

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
O.A. No. 316 of 2022**

**In the matter of:**

Dr. Sharad Gupta

.....Applicant

versus

State of UP &amp; Ors.

.....Respondent

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Through Counsel

**ANG PARTNERS**

Counsel for the Applicant

C-38 (LGF), Panchseel Enclave,

New Delhi-110017

(M): 9205089671

Date: 15.03.2024

Place: New Delhi

Email Id: [angpartnerslawyers@gmail.com](mailto:angpartnerslawyers@gmail.com)

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**SUPPLEMENTARY SUBMISSIONS ON BEHALF OF THE  
APPLICANT**

**MOST RESPECTFULLY SHOWETH**

1. In the aforesaid matter, it is submitted facts of the Report of the Joint Committee in the said matter that forest department have constructed check dams inside the Taj Forest block, which is a notified Reserved Forest Area.
2. It is also a submitted fact of the Report of the Joint Committee in the said matter that 8439 cubic meter soil has been excavated for the construction of these 43 check dams with use of JCB Machines.
3. It is pertinent to submit here that the Forest Department neither complied with the directions of this Hon'ble Tribunal passed in O.A No. 190/2020 and in M.A. No. 07/2022(WZ) & M.A. No. 08/2022(WZ) in O.A. No. 68/2020(WZ) nor the Standard Operating Procedure (SOP) issued by MoEF&CC vide Office Memorandum dated 08.08.2022 for identification of borrow areas to obtain earth/soil materials; its operation, safety and redevelopment, when these check dams were constructed inside the area of Reserve Forest.
4. It is submitted that the said SOPs clearly provides that *"Borrowing shall be avoided on the lands close to toe line, irrigated agricultural lands, grazing land, lands within settlements, 1 Km from environmentally sensitive areas*

**such as Reserve Forests, Protected Forests, Sanctuary, National Parks, Conservation Reserve, Wetlands etc, unstable and fragile side-hills, streams and seepage areas, areas supporting rare plants/ animal species."**

A copy of Office Memorandum dated 08.08.2022 along with SOPs mentioned therein is annexed *herewith* as **ANNEXURE-1 (colly)**.

5. It is further submitted that the General Guidelines and Guidelines for Redevelopment of Borrow Areas which mentioned in the said SOP have also not been followed by the Forest Department during the construction work of these check dams.
6. It is self-conceived how much these check dam's construction, without following the prescribed SOPs, were causing devastate the flora and fauna of the reserve forest. And how the unscientific soil excavation destructed the forest ravines, which are natural habitats for more than 1000 species of animals and plants, has led to the destruction of the ecological chain as well as the damage to the iconic Taj Mahal.
7. It is submitted that in district Agra under the Ministry of Agriculture, Government of India, the ICAR- Indian Institute of Soil and Water Conservation (IISWC) Research Centre which was initially established as the Soil Conservation Research Demonstration and Training Centre at Agra in 1955. Subsequently this Centre was upgraded to a full-fledged Research Centre in the year 1957 with the objective of developing scientific and technological know how to deal, understand and negotiate the problems of ravine lands through scientific solutions for sustainable resources conservation and production. In 2014 the Central Soil Water Conservation Research and Training Institute was renamed as Indian Institute of Soil and Water Conservation (IISWC) Research Centre, Agra.

As this Centre has developed scientific and technical know how to deal with the problems of ravine lands on the bank of Yamuna River. The centre has been contributing to research for tackling the problems related to soil and water conservation, agriculture and tree based production systems in the ravine region of Yamuna river system for past six decades and it deals extensively with the extent of land degradation in Yamuna ravine region. It deals with major problems faced by ravine infested areas and suggests remedial measures for tackling them. The reclamation/ rehabilitation of ravines may in turn lead to improved social equality and reduced poverty in the ravine region.

8. It is submitted that this scientific body has been established specially to deal with ravines and its reclamation through research work in this field. So their expertise should be utilized in the said matter as they are having vast experience in this specific field.
9. It is submitted that the District Magistrate, Agra in compliance of order dated 18.05.2023 filed in its response dated 17.11.2023 before the Hon'ble National Green Tribunal in the case titled as "*Dr. Sharad Gupta vs. State of UP & Ors.*" in O.A. No. 316 of 2022, stating that the demarcation of flood plain zone of River Yamuna in the stretch of 257 KM in district Agra has been completed.

