

173

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 249/2025

IN THE MATTER OF:

NARENDRA KUSHWAHA

APPLICANT

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

INDEX

Sl. No.	Particulars	Pages
1.	Reply On Behalf Of The District Magistrate, Barabanki along With Affidavit	1-10
2.	Annexure P-1:- A true copy of Letter No. 1017/ST- Investigation Report-Wetland/2026 dated 06.03.2026	11
3.	Annexure P-2:- True copies of the photographs	12-23

Date:06/03/2026

THROUGH

Place: New Delhi



**Priyanka swami
Advocate**

**Standing Counsel For Stste Of U.P
F-13, Jangpura, New Delhi 110014**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 249/2025

IN THE MATTER OF:

NARENDRA KUSHWAHA

APPLICANT

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

**REPLY ON BEHALF OF THE DISTRICT MAGISTRATE, BARABANKI
ALONG WITH AFFIDAVIT**

MOST RESPECTFULLY SHOWETH:-

- 1.** That the present reply is being filed on behalf of the answering respondent, namely the District Magistrate, Barabanki, in compliance with the directions passed by this Hon'ble Tribunal in the order dated 12.12.2025 passed in the present Original Application. By the said order, this Hon'ble Tribunal directed the concerned respondents to examine the issues raised in the proceedings and ensure that no illegal construction takes place in the water bodies in question.
- 2.** At the outset, it is respectfully submitted that the answering respondent fully acknowledges the ecological importance of

wetlands and natural water bodies and is committed to ensuring their protection in accordance with the applicable environmental laws including the Wetlands (Conservation and Management) Rules, 2017. The District Administration is conscious of its responsibility to safeguard such ecological resources under the Public Trust Doctrine and to ensure that no activity takes place which may adversely affect the ecological character, hydrology, or environmental integrity of the wetland ecosystem.

- 3.** The answering respondent submits that the subject matter of the present proceedings relates to Bhaghar Lake situated in Tehsil Ramnagar, District Barabanki, which has been identified as an ecologically significant wetland area. The said wetland forms part of the broader Mahadeva landscape and is an important ecological zone supporting water flow, aquatic biodiversity and seasonal wetland functions.
- 4.** It is respectfully submitted that the State Government has proposed limited eco-tourism related initiatives in the surrounding landscape of the wetland area with the objective of promoting environmental awareness and regulated public access. The intention behind such initiatives is to encourage responsible eco-tourism while ensuring that the ecological character of the wetland remains protected.

- 5.** As part of the said eco-tourism initiative, the Tourism Department had proposed a limited structure to be located at the periphery of the Bhaghar Lake wetland area for the purpose of facilitating controlled visitor movement and environmental awareness activities. The proposed facility was conceived as a minimal and carefully designed intervention intended to support regulated eco-tourism and visitor management.
- 6.** It is respectfully submitted that the design of the proposed structure was conceptualized in such a manner that it would not interfere with the wetland ecosystem or the natural hydrology of the area. The structure was proposed to be mounted on narrow reinforced concrete pillars and raised above the natural ground level, thereby ensuring that no filling, reclamation or alteration of the wetland bed would take place.
- 7.** The answering respondent further submits that the location of the proposed structure lies on relatively stable ground at the outer edge of the wetland area and not within the active water spread or marshy portions of the lake which remain submerged during seasonal variations. No portion of the proposed structure lies within the natural bed of the water body or obstructs any natural drainage channel feeding the wetland.

- 8.** It is submitted that the structural design was also intended to ensure that natural water flow, sediment movement and vegetation growth remain unaffected. The spacing between the supporting pillars allows for uninterrupted movement of water and wildlife beneath the structure. No compound walls, bunds or embankments are proposed in the wetland area and no debris or construction material is permitted to be dumped within the wetland ecosystem.
- 9.** The answering respondent further submits that the objective of the proposed intervention is not commercial exploitation of the wetland but the promotion of responsible eco-tourism and environmental awareness among visitors. The facility is intended to function as a controlled observation point for visitors including bird watchers, pilgrims visiting the Mahadeva temple and students participating in environmental education activities.
- 10.** It is respectfully submitted that controlled infrastructure of this nature helps the administration regulate visitor access and prevent unregulated entry into ecologically sensitive zones of the wetland. Such measures ultimately contribute to better protection of the wetland ecosystem by directing visitors to designated areas and discouraging encroachment or disturbance to sensitive habitats.
- 11.** That without prejudice to the above submissions, it is respectfully submitted that immediately upon the directions of this Hon'ble

Tribunal being brought to the notice of the District Administration, prompt administrative action was initiated to ensure strict compliance with the directions of this Hon'ble Tribunal and to verify the factual situation at the site.

