

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (P.B.)

DELHI

I.A. No. 288 OF 2024

IN

O.A. No. 526 OF 2023

IN THE MATTER OF:

Ganga Sewa Abhiyan & Ors

... Petitioner

Versus

Union of India & Ors

... Respondents

**REPLY OF PRAYAGRAJ DEVELOPMENT AUTHORITY ON THE
APPLICATION FILED BY THE IMPLER**

MOST RESPECTFULLY SHOWETH:

1. That the present matter is pending before this Hon'ble Tribunal and is next listed on 19.12.2025.
2. That the grievance of the applicant/ impleader emanates from the communication of the Prayagraj development Authority, thereby restricting the construction activities within HFL +500 m of river Yamuna. This communication was issued in adherence and compliance of the order dated 28.03.2011 by the High Court of judicature at Allahabad and extended from time to Time.
3. That after the availability of geo-coordinates of the FPZ of river Yamuna, development Authority super-imposed the geo-coordinates on Google maps and found that the site of the applicant/ impleader is outside the warning zone coordinates which have been identified by the central water

commission on 100 year return period. Report of the concerned section of the Development Authority is **ANNEXURE A-1**. Maps is annexed as **ANNEXURE A-2**. The red line joins the geo-coordinates identified by the CWC. The light yellow line denotes road. The dark yellow enclosure is the site of the applicant / impleader.

4. That since the order of the High Court of judicature at Allahabad passed on 28.03.2011 in WPIL No.4006 of 2006 has not been set aside, despite notification of the Ganga Rejuvenation Order, 2016, the development authority has not allowed the construction of the applicant/ impleader. **ANNEXURE A-3**.
5. That the development authority has also filed an application/ IA in OA No.515 of 2023 seeking clarification as whether to permit the constructions and sanction their maps, which fall outside the warning zone, i.e. 100- year return period, but fall within HFL +500 m, the same is pending before this Hon'ble Tribunal.
6. That nothing material is concealed herefrom.

Through Counsel

Respondent


(VIBHAV MISHRA)

Advocate-on-Record

Ch No.221, CK Daphtary Lawyers' Chamber

Tilak Lane, Supreme Court, Delhi-110001

(E): vibhavamishraoffice@gmail.com

Place: New Delhi

Date: 17.12.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (P.B.)

DELHI

I.A. No. 288 OF 2024

IN

O.A. No. 526 OF 2023



IN THE MATTER OF:

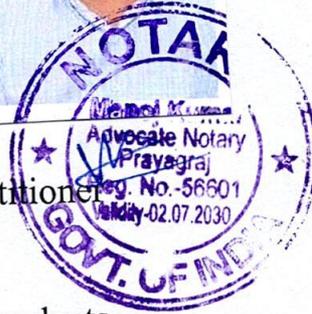
Ganga Sewa Abhiyan & Ors

Versus

Union of India & Ors

... Petitioner

... Respondents



AFFIDAVIT

I, Jitendra Singh Saharwar, S/o Babulal Saharwar, aged about 44 Yrs, presently posted as Town Planner of the Prayagraj Development Authority, having office at 7th and 8th Floor, Indira Bhawan, Civil Lines, Prayagraj, Uttar Pradesh, the above named deponent, de hereby depose and state on oath as under:

1. That the deponent, being posted as the officer as above, is the authorised and competent officer to depose the present affidavit having been well aware of the facts and circumstances of the present case.
2. That the above reply has been prepared by the empanelled counsel under my instructions on the basis of the report made available to him by the development authority.
3. That the deponent is deposing on the material available on record and nothing material is concealed herefrom.

J Singh
DEPONENT

VERIFICATION:

Verified at Prayagraj on this, 16th Day of December, 2025 that the contents of the

solemnly affirmed before me, 16/12/2025 accompanying reply and the affidavit are true and correct to the best of the

Sri/Smt. Jitendra Singh Saharwar identified by Mr. Manoj Kumar Advocate to be his/her affidavit/agreement are true and correct Which is here by

Verified and attested.