A copy of the response dated 17.11.2023 filed by the District Magistrate, Agra is annexed as **ANNEXURE-2**

10. That the applicant with respect to the said response filed an application under Right to Information Act, 2005 dated 08.01.2024 to the Public Information Officer, Collectorate, Agra seeking the status of demarcation of flood plain zone (FPZ) of river Yamuna in Agra district which is considered by the concerned authorities keeping in mind the Namami Gange guidelines, the directions of

the Hon'ble Supreme Court of India & the Hon'ble National Green Tribunal issued from time to time.

A copy of the application form under Right to Information Act, 2005 filed by the applicant therein is annexed herewith as **ANNEXURE-3**

11. The applicant received a report to its application filed under Right to information Act, 2005 dated 17.02.2024 revealing that that according to the sub-divisional records, in the year 2017 pillars were installed to determine the submerged area as per the orders passed by the Hon'ble National Green Tribunal, New Delhi in OA No. 145/2015. Presently, in Agra district, the work of installing pillars is being done by Sub-division IV in the remaining part of Yamuna river to determine the submerged area

A copy of the report dated 17.02.2024 to the application under Right to Information Act,2005 is herewith annexed as **ANNEXURE-4**

12. The District Magistrate has misled the Hon'ble Tribunal by making a false statement in its response dated 17.11.2023 in O.A. No. 316 of 2022 stating that the demarcation of the flood plain of Yamuna River has been completed whereas the last records found by the Executive Engineer were of 2017 when pillars were installed to determine the submerged area.

Through Counsel



**ANG PARTNERS**

Counsel for the Applicant  
C-38 (LGF), Panchseel Enclave,  
New Delhi-110017  
(M): 9205089671

Date: 15.03.2024  
Place: New Delhi

Email Id: [angpartnerslawyers@gmail.com](mailto:angpartnerslawyers@gmail.com)

F. No. 3-70/2020-IA.III [141127]  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA Division)

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj,  
New Delhi - 110003

Dated: 8th August, 2022

**OFFICE MEMORANDUM**

**Subject:** Clarification on the applicability of EIA Notification 2006 for excavation of Ordinary Earth from borrow area for linear projects - reg.

The Ministry, vide Notification S.O. 1224 (E) dated 28.03.2020, amended the appendix IX of EIA Notification to inter-alia provide exemption from Environmental Clearance (EC) for "*extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc.*"

2. Subsequently, the above mentioned Notification was challenged before the National Green Tribunal, Principal Bench in Original Application No. 190/2020 in the matter of Noble M. Paikada Vs. Union of India & Ors., wherein the Hon'ble Tribunal while disposing of the application vide order dated 28/10/2020, *inter-alia* held that "*.....the exemption should strike balance and instead of being blanket exemption, it needs to be hedged by appropriate safeguards such as the process of excavation and quantum...*" and directed to revisit the impugned notification dated 28.03.2020.

3. Subsequently vide order dated 31/05/2022, the Hon'ble NGT in M.A. No. 07/2022(WZ) & M.A. No. 08/2022(WZ.) in Original Application No. 68/2020(WZ) titled Shri Rajiv Babasaheb Waman & Ors. vs. Ministry of Environment, Forest & Climate Change & Ors inter-alia held that "*... that excavation of earth and mining of sand and other minor minerals being hazardous activity having serious adverse impact on environment in view of 'Precautionary' and 'Sustainable Development' principles, such activity cannot be left unregulated by statutory enforceable mechanism. Blanket exemption is against ecologically sustainable development norms and judgment of Hon'ble Supreme Court...*"

4. The matter was referred to the concerned Expert Appraisal Committee (F.AC) for deliberation. After due deliberation, the EAC was of the opinion that if such linear project has obtained EC based on EIA studies incorporating such sourcing of construction material or other activities, necessary safeguards are already incorporated in the EC appraisal process. However, if such sourcing of material is not considered in the EIA or such linear project does not attract provisions of EC, then

such individual activities will be subject to extant environmental regulations as per EIA Notification 2006, as amended and/or applicable environmental safeguard related directions issued by the State Government /SPCB which need to be observed while sourcing construction material.