- 12.** In this regard, the District Magistrate, Barabanki issued Office Order No. 4858/14-4-4 Wetland dated 07.02.2026 directing that the matter be examined and a joint inspection be carried out in respect of the construction activity being undertaken in the Bhaghar Lake area under the eco-tourism project.
- 13.** That pursuant to the said directions, a committee comprising the concerned administrative authorities conducted a joint inspection of the site in order to undertake physical as well as documentary verification of the construction activity and to ascertain whether any activity was being carried out in violation of environmental norms or the Wetlands (Conservation and Management) Rules, 2017.
- 14.** After conducting the joint inspection and verification of the relevant records, the Joint Magistrate/Sub-District Magistrate, Ramnagar submitted an investigation report to the District Magistrate, Barabanki vide Letter No. 1017/ST-Investigation Report-Wetland/2026 dated 06.03.2026. The said letter forwarded the joint investigation report along with photographs taken during the inspection of the site. **A true copy of Letter No. 1017/ST-**

Investigation Report-Wetland/2026 dated 06.03.2026 is annexed herewith and marked as ANNEXURE P-1.

- 15.** The answering respondent respectfully submits that the District Administration has ensured that the construction activity remains under strict monitoring and that no illegal construction takes place within the wetland area. Necessary directions have been issued to the concerned authorities to ensure strict compliance with the directions of this Hon'ble Tribunal and the applicable environmental laws.
- 16.** It is further submitted that during the inspection process the authorities carefully examined the location of the proposed structure, the surrounding terrain and the relationship of the site with the wetland area in order to ensure that no ecological damage or alteration of the natural water body occurs.
- 17.** In order to place the correct factual position before this Hon'ble Tribunal, photographs taken during the inspection of the Bhaghar Lake site are being annexed herewith. The said photographs depict the present condition of the site and demonstrate the location of the proposed structure in relation to the surrounding landscape.

True copies of the said photographs are annexed herewith and collectively marked as ANNEXURE P-2 (Colly).

- 18.** The answering respondent respectfully submits that the District Administration remains committed to the protection and conservation of wetlands and will continue to ensure that the ecological integrity of Bhaghar Lake is preserved. The authorities shall also continue to monitor the area to ensure that no activity in violation of environmental norms or the directions of this Hon'ble Tribunal takes place.
- 19.** In view of the above facts and circumstances, it is respectfully submitted that the answering respondent has taken all necessary administrative and precautionary measures to ensure compliance with environmental laws and the directions issued by this Hon'ble Tribunal.
- 20.** It is therefore most respectfully prayed that this Hon'ble Tribunal may be pleased to take the present reply on record and pass such further orders as may be deemed fit and proper in the interest of justice.

Through

Respondent- D.M Barabanki, U.P.



NOTARY
Tahsil-Sadar
Barabanki
6.3.26

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 249/2025

IN THE MATTER OF:

NARENDRA KUSHWAHA

APPLICANT

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

NOTARY
Tahsil-Sadar
Barabanki
6.3.26

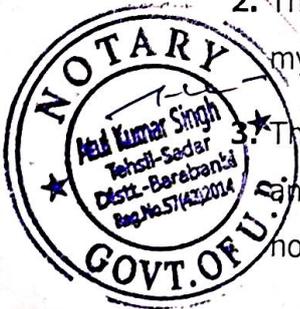
AFFIDAVIT

I, Shashank Tripathi, son of Shrinarayan Tripathi aged about 34 years, presently posted as District Magistrate, Barabanki, Uttar Pradesh, do hereby solemnly affirm and state as under:

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit before this Tribunal on behalf of District Magistrate, Barabanki.

2. That the accompanying Reply has been drafted by our counsel upon my instructions.

3. That the contents of the accompanying Reply are true and correct, and the knowledge has been derived from official records and nothing material has been concealed therefrom.