J Singh
DEPONENT



Manoj Kumar
Advocate Notary
Prayagraj
16/12/2025

IDENTIFIED BY
Manoj Kumar
ADVOCATE PRAYAGRAJ
16/12/2025

प्रयागराज विकीस प्राधिकरण

प्रयागराज

ANNEXURE A-1

नगर नियोजक महोदय

माननीय राष्ट्रीय हरित न्यायाधिकरण बेन्च नई दिल्ली अनपूरक हलफनामा आवेदन संख्या-288/24 OA No-526/2023 गंगा सेवा अभियान व अन्य बनाम यूनियन आफ इण्डिया के सम्बन्ध में श्रीकान्ता महेश्वरी, 315ए/412 यमुना बैंक रोड चौखण्डी कीडगंज प्रयागराज के सम्बन्ध में प्रस्तरवार आख्या निम्नवत् है :-

1. श्रीकान्ता माहेश्वरी, श्री विवेक माहेश्वरी व भारतीय माहेश्वरी द्वारा आराजी सं०-81 व 85 मौजा-कुरैशी नगर, सदर प्रयागराज पर ऑनलाइन मानचित्र सं०-PDA/BP/21-22/0327 (समूह आवास कय योग्य तलक्षेत्र सहित) स्वीकृति हेतु दाखिल मानचित्र पर HFL+500 मीटर के अन्तर्गत होने के सम्बन्ध में प्राधिकरण के अर्जन अनुभाग द्वारा दिनांक 31.03.2023 में आख्या दी गयी थी, जिस कारण से कतिपय आपत्तियाँ आवेदक को सूचित की गयी।
2. प्राधिकरण के अर्जन अनुभाग की आख्या दिनांक 31.03.2023 के अनुसार स्थल खसरा सं०-81 व 85 ग्राम कुरैशीपुर, तहसील सदर, प्रयागराज उपलब्ध अभिलेखों के अनुसार H.F.L+500 मीटर के अन्तर्गत पाया जाता है।
3. प्राधिकरण द्वारा उ०प्र० नगर नियोजन एवं विकास अधिनियम 1973 की सुसंगत धाराओं के अनुसार प्राधिकरण विकास क्षेत्र के अन्तर्गत भवन निर्माण एवं विकास उपविधि के प्राविधानों के अनुसार निस्तारण कार्यवाही की जाती है। इसके अतिरिक्त मा० न्यायालयों द्वारा समय-समय पर पारित आदेश का अनुपालन सुनिश्चित किया जाता है।
4. प्रस्तर बिन्दु सं०-3 के अनुसार।
5. ऐसे प्राप्त होने वाले मानचित्र जो गंगा नदी और गंगा (संगम) नदी से सटे यमुना नदी के आस-पास होने के दृष्टिगत H.F.L+500 मीटर के सम्बन्ध में प्राधिकरण के अर्जन अनुभाग एवं सम्बन्धित तहसील से अनापत्ति प्रमाण पत्र प्राप्त होने के उपरान्त मानचित्रों पर स्वीकृत/अस्वीकृत सम्बन्धी कार्यवाही गुण-दोष के आधार पर की जाती है।
6. प्रस्तर बिन्दु सं०-5 के अनुसार।
7. माननीय उच्च न्यायालय के निर्णय के अनुपालन में H.F.L+500 मीटर के अनुसार प्रभावित होने पर पारित आदेशानुसार कार्यवाही की जा रही है।
8. प्रकरण के सम्बन्ध में प्राधिकरण के पैनल अधिवक्ता से विधिक राय प्राप्त की गयी, जिसका अंश भाग निम्नवत् है :-

In my opinion, no permission for purchase of FAR, can be granted on the application submitted by Smt. Shrikanta Maheshwari through Sri Rajesh Kumar Gupta, in respect of House No. 315 and 315A, Chaukhandi Yamuna Bank Road, Prayagraj, till any further directions are issued by the National Green Tribunal New Delhi.

9. ऐसे प्राप्त होने वाले मानचित्र जो गंगा नदी और गंगा (संगम) नदी से सटे यमुना नदी के आस-पास होने के दृष्टिगत H.F.L+500 मीटर के सम्बन्ध में प्राधिकरण के अर्जन अनुभाग एवं सम्बन्धित तहसील से अनापत्ति प्रमाण पत्र प्राप्त होने के उपरान्त मानचित्रों पर स्वीकृत/अस्वीकृत सम्बन्धी कार्यवाही गुण-दोष के आधार पर की जाती है।
10. प्रकरण में सूच्य है कि वर्तमान में H.F.L+500 मीटर के सम्बन्ध में माननीय राष्ट्रीय हरित न्यायाधिकरण वाद लम्बित है, जिसमें केन्द्रीय जल बोर्ड द्वारा यमुना नदी के अधिकतम बाढ़ बिन्दु (Warning Zone) का जीओ लोकेशन चिन्हित कर NGT में प्रस्तुत किया गया है।


J.E.

