

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 641/2023

**IN THE MATTER OF:**

Suman Chauhan & Ors.

... Applicants

Versus

State of Uttar Pradesh & Ors.

... Respondents

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FILED BY:

JYOTI MENDIRATTA  
ADVOCATE FOR GNCTD

20.05.2024

NEW DELHI

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REPLY ON BEHALF OF RESPONDENT NO. 3, IRRIGATION AND  
FLOOD CONTROL DEPARTMENT, DELHI

MOST RESPECTFULLY SHOWETH:

1. That the present application has been filed by the residents of village Dostpur Mangrauli and other adjacent villages Noida, District Gautam Budh Nagar seeking accountability and remedial measures on account of pollution, loss, damage and health hazards occasioned by the entry of flood water of River Yamuna in their properties during the flood between 12th -15th July, 2023.
2. That the flooding of River Yamuna was primarily due to unprecedented rainfall in the catchment areas. The amount and intensity of rain were significantly higher than the historical average, leading to an overflow of the river. Further, excessive release of water from the Hathnikund barrage compounded the situation. The releases from the said barrage and the ITO barrage are beyond the control of the department or the Delhi Government as the same are operated by the Haryana Irrigation Department.



3. Furthermore, the said villages concededly fall in the territorial jurisdiction in the State of U.P. Due to faulty operation of barrage, flooding will occur in the upstream catchment of river, whereas the applicants' villages falls downstream of barrages in Delhi i.e downstream of Wazirabad barrage and ITO barrage. The applicants' villages also fall downstream of river Yamuna, downstream of outfall point of Shadara Outfall drain, which originate in Delhi territory at downstream of Chilla Regulator, (Annexure-I). Hence, flooding in the applicant village is not, due to negligence by Delhi Govt. official nor due to faulty operation of Wazirabad barrage (Owned and maintained by DJB, Delhi Govt.), ITO barrage (Owned and maintained by Haryana Government, charges of maintenance are paid by Delhi government). Hence, the inundation of the applicants' villages is not due to fault in the existing barrage in territory of Delhi.
4. It is therefore respectfully prayed that I&FC department has no role to play and may kindly be exempted from this case.

  
(NAGENDRA PRATAP MAURYA)  
EXECUTIVE ENGINEER-CD-III

DATED: 20.05.2024