DEPONENT

NOTARY
Tahsil-Sadar
Barabanki
6.3.26

VERIFICATION

I, the deponent above-named, do hereby verify that the contents of paragraphs to are true and correct to my knowledge and belief. No part of this affidavit is false, and nothing material has been concealed



the from, _____
at Barabanki on this day of March , 2026.

I identify the deponent/Applicant
who has signed/Pu.L.H.
Before me.

[Signature]
DEPONENT

This affidavit has been Presented on
At SHASHANKTIRIPATHI by
The deponent who is identified by
Sri. Atul Kumar Singh Tahsil-Sadar, Barabanki
Have Satisfied my self by explaining
to the deponent that under stands
the contents of the affidavit which
has been read and explained by me

[Signature]
NOTARY BARABANKI
6.3.26

भारत सरकार
Government of India



शशंक त्रिपाठी
Shashank Tripathi
जन्म तिथि / DOB : 01/07/1991
पुत्र / Male

आधार कार्ड का प्रयोग (ऑनलाइन या ऑफलाइन) केवल ही किया जा सकता है।
आधार कार्ड का प्रयोग (ऑनलाइन या ऑफलाइन) केवल ही किया जा सकता है।
Aadhaar is proof of identity, not of citizenship
or date of birth. It should be used with verification (online
authentication or scanning of QR code / offline KMS)

2972 7300 129

मेरा आधार, मेरा पहचान

भारत सरकार
Government of India

शशंक त्रिपाठी, ई-403,
सौरभ टावर, लुधियाना रोड, वीर कान्त,
लुधियाना, पिन कोड, 226010
Address: SO Sureshyan Tripathi, B-403,
CSI Towers, Ludhys Path, Vihar Khand,
Gomnagar, PO Gomnagar,
Dist. Ludhiana Uttar Pradesh, 226010



2972 7300 129

www.aadhaar.gov.in

Handwritten signature or mark.

Handwritten signature or mark.

कार्यालय उपजिलाधिकारी रामनगर, जनपद-बाराबंकी।

पत्रांक 1017/एस0टी0-जांच आख्या-वेटलैण्ड/2026

दिनांक 06 मार्च, 2026

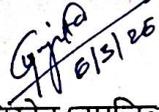
जिलाधिकारी/अध्यक्ष,
जिला आर्द्रभूमि समिति, बाराबंकी।

महोदय,

कृपया अपने कार्यालय आदेश पत्र सं0-4858/14-4-4 वेटलैण्ड, दिनांक 07-02-2026 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ0ए0संख्या 249/2025 में पारित आदेश दिनांक 12-12-2025 द्वारा रामनगर तहसील के अन्तर्गत आने वाली भगहर झील में पर्यटन विभाग द्वारा इको-टूरिज्म प्रोजेक्ट के अन्तर्गत कराये जा रहे निर्माण कार्य को वेटलैण्ड नियमों का उल्लंघन मानते हुए रोक लगा दी गयी है, जिसके क्रम में समिति गठित कर इको टूरिज्म प्रोजेक्ट के अन्तर्गत भगहर झील में कराये जा रहे निर्माण कार्यों की भौतिक/ अभिलेखीय सत्यापन कर संयुक्त जांच आख्या उपलब्ध कराये जाने हेतु निर्देशित किया गया है।

उक्त के अनुपालन में प्रकरण में संयुक्त रूप से जांच कर जांच आख्या मय फोटोग्राफ्स मूल रूप में संलग्न कर सादर सेवा में प्रेषित है।