(2)

टिप्पणी एवं आदेश

11. श्रीकान्ता माहेश्वरी, श्री विवेक माहेश्वरी व भारतीय माहेश्वरी द्वारा आराजी सं०-81 व 85 मौजा-कुरैशी नगर, सदर प्रयागराज पर दाखिल समूह आवास मानचित्र स्थल CWC द्वारा यमुना नदी के चिन्हित (Warning Zone) से बाहर है। (CWC द्वारा चिन्हित Warning Zone का जीओ मैप संलग्न)
12. माननीय उच्च न्यायालय/NGT के निर्णय के अनुपालन में H.F.L+500 मीटर के अनुसार प्रभावित होने पर पारित आदेशानुसार कार्यवाही की जायेगी।
उपरोक्तानुसार आख्या अग्रेतर कार्यवाही हेतु प्रेषित है।


(संजेश फौजदार)
अवर अभियन्ता


18.12.2025
(जितेन्द्र सिंह सहरवार)
नगर नियोजक



1985

Image © 2025 Airb

Imagery Date: 6/9/2024 lat 25.425454° lon 81.850932° elev 302 ft eye alt 6175 ft

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10706	25.327	81.67	11161	25.4216	81.8044
10707	25.3259	81.6692	11162	25.4235	81.8044
10708	25.3261	81.6673	11163	25.425	81.8041
10709	25.3262	81.6655	11164	25.4239	81.8058
10710	25.3254	81.6643	11165	25.4224	81.8071
10711	25.3242	81.6645	11166	25.4209	81.8082
10712	25.3241	81.6665	11167	25.42	81.8097
10713	25.3247	81.6681	11168	25.4198	81.8117
10714	25.3241	81.6699	11169	25.4194	81.8135
10715	25.3227	81.6705	11170	25.4186	81.8153
10716	25.3217	81.6716	11171	25.4176	81.8165
10717	25.3219	81.6733	11172	25.4158	81.8156
10718	25.3211	81.6751	11173	25.4143	81.8144
10719	25.3197	81.6762	11174	25.4143	81.8127
10720	25.3181	81.676	11175	25.4124	81.8128
10721	25.3177	81.6776	11176	25.4121	81.8142
10722	25.3174	81.6795	11177	25.4134	81.8157
10723	25.3176	81.6814	11178	25.4146	81.817
10724	25.3174	81.6831	11179	25.4157	81.8186
10725	25.3182	81.6845	11180	25.4168	81.8201
10726	25.3192	81.686	11181	25.4179	81.8216
10727	25.3199	81.6877	11182	25.4197	81.8218
10728	25.3202	81.6897	11183	25.4209	81.8216
10729	25.3207	81.6916	11184	25.4202	81.8232
10730	25.3213	81.6935	11185	25.42	81.8252
10731	25.322	81.6953	11186	25.4196	81.8267
10732	25.3227	81.697	11187	25.4199	81.8286
10733	25.321	81.6971	11188	25.4203	81.8305
10734	25.3208	81.6984	11189	25.4206	81.8325
10735	25.3218	81.7001	11190	25.4211	81.8343
10736	25.3228	81.7017	11191	25.4217	81.8362
10737	25.3244	81.702	11192	25.4234	81.8367
10738	25.3256	81.7035	11193	25.4247	81.8378
10739	25.3262	81.7053	11194	25.4234	81.8391
10740	25.3268	81.7072	11195	25.4242	81.8409
10741	25.3279	81.7086	11196	25.4251	81.8426
10742	25.3278	81.7105	11197	25.4258	81.8444
10743	25.328	81.7124	11198	25.4267	81.8461
10744	25.3287	81.7139	11199	25.4273	81.8478
10745	25.3299	81.7153	11200	25.4277	81.8494
10746	25.3298	81.7172	11201	25.4281	81.8513
10747	25.3286	81.7186	11202	25.4286	81.8532
10748	25.3269	81.7193	11203	25.4293	81.855
10749	25.3261	81.7181	11204	25.4298	81.8568