5. Based on the recommendations of the EAC and keeping in view the direction of Hon'ble NGT, the matter has been examined by the Ministry in detail and it has been decided that the exemption from EC provided vide S.O. 1224 (E) dated 28.03.2020 for "extraction or sourcing or borrowing of ordinary earth for linear projects such as roads, pipelines etc." shall be subject to Standard Operating Procedure (SOP) as enclosed to this Office Memorandum.

6. This is issued with the approval of the Competent Authority.

Encl: as above.

  
(Sundar Ramanathan)  
Scientist 'E'

To

1. Chairman and Member Secretaries of SEIAA/ SEACs.
2. Chairman, Central Pollution Control Board (CPCB).
3. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

**Copy for information to:**

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/PPS to JS (SKB)
6. Website, MoEF&CC/Guard file

ANNEXURESOP for Borrow Area Identification; its operation, safety and redevelopment

The activity relates to identification of borrow areas to obtain earth/soil materials; its operation, safety and redevelopment shall be carried out as per the following criteria:

**1. Selection of site, operation and site-specific measures to adopt**

- i. Environmental issues like siting borrow pit location, soil erosion aspects, accumulation of run-off and associated problems, disposal of debris by local community in open borrow area, transport of borrow earth to construction site, preservation of top soil of 15m depth and reuse for plantation, reinstatement of borrow pits and sites shall be considered before selection of site.
- ii. Guidelines, Manuals, Notifications etc issued by various agencies from time to time like IRC, MoRTH, MoEFCC etc shall be followed.
- iii. For selection of the site for the borrow area, agricultural land, cut material available from other road construction projects, dredging material from dredging operations of ponds, lakes, rivers and canals, material from barren land or land without tree cover outside the road RoW, material from excavation of proposed culverts can be considered. Provided further that, highly productive top-soil shall be stored separately and used for planation activity.
- iv. Borrowing shall be avoided on the lands close to toe line, irrigated agricultural lands, grazing land, lands within settlements, 1 Km from environmentally sensitive areas such as Reserve Forests, Protected Forests, Sanctuary, National Parks, Conservation Reserve, Wetlands etc, unstable and fragile side-hills, streams and seepage areas, areas supporting rare plants/ animal species. It should be ensured that unsuitable soft rock is not prominent within the proposed depth of excavation which will render rehabilitation difficult.

**2. The General Guidelines**

- i. The preservation of topsoil will be carried out in stockpile.
- ii. A 15 cm topsoil will be stripped off from the borrow pit and this will be stored in stockpiles in a designated area for height not exceeding 2m and side slopes not steeper than 1:2 (Vertical: Horizontal).
- iii. Preservation of Top Soil of 15cm depth and its reuse for plantation
- iv. Validation of the work of re-use of Top Soil by the AE/IE. Competent authority to check the re-use anytime if warranted.
- v. Borrowing of earth will be carried out up to a depth of 2m from the existing ground level.
- vi. Borrowing of earth will not be done continuously throughout the stretch.
- vii. Ridges of not less than 8m widths will be left at intervals not exceeding 300m.
- viii. Small drains will be cut through the ridges, if necessary, to facilitate drainage.
- ix. Depends upon the location of borrow areas, the safeguard measures & management specific treatment as a particular borrow area depending upon its

**Updated Response of District Magistrate, Agra in compliance of order dated 18.05.2023 in the matter of O.A No. 316 of 2022 Dr. Sharad Gupta V/s State of UP and others.**

This is with reference to the O.A No. 316 of 2022 Dr. Sharad Gupta V/s State of UP and others in which Hon'ble National Green Tribunal was pleased to pass an order dated 18.05.2023. The operating para of the order is quoted as below:-

**” 2- Mr. Navneet Singh Chahal, District Magistrate, Agra has appeared through VC and we have interacted with him and he seeks time to file his response.**

**4- Response on behalf of the District Magistrate Agra and suggestions by the applicant be filed within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR support PDF and not in the form of image PDF."**

