

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

ORIGINAL APPLICATION NO. 215/2024

In the matter of:

Ankit Tiwari

Applicant

Versus

ISKCON Prayagraj through its
President Achyut Mohan Das
alias Aditya Mittal & Ors.

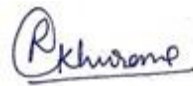
Respondents

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New Delhi
17.12.2025

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REPLY ON BEHALF OF RESPONDENT NO.1 ISKCON PRAYAGRAJ

MOST RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS

1. That at the very outset, the Answering Respondent denies all the contents of the Application filed by the Applicant and no part shall be deemed to be admitted for the lack of specific traverse.
2. That the Answering Respondent seeks liberty to file additional reply as and when the need arises subject to the permission of the Hon'ble Tribunal.
3. It is submitted that the construction undertaken by the Respondent no.1 is neither against the Order passed by the Hon'ble High Court of Judicature at Allahabad in PIL No. 4003 of 2006 Re Ganga Pollution nor the construction falls within the flood plain zone of river Yamuna.
4. That the present Application is liable to be dismissed as not maintainable before this Hon'ble Tribunal as the construction at the premises is being alleged to be violative of the Order dated

21.07.2023 of the Hon'ble High Court of Judicature at Allahabad in PIL No. 4003 of 2006 Re Ganga Pollution versus State of U.P. It is pertinent to mention here that the Orders of the Hon'ble High Court in the said PIL are with respect to the river Ganga whereas the premises of the Answering Respondent pertains to river Yamuna. And therefore, the instant application is based on whims and fantasies of the Applicant.

5. It is further submitted that Applicant has not placed on record the Order dated 21.07.2023 passed by the Hon'ble High Court in the aforesaid matter and therefore in the absence of the same the Answering Respondent is not able to properly respond to the allegations made in the OA referring the Order dated 21.07.2023.
6. Further the Order dated 21.07.2023 as referred by the Applicant pertains to the Transfer Order passed by the Hon'ble High Court of Allahabad transferring the matters before this Hon'ble Tribunal. It is submitted that in the understanding of Answering Respondent, the relevant Order passed by the Hon'ble High Court which the Applicant might be referring is the Order dated 22.04.2011 whereby the Hon'ble High Court has restrained the construction within 500 meter from the HFL of river Ganga and near Sangam in city of Allahabad.
7. That the International Society for Krishna Consciousness (hereinafter referred to as ISKCON), Head Office at Hare Krishna Land, Juhu, Mumbai-400049 is a Charitable Trust registered under the Societies Registration Act, 1860 and Bombay Public Trust Act 1956 and is having its own Memorandum of Association duly registered and approved with the concerned Assistant Registrar of the Societies.

8. That the objectives of the ISKCON are mentioned at para no. 3(a) to 3(k)(iii) of the approved Memorandum of Association and the Society is continuously running since the date of establishment to achieve the same.
9. That the ISKCON is also having its Allahabad Unit (as it was then and now Prayagraj) situated at A/161, Kashiraj Nagar, Baluaghat, Allahabad (Now Prayagraj), which is having temple of Shri Radha Benimadhav, its Community Hall, Prasadhan Hall, Gaushala, Account Office, Rasoi of Thakurji, Vashtraghar of Thakurji Community Kitchen, Aashram Building for Devotees / Members of ISKCON of its different branches who used to come to Prayagraj to offer their services in pursuance of the objectives of the Society and Guest rooms for pilgrims.
10. That the Answering Respondent is serving the religious and social cause by establishing temple and serving the Society specially the poorer and have also served the social causes in its surrounding during the pandemic of the COVID-19, supplying approx 10 lacs of food packages to the public through the distribution system as provided by the Government.
11. That the Answering Respondent is also spreading the value education and consciousness of good sense amongst the citizens of every age group to establish the common peace in the society.
12. That the Answering Respondent is also running the programme namely 'Impression', specially to prevent our youth from Narcotics Drugs and Psychotropic Substances, so that they may not attract themselves towards such substances and the students of reputed institutes such as IIIT, Jhalwa, Prayagraj, MNIT Prayagraj, MPVM,

Prayagraj, Jwala Devi Vidya Mandir, Civil Lines, Prayagraj, Delhi Public School, Prayagraj and Mahaveer Public Schools etc, had participated in the programme and are the beneficiaries of the same.