Court No. - 2**Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 4003 of 2006****Petitioner :-** Re: Ganga Pollution**Respondent :-** State Of U.P. And Others**Petitioner Counsel :-** Vijay Chandra Srivastava,A.K. Gupta,A.K. Srivastava,Anil Tiwari,Arun Kumar,Arvind Agarwal,Baij Nath Yadav,Baleshwar Chaturvedi,D.B. Mishra,D.S. Mishra,Jagdish Tewari,K.C. Pandey,P.N. Mishra,S.K. Srivastava,Shailesh Singh,Sharad Kr. Srivastava,Sunita Sharma,V.B. Singh,V.C. Mishra,Vivek Mishra**Respondent Counsel :-** C.S.C.,A.K. Mishra,Ajay Bhanot,Anjani Kumar Mishra,C.L.Pandey,Chandan Sharma,Dr. H.N.Tripathi,H.N. Singh,Hem Pratap Singh,Iqbal Ahmad,M.C. Chaturvedi,N. Misra,P.S. Baghel,R.B. Shukla,Rajiv Lochan Shukla,S.A. Lari,S.M.A. Kazmi,S.P. Kesharwani,S.P. Singh,T.M.Khan,Vivek Birla,Vivek Verma,W.A. Hashmi**Hon'ble Ashok Bhushan,J.****Hon'ble Arun Tandon,J.**

Heard Dr. Ashok Nigam, learned Assistant Solicitor General of India, Sri S.G. Hassnain, learned Additional Advocate General appearing for the State, Sri U.N. Sharma, learned Special Counsel for the State assisted by Sri S.P. Kesarwani, learned Additional C.S.C., Sri Arun Kumar Gupta, learned Amicus Curiae, Ms. Saumya Misra, learned counsel for the U.P. Leather Industries Association and Sri S.D. Kautilya, learned counsel for the Nagar Nigam, Allahabad. Sri Atul Kumar Gupta, Chief Secretary of the State, Sri Alok Ranjan, Principal Secretary, Urban Development and Sri Rajauria, Principal Secretary, Irrigation are also present.

An affidavit has been filed by the Additional Solicitor General of India in compliance of earlier order issued on 4.1.2011 bringing the inspection report of the Expert Committee. The learned Additional Advocate General and learned Special Counsel as well as learned Amicus Curiae may look into the report and submit their objections. The affidavits have been filed on behalf of the Urban Development Department, U.P. Jal Nigam as well as the Irrigation Department. Objections have also been filed by the Amicus Curiae which is taken on record. Counter affidavit has also been filed by U.P. Leather Industry Association which is taken on record. An affidavit has also been filed on behalf of the Union of

India that the report of the sub committee which was constituted by working group of the Government of India is still awaited. Further time has been prayed for in this context and it is submitted that the matter with regard to the issue of discharge of water be considered thereafter.

Learned counsel for the Nagar Nigam has also filed affidavit stating certain facts with regard to the land of sewage farms which was acquired by the Gazette dated 11.9.1915. Reference has also been made of a public interest litigation being PIL No. 54654 of 2009 filed before this Court where the Court notices that land in excess of 45 hectares can be utilized for the purpose of sewage farms. It was stated before the Division Bench that only 45 hectare has been given for the purposes of housing colony although the entire land was acquired for the purposes of sewage farm. Learned Amicus Curiae has pointed out that according to the affidavits submitted by the Nagar Nigam there has been other transfer of the said land details of which have been brought on record in the affidavit of Nagar Nigam, Allahabad, he further submits that there is another public interest litigation petition (being PIL No. 1408 of 2011) which has been filed challenging the proposal of a housing colony on the river front. He prays time to file an objection to the affidavit filed for by the Nagar Nigam and to bring other material on the record, he do so by the next date.

