUMAR
NOTARY MEERUT

817125



भूलेख - खतोनी
राजस्व परिषद, उत्तर प्रदेश

खोजें	उद्घरण देखें
00123	

- 00123 : बूढी गंगा : 14ख : 1114460014200261 : 3.2600 (हे०)
- 00123 : बूढी गंगा : 19ख : 1114460019200261 : 3.5900 (हे०)
- 00123 : बूढी गंगा : 20 : 1114460020000061 : 0.5400 (हे०)
- 00123 : बूढी गंगा : 23 : 1114460023000061 : 0.9600 (हे०)
- 00123 : बूढी गंगा : 36 : 1114460036000061 : 1.2700 (हे०)

0	1	2	3
4	5	6	7
8	9		clear

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BHIHNAKSHA उत्तर प्रदेश

23

Login

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Plot Info

Select District

133 मुजफ्फर नगर

Select Tehsil

00711 जामसठ

Select Village

111446 नसीरपुर

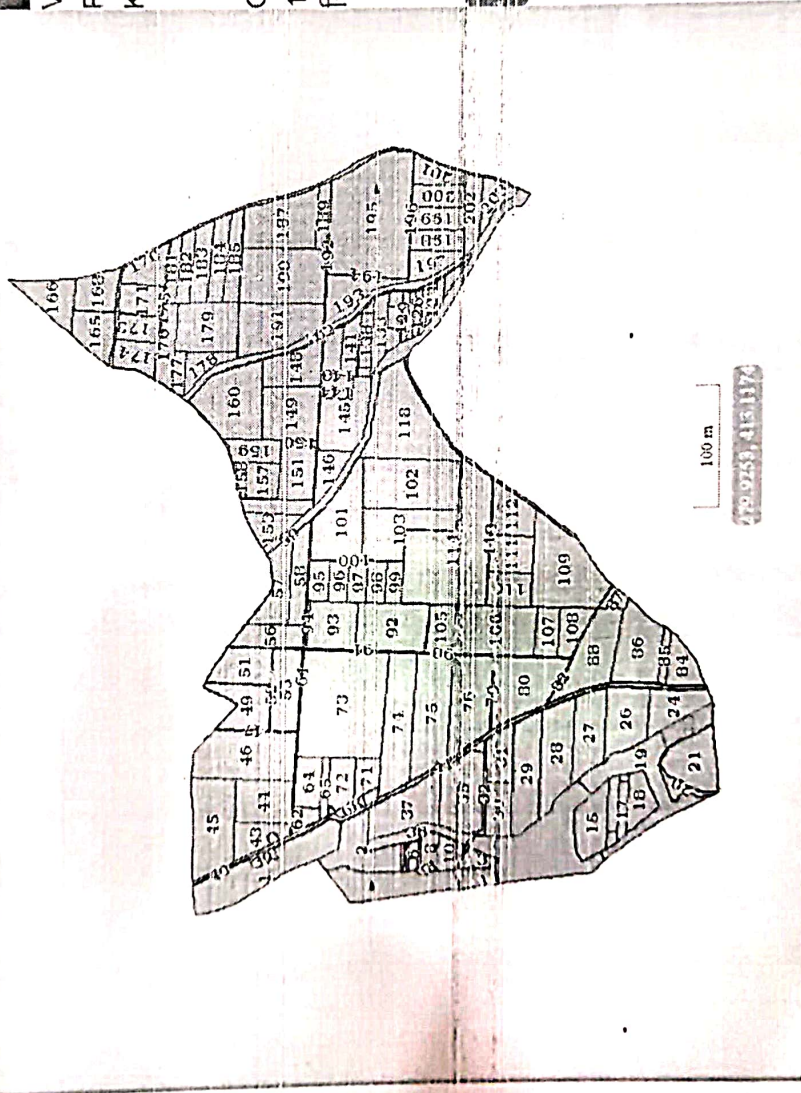
Select Plot No.

23

Village: 111446 नसीरपुर
Plot_No: 23
Khata No: 00123 Plot No: 23 Area : 0.9600 Hectare