13. That the two programmes namely, 'Jagriti; and 'Sanjivani' are being regularly organized at ISKCON, Prayagraj Unit respectively for female and males of 18 to 30 years age group to make them spiritually aware towards their morale and ethical values.
14. That the programme namely 'Sanskriti' is organized at ISKCON, Prayagraj Unit for the children pertaining to age group of 5 to 11 years, besides two other programmes namely 'Abhyudaya' and 'Shakti-lata' are for the teenagers of 12 to 17 years of age group to build their character strong by upgrading their competency towards the same.
15. That in achievement of aforesaid good social causes with pious intention, the answering respondent has raised the construction over the Plot No.-A/161 situated at Kashiraj Nagar, Baluaghat, Prayagraj, U.P.
16. That the Prayagraj Unit had applied for sanctioning of the revise map for construction over the Municipal No. 161, Kashiraj Nagar, Baluaghat, Prayagraj, which was principally sanctioned by the then Allahabad Development Authority under its letter dated 07.12.2010, and the final sanction was accorded subsequently under permission letter dated 06.01.2011.
17. That, however due to certain unavoidable circumstances the construction could not completed within the stipulated time in map

sanction letter dated 06.01.2011 and application for seeking extension of period of construction was made within the validity period of previous NOC.

18. That in furtherance of the aforesaid applicable law, the Answering Respondent moved an application dated 25.12.2015, for extending the permission as granted under the existing NOC dated 06.01.2011, however no response was communicated by the Prayagraj Development Authority. Thereafter the Answering Respondent again moved an application dated 12.10.2018 for renewal of the permission granted under the letter dated 06.01.2011.
19. That no communication whatsoever has been given by the Prayagraj Development Authority to the aforesaid letters dated 28.12.2015 and the 12.10.2018 till date.
20. That the application for extending the validity period has been filed within the 5 year limit but the same being not responded by the PDA, then in these circumstances the Answering Respondent cannot be penalised under the provisions of UP Building Bye Laws Or other laws for the lack of response on part of the Prayagraj Development Authority. It is most humbly submitted that provisions relating to sanction of map, compounding etc. are beyond the scope of enactments mentioned in Schedule I of the NGT Act, 2010.
21. That the aforesaid structures are being utilized by the Prayagraj unit for the purposes of temple, Vedic Cultural Centre and some ancillary facilities, such as stay of visitors, devotees and its members, an office or for any other permanent construction in the interest and to achieve the object of ISKCON. it is submitted that

earlier the house tax was waived of by the Nagar Nigam, Allahabad vide Letter dated 16.03.2002 and thereafter an application dated- 22.09.2018 was also sent for waiving of the house tax to the Municipal commissioner, Allahabad by the answering respondent no.1. The true copies of the Letter dated- 16.03.2002 and application dated-22.09.2018 are annexed as **ANNEXURE R-1 and R-2.**

REPLY ON MERITS

22. That the construction which has been raised by the Answering Respondent is not in violation of the Hon'ble High Court Order dated 22.04.2011 because on perusal of the said Order it appears that Division Bench of the Allahabad High Court in Public Interest Litigation (PIL) No. 4003/2006 had directed that no construction shall be undertaken by the Allahabad Development Authority or by any private builder within 500 meters of the highest flood level of river Ganges in city of Allahabad as well as part of river Yamuna adjoining the river Ganges, i.e., Sangam.

It is submitted that the said Order is pertaining to the River Ganga and part of river Yamuna at Sangam. That the construction raised by Answering Respondent neither lies at River Ganga nor near Sangam. That the area of subject matter construction is about distance of 5 km from the Ganga /Sangam. Accordingly, the Answering Respondent has in no way flouted the directions of the Hon'ble Allahabad High Court of Judicature at Allahabad. That is to say, the subject matter building of the Answering Respondent is not covered by the interim order of the High Court dated 22.04.2011. Further there is no material on record to suggest that the Answering Respondent is covered by the aforesaid interim Order of the Hon'ble High Court.