Learned Special Counsel Sri U.N. Sharma has submitted that looking to the acute problem of untreated water of the sewerage of Allahabad being directly thrown in the river Ganges, and existing STPs treating only 93 MLD although sewage water in the District Allahabad is generated 232 MLD, hence, the State shall review the entire issue of sewage farm. Sri Atul Kumar Gupta, learned Chief Secretary assured the Court that the State shall review entire issue at its level with regard to the use of the land which was earlier acquired for the purpose of sewage farm by Gazette dated 11.9.1915. Learned Amicus Curiae has submitted that on the other side of the river Ganges near Sangam and adjoining river Yamuna there are proposals for constructions of housing colony which is being undertaken by the Allahabad Development Authority. After considering the entire aspects and taking into consideration that no effective management of treatment of discharge of the sewage from Allahabad have been taken or brought on record, we are of the view that permitting any construction on the river Bank at Allahabad near Sangam shall further pollute river water and cause difficulty in taking over the land for establishment of sewage treatment plant and other measures for treating the untreated

water. We direct that there shall be no construction within 500 meter from the mid stream of the Ganges and adjoining places across Sangam on the other side of the city by the Allahabad Development Authority or any private builder. The other relevant details may be brought before the court on the next date.

learned Special Counsel was asked to explain as to what measures have been taken with regard to repairing of the road which have been damaged in digging for the sewerage line, it has been pointed out by the learned Amicus Curiae that roads have not been repaired and big open pits are on the road causing great inconvenience to the public. Learned Special Counsel submitted that proper steps with regard to the repair of the road shall be urgently taken and by the next date an affidavit giving details of time table for completion of the work regarding repairing of the roads shall be provided.

In view of the aforesaid, we allow three weeks time to the State to file affidavit bringing on record the relevant time table for repairing of the roads.

Learned Amicus Curiae has pointed out that this Court by earlier order has directed the State Government to obtain report from NERI. It has been submitted that interim report has been submitted which discloses that the officials of NERI has not visited Jag Mau and are not actively associated in the project. Learned Chief Secretary has submitted that proper instruction in this regard shall be obtained and the Court shall be apprised with the same by the next date.

List on 22.4.2011 at 2.00 pm.

Order Date :- 28.3.2011
Ram Murti

VAKALATNAMA

IN THE HON'BLE COURT OF National Green Tribunal, ND.
GANGA SEWA ABHIYAN & ORS Petitioner// Applicant

UOI & ORS VERSUS -----Defendant/Respondent

KNOW ALL to whom these presents shall come that I/We R.S Verma Law Officer, PDA.
 R/o Law officer, PDA, Mayapuri the above named Respondent do hereby appoint/retain -

VIBHAV MISHRA

Enrol: UP-7230-2016
 Office: 221, C.K. DAPHTARY BLOCK, SUPREME COURT OF INDIA, NEW DELHI-110001
 (M): 9473565666, 9811828487

Hereinafter called the advocate(s) to be my/our Advocate(s) in the above noted case and authorize them:

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried to hear and also in the Appellate Court including High Court subject to payment of fees separately for each Court by me/us.

To sign, file, verify and present pleadings, appeals, applications for executions, review, revision, withdraw, compromise documents as may be deemed necessary or for other purposes subject to payment of fee each stage.



To file and take back documents, to admit &/or defend the same.

To withdraw or compromise the said case or to settle the same or to take execution proceedings.

To deposit, draw and receive moneys, cheque(s), cash and grant receipt thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal practitioner or person authorizing him to exercise the power and authority hereby conferred upon the Advocate(s) whatever he then may think fit to do so & sign the power of attorney or,

And I/We the undersigned so hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts as done by me/us to all intents and purposes. And I/We undertake that I/We or my/our duly authorized agent(s) would appear in court on all hearings & will inform the Advocate(s) for appearances when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment cost, whatever ordered by the Court shall be the Advocate, which he shall receive and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the proceeding of the said case until the same is paid up. The fee settled is only for the above case and above Court, for a period of three years only. I/We hereby agree that once the fee is paid I/We will not be entitled for the refund of the same in any case whatsoever. For execution of decrees & getting their satisfactions from Court(s), Separate fee shall be payable.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 28 day of Oct 2023 accepted subject to the terms of fees.

[Signature]
 COUNSEL
VIBHAV MISHRA
 ADVOCATE
 Ch. No. 221, C.K. Daphtary Block
 Supreme Court of India
 Tilak Lane, New Delhi-110001

[Signature]
 CLIENT
 आर० एस० वर्मा
 दि० अ० अधिकारी
 यागराज विकास अधिकरण
 यागराज

CLIENT