Owner Details For Khata No.:- 00123

1 :- नाम : बूढी गंगा संरक्षक का नाम : --- निवास स्थान :
नि.ग्राम



Map Report

83

70

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HARNAKSHA 33333333

36

Login

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Plot Info

Village: 111446 नसीरपुर

Plot_No: 36

Khata No: 00123 Plot No: 36 Area : 1.2700 Hectare

Owner Details For Khata No.:- 00123

1 :- नाम : बूढी गंगा संरक्षक का नाम : --- निवास स्थान : नि.ग्राम

Map Report

Select District

133 मुजफ्फर नगर

Select Tehsil

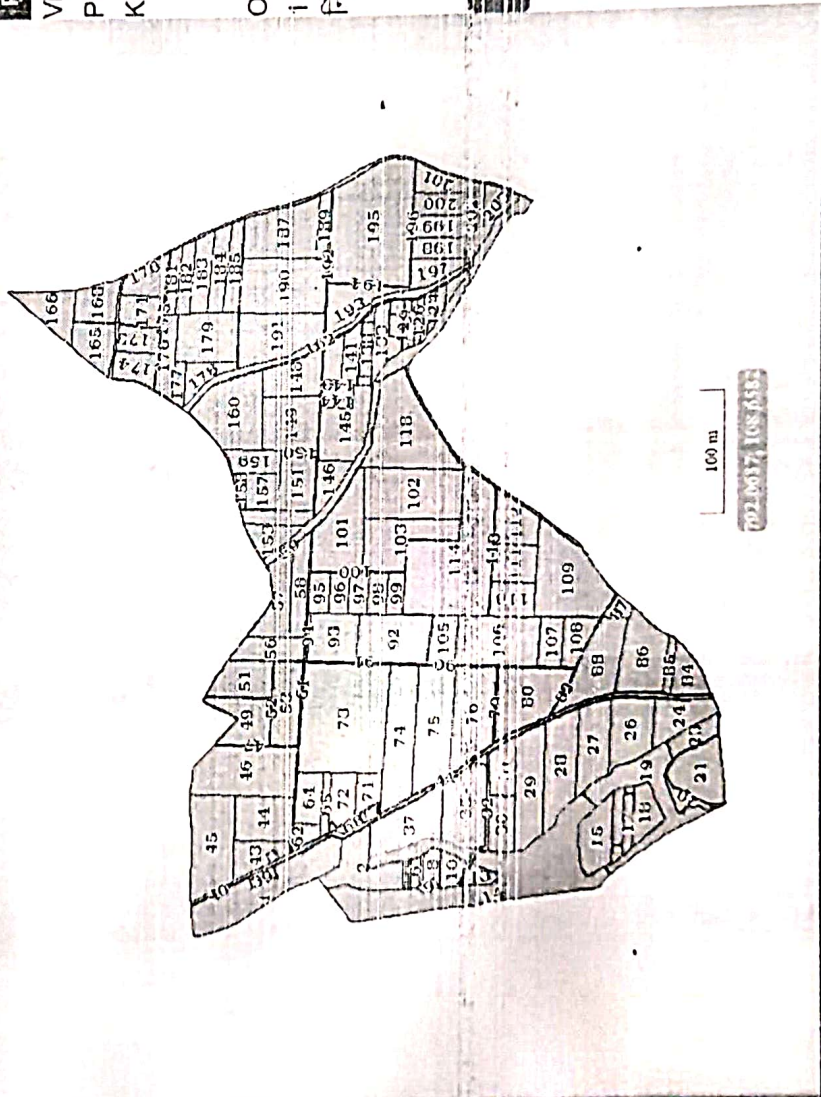
00711 जामसठ

Select Village

111446 नसीरपुर

Select Plot No.

16



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- Select District > 133 मुजफ्फर नगर
- Select Tehsil > 00711 खानसरो
- Select Village > 111446 नसीरपुर
- Select Plot No. > 19

58 :- नाम : हरबंश सिंह संरक्षक का नाम : करतार सिंह
 निवारा स्थान : नि.ग्राम
 Owner Details For Khata No.:- 00123
 1 :- नाम : बूढी गंगा संरक्षक का नाम : --- निवास स्थान :
 नि.ग्राम

Order Description For Khata No.:- 00041
 1 : आदेश राजस्व निरीक्षक रामराज खाता संख्या 00041 गाटा संख्या 19 मि. कंप्यूटरीकृत आवेदन संख्या 202491330071001532 पर भूदाक महेन्द्र कौर के स्थान पर सरजात सिंह पुत्र-पुत्रादि क्रम में पुंजातीय वंशज का नाम बतौर वारिस दर्ज हो।

2 : आदेश राजस्व निरीक्षक रामराज खाता संख्या 00041 गाटा संख्या 19 मि. कंप्यूटरीकृत आवेदन संख्या 2025913300711001131 पर मृतक गुरदर्शन सिंह के स्थान पर सुखविन्दर कौर विधवा, जगरूप सिंह पुत्र-पुत्रादि क्रम में पुंजातीय वंशज (पुत्र), मनदीप कौर पुत्र-पुत्रादि क्रम में पुंजातीय वंशज (पुत्र), समरीत सिंह सिधू पुत्र-पुत्रादि क्रम

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Annexure 2

S.No.	Village	Khatauni	Khasra Sankhya	Total Land	Remark/Objection		
1.	Firozpur Khadar	Phasli	146 ½	1-1 Bigha 16 Bisse (2.4180 Hectare) as per the DM Muzaffarnagar Affidavit	In the affidavit submitted, there appears to be suppression of facts and possible misrepresentation by conflating data from other rivers or unrelated land parcels. As per 1365F, the recorded river land area of Budhi Ganga only is 2.4180 hectares . However, the current physical status shows only 0.543 hectare of land remaining. This results in a deficit of 1.875 hectares , which is unaccounted for and indicates possible encroachment or misappropriation of riverbed land. Furthermore, the affidavit		
		Varsh				1365	No Land
		Current					No Land
		Khatauni (Fasli) Varsh missing)	146 ½	0.543 Hectare as per the DM Muzaffarnagar Affidavit			

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erroneously mentions only **0.9010 hectare of land**, which neither corresponds with the original record nor with the actual remaining land, thereby raising serious concerns about the veracity and completeness of the affidavit. The Respondent has failed to discharge the burden of proof as required under **Section 104 of The Bharatiya Sakshya Adhiniyam, 2023** inasmuch as no copy of the Khatauni from 1359F to the present has been annexed to the affidavit filed in support of their claim.

Again no documentary

evidence provided by the

DM Muzaffarnagar in

Affidavit

No land as per the DM

Muzaffarnagar

Affidavit

14.1670 Ha

1359F

CH 41 and 45

Kailashpur

Jasmaur

2.

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3.	Purushottampur	Current Khatauni (Fasli year Missing)	No land	Land reduced 1.2580 Ha	Again no documentary evidence provided by the DM Muzaffarnagar in Affidavit
		1359F CH 41 and 45	Missing in the affidavit	0.624 Ha	

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