**5- List for further consideration on 16.08.2023.**

During the last hearing on dated 18-05-2023 Hon'ble Court seek information about how much time demarcation of the flood plain zone will be completed of River Yamuna in district Agra. Response has been filed on dt. 11.08.2023 through E-mail [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) which is annexed as **Annexure-(i)**

In the above matter Executive Engineer, Lower Division, Agra Canal, Agra has informed the updated information vide its letter No. 4620/Lower/dated 10-11-2023 that demarcation of flood plain zone of River Yamuna in the stretch of 257Km in district Agra has been Completed. For demarcation 1020 pillars has been installed after total station survey with the help of Differential Global Positioning System (DGPS). **Annexure-(ii)**

It is pertinent to mention that a committee has been constituted for flood plain zoning of River Yamuna for the stretches (i) from Asgarpur to Etawah and (ii) from Shahpur to Prayagraj by Chief Engineer, Planning & Development Organization, Central Water Commission & Member Secretary vide file no.: T-101036/3/2023-RC DTE dated 05/09/2023. The committee may further form technical core committee for data collection, flood plain delineation as per return period analysis and any other technical work required for the study. Further, demarcation of flood plain zone on ground will be done by the state government. The committee shall complete the works and submit the report within a period of Four months after its constitution. **Annexure-(iii)**

As high level committee has been constituted by Central Water Commission, GOI for flood plain zoning of River Yamuna based on data collection, return period analysis and any other technical work required for the study; therefore the report submitted by the committee will be more accurate. Until then our report for the stretch of River Yamuna in Agra may be considered as interim report.

Updated Response of the undersigned is being filed for your kind perusal and necessary action.

**Dated :- ,November, 2023**



**District Magistrate  
Agra**

Response of District Magistrate, Agra in compliance of order dated 18-05-2023 in the matter of O.A. No. 316 of 2022 Dr. Sharad Gupta v/s State of UP and others.

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This is with reference to the O.A. No. 316 of 2022 Dr. Sharad Gupta v/s State of UP and others in which Hon'ble National Green Tribunal was pleased to pass an order dated 18.05.2023. The operating para of the order is quoted as below:-

**” 2- Mr. Navneet Singh Chahal, District Magistrate, Agra has appeared through VC and we have interacted with him and he seeks time to file his response.**

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During the last hearing on dated 18-05-2023 Hon'ble Court seek information about how much time demarcation of the flood plain zone will be completed of River Yamuna in district Agra.

In the above matter Executive Engineer, Lower Division, Agra Canal, Agra has informed wide its letter No. 3242/Lower/dated 11-08-2023 that survey work has been completed for demarcation of flood plain zone of River Yamuna in district Agra on dated 15-07-2023. Due to flood situations in River Yamuna fixing of pillars could not be completed. The work is in progress and will be completed in the month of August 2023.

Response of the undersigned is being filed for kind perusal and necessary action.

**Dated :- 11/ August, 2023**

  
**District Magistrate**  
Agra

**Office of The Executive Engineer**

Lower Division Agra Canal, Agra

Letter No. 4620 /Lower/

Date: 10.11.2023

**Sub:-Updated Information regarding demarcation of flood plain zone of River Yamuna in District Agra.****Ref:-Regarding O.A. No. 316/2022 Dr. Sharad Gupta V/s State of U.P. and others.****District Magistrate, Agra**

Sir,

This is with reference to the above cited subject OA no. 316 of 2022 Dr. Sharad Gupta V/s State of UP and others in which Hon'ble National Green Tribunal passed an order on dated 18.05.2023. The operating para of the order is quoted as below: -

**"Response on behalf of the District Magistrate, Agra and suggestions by the applicant be filed within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR support PDF and not in the form of image PDF."**

During the last hearing Hon'ble Court seek information regarding demarcation of the flood plain zone of River Yamuna in district Agra will be completed.

In this regard we would like to inform the updated information that demarcation of flood plain zone of River Yamuna in the stretch of 257Km in district Agra has been Completed. For demarcation 1020 pillars has been installed after total station survey with the help of Differential Global Positioning System (DGPS). **Annexure-(i)**

It is pertinent to mention that a committee has been constituted for flood plain zoning of River Yamuna for the stretches (i) from Asgarpur to Etawah and (ii) from Shahpur to Prayagraj by Chief Engineer, Planning & Development Organization, Central Water Commission & Member Secretary vide file no.: T-101036/3/2023-RC DTE dated 05/09/2023. The committee may further form technical core committee for data collection, flood plain delineation as per return period analysis and any other technical work required for the study. Further, demarcation of flood plain zone on ground will be done by the state government. The committee shall complete the works and submit the report within a period of Four months after its constitution.