संलग्नक:-उपरोक्तानुसार।


ज्वाइंट मजिस्ट्रेट/उपजिलाधिकारी,
रामनगर, बाराबंकी।





GPS Map Camera



खुर्दार्क, उत्तर प्रदेश, भारत 

Xfx5+frx, खुर्दार्क, उत्तर प्रदेश 225207, भारत

Lat 26.999024° Long 81.459385°

शुक्रवार, 06/03/2026 01:23 PM GMT +05:30



 GPS Map Camera

खुर्दाऊ, उत्तर प्रदेश, भारत 

Xfx5+frx, खुर्दाऊ, उत्तर प्रदेश 225207, भारत

Lat 26.999056° Long 81.45938°

शुक्रवार, 06/03/2026 01:23 PM GMT +05:30



Google



 GPS Map Camera

कम्रावन, उत्तर प्रदेश, भारत 

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882607° Long 81.234052°

शुक्रवार, 06/03/2026 01:16 PM GMT

+05:30





GPS Map Camera

कम्रावन, उत्तर प्रदेश, भारत 🇮🇳

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882754° Long 81.233433°

शुक्रवार, 06/03/2026 01:12 PM GMT

+05:30





GPS Map Camera

कम्रावन, उत्तर प्रदेश, भारत 🇮🇳

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882584° Long 81.233717°

शुक्रवार, 06/03/2026 01:13 PM GMT

+05:30

Google



 GPS Map Camera

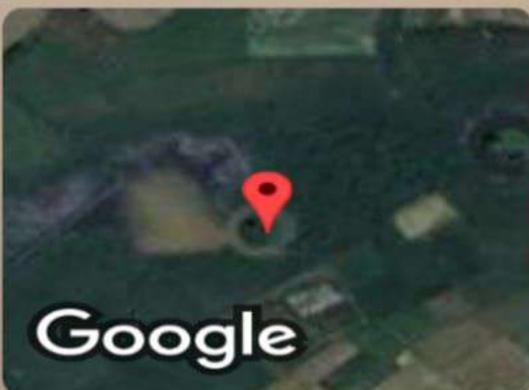
कम्रावन, उत्तर प्रदेश, भारत 

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.88257° Long 81.234251°

