

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO.641/2023

IN THE MATTER OF:

Suman Chauhan & 49 Others

... Applicant

Versus

Government of Uttar Pradesh & Ors.

... Respondent

**REPLY ON BEHALF OF RESPONDENT NO.5, STATE OF HARYANA
THROUGH SANDEEP TANEJA, CHIEF ENGINEER, YWS(S), IRRIGATION
AND WATER RESOURCES DEPARTMENT, HARYANA.**

MOST RESPECTFULLY SHOWETH:

1. That present application has been filed by the resident of District Gautam Budh Nagar being aggrieved with the flood into river Yamuna and alleged entry of its water into their properties.
2. That present reply is being filed through Chief Engineer, YWS (S), Irrigation & Water Resources Department, Haryana, Delhi who is authorised and competent to file the present reply on behalf of answering respondent. The answering respondent is filing the present reply specifically stating that no relief is maintainable against the answering respondent in the present OA and dealing with relevant paras of OA showing that answering respondent is not concerned with the reliefs claimed in the present OA. The answering respondent craves liberty to file additional reply with the permission of this Tribunal, as and when need arise.
3. That it has been stated in para no.7 of the OA that the water level of Yamuna during the 2023 floods rose more than the water level during the 1978 floods despite less discharge from Hathinikund barrage at Haryana. It is most respectfully submitted that as per contents of OA itself, none of the reasons of

flooding in applicant's property as stated in OA pertain to the answering respondent.

4. That it has been stated in para no.9 of the OA that a new bridge was constructed a couple of years ago by "Dedicated Freight Corridor Company Limited" for a dedicated freight corridor project on the downstream of Yamuna in Dalelpur village. This smaller width of this bridge has created a constriction in the natural flow of the river, which during the aforesaid floods caused the waster to stop, spreading of the water upto a kilometre and rise in water level on the upstream of the bridge, resulting in spill of water into the applicant's villages.

It is humbly submitted that answering respondent is not concerned with the bridge as mentioned in para 9 of OA stated to be cause of spill of water into the applicant's villages, does not pertain to answering respondent.

5. That the villages of applicants falls under the jurisdiction of State of Uttar Pradesh. It is further submitted that grievance raised and relief claimed in the Original Application primarily pertains to the State of Uttar Pradesh and the NCT of Delhi and their respective authorities. The answering respondent cannot be made liable for results of alleged Non-dredging and desilting of the river channel, drains in other states.

In view of the submissions made herein above, it is humbly prayed that present OA may kindly be dismissed qua the answering respondent.

Date:20.05.2024
Place: Delhi


(Sandeep Taneja)
Chief Engineer, YWS (S),
Irrigation & W.R. Department,
Haryana, Delhi