**Annexure-(ii)**

As high level committee has been constituted by Central Water Commission, GOI for flood plain zoning of River Yamuna based on data collection, return period analysis and any other technical work required for the study; therefore the report submitted by the committee will be more accurate. Until then our report for the stretch of River Yamuna in Agra may be considered as interim report.

  
10/11/23

etc **Executive Engineer**  
Lower Division  
Agra Canal, Agra

**Letter No. 4620/Lower/ Date: 10.11.23**

**Copy: Divisional Forest Officer, Agra**

  
10/11/23

etc **Executive Engineer**  
Lower Division  
Agra Canal, Agra



Government of India/ भारत सरकार  
Central Water Commission/केंद्रीय जल आयोग  
Planning & Development Organization/ योजना एवं विकास संगठन

प्रथम तल, पश्चिमी खंड 2,  
आर.के. पुरम, नई दिल्ली-६६  
ई-मईल: cepd-cwc@nic.in  
फोन: 011-29583836

Dated : 05.09.2023

**OFFICE MEMORANDUM / कार्यालय जापन**

**Sub : Constitution of Committee for Flood Plain Zoning on river Yamuna - reg**

Approval of competent authority is hereby conveyed for constitution of a Committee under the Chairmanship of Member (River Management), CWC for identification & delineation of Flood Plain Zoning in River Yamuna for the stretches (i) from Asgarpur to Etawah and (ii) from Shahpur to Prayagraj. The constitution of the committee and its terms of references are as under:

Constitution of Committee		
Sl.No	Members	Remarks
1.	Member ( River Management), Central Water Commission	Chairman
2.	Commissioner (Flood Management), Dept. of WR, RD &GR	Member
3.	Chairman, Ganga Flood Control Mission	Member
4.	Principal Secretary, Irrigation & Water Resources Department, Govt. of Uttar Pradesh	Member
5.	Executive Director (Technical), National Mission for Clean Ganga	Member
6.	Director, National Institute of Hydrology	Member
7.	Director, National Remote Sensing Centre	Member
8.	Chief Engineer, Flood Management Organization (FMO), CWC	Member
9.	Chief Engineer, Hydrological Studies Organization (HSO), CWC	Member
10.	Chief Engineer, Planning & Development Organization (P&DO), CWC	Member Secretary

The **Terms of Reference** of the committee are :-

- Identify the Flood plain zones of River Yamuna for the stretches (i) Asgarpur to Etawah and (ii) Shahpur to Prayagraj for return period 1 in 5 years, 1 in 25 years and 1 in 100 years respectively.

- b) Delineate the Flood Plain Zones for no development/ construction zone, regulatory zone and warning zone.
- c) The Committee may further form technical core committee for data collection, flood plain delineation as per return period analysis and any other technical work required for the study.
- d) The Committee may co-opt any other members, if required.
- f) Field visits may be undertaken as per requirement.
- g) Demarcation of the Flood plain Zone on ground will be done by the State Govt.

The Committee shall complete the works and submit the report within a period of four months after its constitution.

Signed by D P Mathuria  
Date: 05-09-2023 14:50:41  
Reason: Approved  
(D.P. Mathuria)

Chief Engineer, P&D, CWC & Member Secretary

To,

All Committee Members

Copy for information:

1. PPS to Secretary, DoWR, RD&GR
2. PPS to Director General, NMCG
3. PPS to Chairman, Central Water Commission, New Delhi
4. PPS to Member (RM), CWC

location viz Agriculture Land, Elevated Land, Waterbody, near Settlement and along the alignment.