23. That the UPPCB in its reply dated 22.08.2024 has stated that at present in the Prayagraj there is no demarcation of Flood Plain by the Irrigation Department. And it has been further mentioned in the aforesaid reply that " In pursuance to the above letter the Executive Engineer, Flood Works Division, Prayagraj vide his letter dated 11.09.2024 has informed that as per demarcation guideline of flood plain according to letter dated 15.01.2015 of Chief Engineer, irrigation and water resource department, U.P., the building in question is outside the demarcated embarkment of river Yamuna and is not in the flood plain zone." Aforesaid letter dated-11.09.2014 is already annexed as ANNEXURE No.-5 with the reply filed by the Uttar Pradesh Pollution Control Board (page no. 83)
24. Therefore, as per abovementioned report of the Chief Engineer, irrigation and water resource department, U.P., it cannot be said that the area of the subject matter construction falls under the Flood Plain of River Yamuna. It is submitted that neither the Applicant nor the U P Jal Nigam has found the alleged construction falling under the Flood Plain.
25. That the Answering Respondent has complete proper drainage facility connected to the nearest authorised chamber of sewerage/nagar nigam department and also paying the sewage tax to the Jalkal department.
26. It is submitted that the Authorities have not yet demarcated the Flood Plain of the Yamuna River and unless and until the same is done it cannot be said that the alleged construction falls under the Flood Plain of river Yamuna.

PARAWISE REPLY

1. That the contents of the para no.1 and 2 of the O.A. needs no reply as they pertains to the Applicant.
2. That the contents of the para no.3 and 4 of the O.A. are incorrect hence vehemently denied and in reply thereto the reply given in preceding paragraphs are reiterated and reaffirmed and considered as part of the para under reply.
3. That the contents of the para no.5 needs no reply.
4. That the contents of the para no.6, 7 and 8 of the O.A. are incorrect hence vehemently denied and in reply thereto the reply given in preceding paragraphs are reiterated and reaffirmed and considered as part of the para under reply.
5. That the contents of the para no. 9 of the O.A. are incorrect hence vehemently denied the Application is barred by delay and laches and liable to be dismissed.
6. That the contents of the para no. 10, 11, 12, 13, and 14 of the O.A. are incorrect hence vehemently denied and in reply thereto the reply given in preceding paragraphs are reiterated and reaffirmed and considered as part of the para under reply.
7. That the contents of the para no.15 and the grounds taken thereunder are incorrect hence vehemently denied and in reply thereto the reply given in preceding paragraphs are reiterated and reaffirmed and considered as part of the para under reply.

PRAYER

27. In light of the aforesaid submissions, it is humbly prayed before this Hon'ble Tribunal to dismiss the present Original Application.

Dated 17.12.2025

New Delhi

Ayquta Mohamud

Respondent no.1

Through

R Khuram

Counsel

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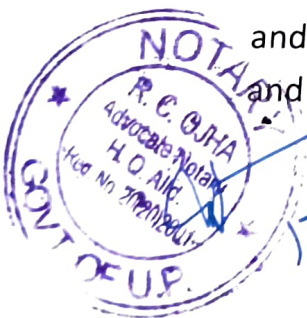
AFFIDAVIT

I, Aditya Mittal @ Acyuta Mohan Das, S/o Shri Mahesh Mittal, ISKCON, R/o- B-27/80, Durgakund Road, Near Gurudham Chauraha, Bhelupur, Varansi (UP) 221010, do hereby solemnly affirm and declare as under:

1. That I am the President of the ISKCON Prayagraj (Answering Respondent no.1) in the subject matter Original Application and thus acquainted with facts and circumstances of the case as a component to swear this affidavit.
2. That the accompanying reply has been drafted under my instructions and contents thereof have been read over and explained to me, which are true and correct to my knowledge; the contents thereof may kindly be read as part and parcel to this affidavit also and not repeated herein.

Achyuta Mohana Das

DEPONENT



Verification

It is verified at Prayagraj on 17th day of December 2025 that the contents of the present affidavit are true and correct, and nothing material has been concealed therefrom.