शुक्रवार, 06/03/2026 01:14 PM GMT

+05:30





 GPS Map Camera

कम्रावन, उत्तर प्रदेश, भारत 

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882609° Long 81.23405°

शुक्रवार, 06/03/2026 01:16 PM GMT

+05:30





 GPS Map Camera

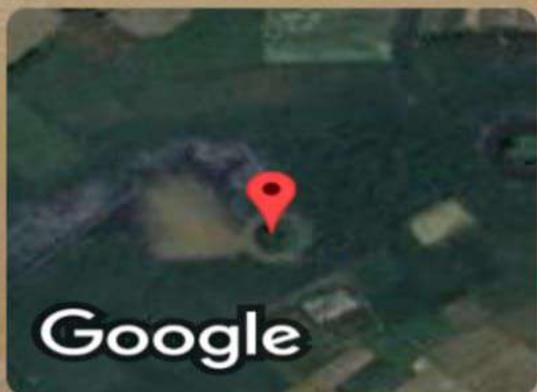
कम्रावन, उत्तर प्रदेश, भारत 

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882616° Long 81.234175°

शुक्रवार, 06/03/2026 01:14 PM GMT

+05:30





 GPS Map Camera

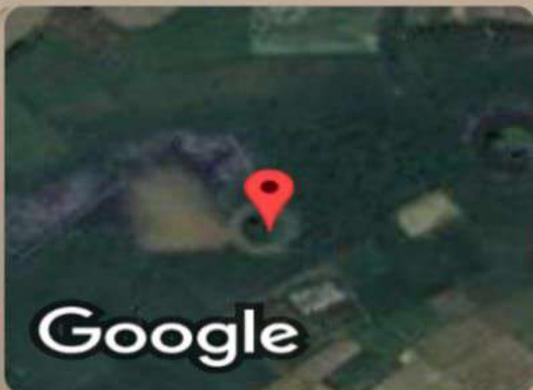
कम्रावन, उत्तर प्रदेश, भारत 

V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.88257° Long 81.234248°

शुक्रवार, 06/03/2026 01:14 PM GMT

+05:30





GPS Map Camera

कम्रावन, उत्तर प्रदेश, भारत 🇮🇳

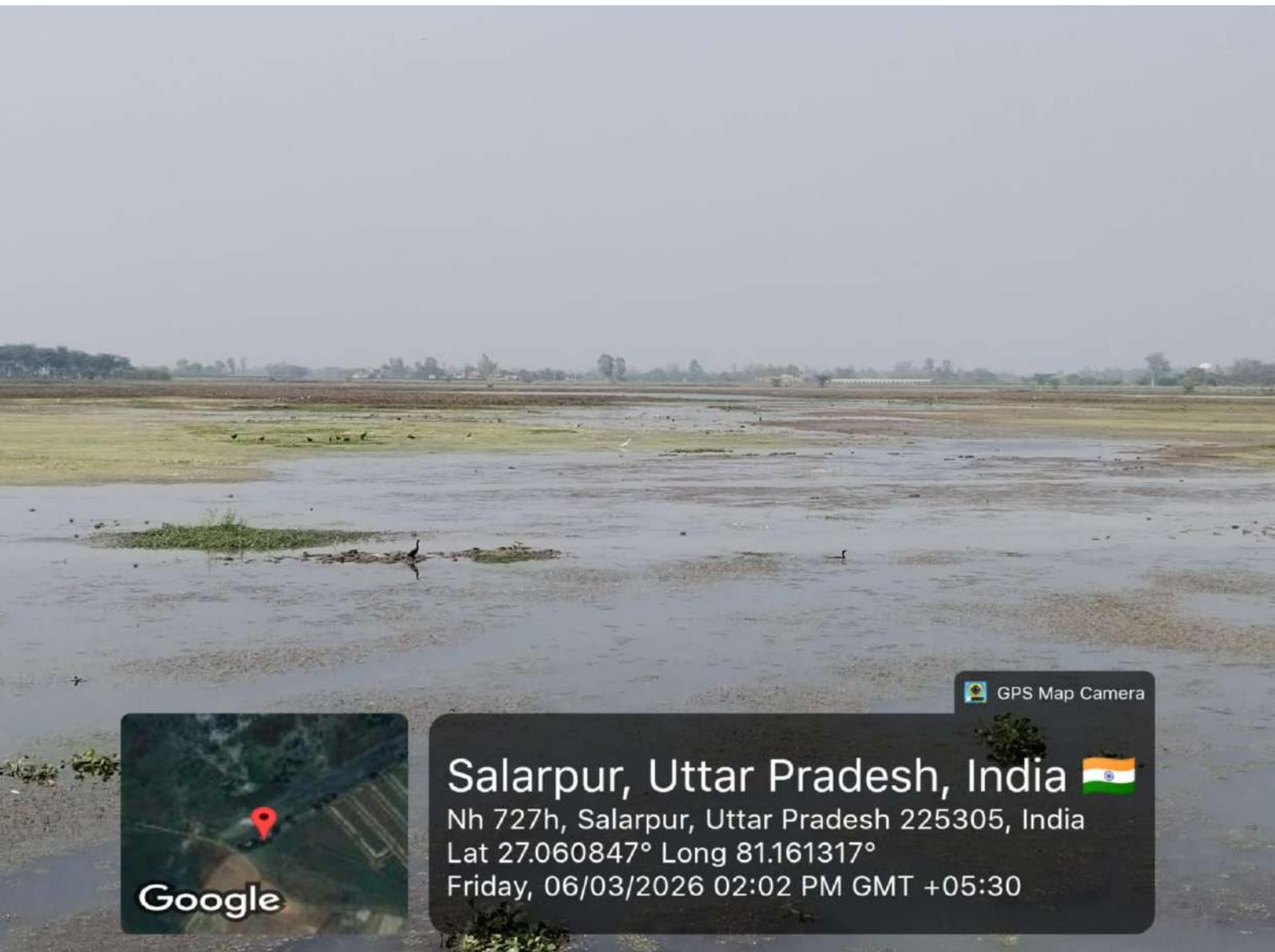
V6jj+ch, कम्रावन, उत्तर प्रदेश 225121, भारत

Lat 26.882504° Long 81.233852°

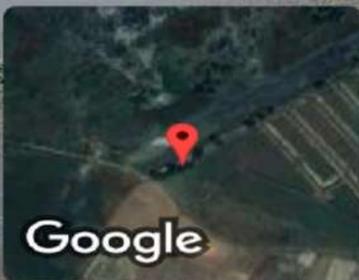
शुक्रवार, 06/03/2026 01:13 PM GMT

+05:30

Google



GPS Map Camera



Salarpur, Uttar Pradesh, India 

Nh 727h, Salarpur, Uttar Pradesh 225305, India

Lat 27.060847° Long 81.161317°

Friday, 06/03/2026 02:02 PM GMT +05:30