Achyuta Mohana Das
DEPONENT

Signature/T.I
Identified
Advocate

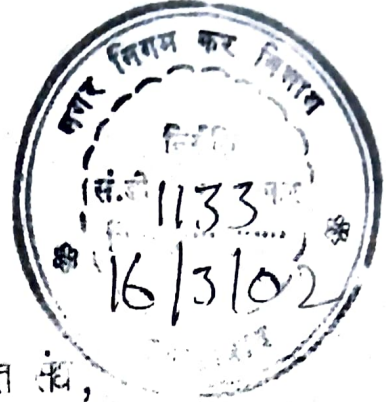
Kamesh Chandra Ojha
Advocate Notary
Head Quarter

17-12-25

AK Singh
17/12/25

सेवा में,

कर अधीक्षक
नगर निगम,
इलाहाबाद ।



सेवा में,

श्री सुरपति दास
अन्तर्राष्ट्रीय कृष्ण भावना मृत संघ,
महान्त अधीक्षक,
300ए/161 कट्टर, इलाहाबाद ।

महोदय,

आपको सूचित किया जाता है कि भवन सं० 300ए/161 कट्टर बनाम श्री अन्तर्राष्ट्रीय कृष्ण भावना मृत संघ का प्रस्तावित मूल्यॉकन रु० 28000/= था जो मुख्य नगर अधिकारी महोदय के आदेशानुसार निरस्त कर दिया गया है। तथा उक्त भवन पूजा स्थान होने के कारण कर मुक्त किया जाता है।

भवदीय,

कर अधीक्षक

कर अधीक्षक
नगर निगम, इलाहाबाद

TIRTH RAJ PRAYAG DHAM (ALLAHABAD) IS THE "DIKSHA BHUMI" OF OUR FOUNDER ACHARYA



International Society for Krishna Consciousness

Founder-Acharya : His Divine Grace A.C. Bhaktivedanta Swami Prabhupada

Hare Krishna Dham, A/161, Kashiraj Nagar, Baluaghat, Allahabad - 211 003 (India)

Phone : 0091-0532-2416718 E-mail : ISKCON.Allahabad@pamho.net

Website : Krishna.com

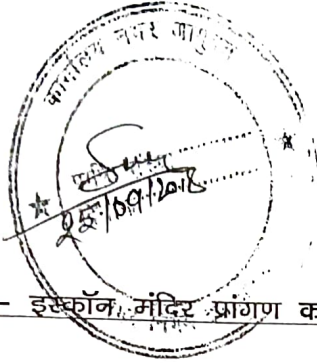
22 सितम्बर, 2018

Date

Ref. No. :

सेवा में,

- नगर आयुक्त
इलाहाबाद।



विषय - इस्कॉन मंदिर प्रांगण का गृहकर माफ करने हेतु।

महोदय,

कृपया इस पत्र के माध्यम से मेरी शुभकामनाएँ एवं भगवान श्री श्री राधाकृष्ण की आशीष स्वीकार करें।

आपसे सविनय निवेदन है कि इस्कॉन मन्दिर, काशीराज नगर, बलुआघाट, इलाहाबाद में स्थित है। ये जमीन काशी नरेश, महाराजा विभूति नारायण सिंह जी ने लगभग 2 एकड़ जमीन 51 वर्ष की लीज पर दान में दिये है। उक्त जमीन पर भगवान की सेवा तथा सनातन धर्म के प्रचार-प्रसार हेतु भगवान श्रीकृष्ण का मंदिर, ग्रंथालय, प्रसादालय, पूजा सामाग्री, गोशाला, संत-निवास, धर्मशाला, पॉलीक्लीनिक, रसोईघर, कार्यालय आदि का निर्माण कराया गया है।

अतः महोदय जी से विनम्र निवेदन है कि इस्कॉन मन्दिर प्रांगण का गृहकर माफ करने का कृपा प्रदान करें।

धन्यवाद।

भगवान श्रीकृष्ण का सेवक

Acharya

(आचार्य दास)

मंदिर अध्यक्ष

इस्कॉन, इलाहाबाद।

मो 9935472558

PLEASE CHANT,

HARE KRISHNA HARE KRISHNA KRISHNA KRISHNA HARE HARE
HARE RAMA HARE RAMA RAMA HARE HARE

AND YOUR LIFE WILL BE SUBLIME