### 3. Re-development of Borrow Areas

The objective of the rehabilitation programme is to return the borrow pit sites to a safe and secure area, which the general public should be able to use safely. Securing borrow pits in a stable condition is fundamental requirement of the rehabilitation process. This could be achieved by filling the borrow pit approximately to the road level. Following measures shall be taken for Rehabilitation:

- i. Borrow pits shall be backfilled with rejected construction wastes (unserviceable materials) including fly ash, compacted and will be given a turfing or vegetative cover on the surface. If this is not possible, then excavation slope should be smoothed, and depression is filled in such a way that it looks more or less like the original ground surface.
- ii. During works execution, the Contractor shall ensure preservation of trees during piling of materials; spreading of stripping material to facilitate water percolation and allow natural vegetation growth; re-establishment of previous natural drainage flows; improvement of site appearance; digging of ditches to collect runoff; and plantation may be carried out wherever feasible or pit may be developed for water storage as per Amrit Sarovar Scheme of MoRTH.

### 4. Development of Amrit Sarovar

Under Amrit Sarovar Programme, water bodies are being developed by MoRT&H/NHAI/other road development agencies and the desilting of existing water body is also being taken up for water harvesting and re-charge of ground water. The earth available from development of such water bodies is to be utilised for road works and plantations as per suitability of soil. The State Authorities have already been advised not to levy any royalty for borrowing of earth for development of water bodies under Amrit Sarovar Programme.

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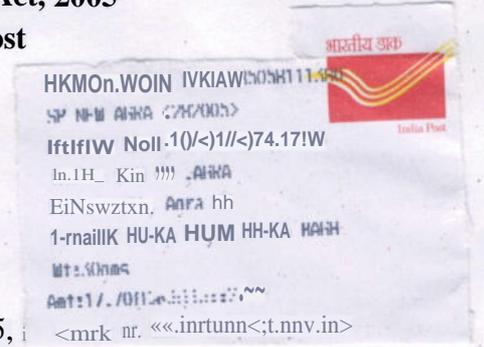
## Form-2

## Application for obtaining information u/s 6(1) of RTI Act, 2005

## By Speed /Registered Post

To,

The Public Information Officer,  
Office of the District Magistrate,  
Collectorate, Agra – 282 001



1. Full Name of the applicant : **Dr Sharad Gupta**
2. Address : 24, HeeraBagh Colony, DayalBagh, Agra-282005, i
3. Contact details : Mobile No: 9837036270, Email: sharadguptashikha@rediffmail.com
4. Details of information sought (if necessary, attach separate page):

**In context to the above please provide me certified information of the following;**

- A. Please provide me certified details that what are the criteria for demarcation of Floodplain Zone (FPZ) of River Yamuna in Agra district at present which is considered by the concerned authorities keeping in mind the Namami Gange guidelines, directions of the Hon'ble Supreme Court and the Hon'ble National Green Tribunal issued from time to time.
5. Does the information sought concern the life and liberty of a person: No  
If yes, the reasons therefor. : N/A
  6. Details of fee deposited : Indian Postal Order No: **57F 156468**
  7. Does the applicant belong to BPL category : No  
Yes/No(If yes, attach BPL certificate)
  8. List of enclosures : 01. IPO No. **57F 156468**

Date: 08.01.2024. .  
Enclosures: 01 Only.

Signature of the applicant

**Dr. Sharad Gupta**

324, Heera bagh Colony,

Dayalbagh. Agra-282005.

Mob. No. 9837036270

Email- sharadguptashikha@rediffmail.com

**Exemption Note:** Please provide help to the applicant as per provisions and spirit of the Right to Information Act, 2005 and fill the correct name of the official concern who is entitled to receive application fee payment. As the correct designation and address of the official concerned is not known, so the column of "PAY TO" in Indian Postal Order has been deliberately left blank.

अभ्यर्थी COUNTERFOIL इसे फाड़कर प्रेषक अपने पास रख ले। To be detached and kept by the Sender.	पोस्टल आर्डर ₹ 10 POSTAL ORDER	किस को भुगतान करना To whom payable <b>P.O.</b> <b>Office of D.M., Agra</b>	किस कार्यालय में At what Office	क्या इसे क्रॉस किया है Whether crossed	दिनांक की तारीख Date sent <b>08/01/24</b>	<b>57F 156468</b>
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कार्यालय अधिशासी अभियन्ता  
लोअर खण्ड आगरा नहर  
आगरा

पत्रांक: 619 / ज0सू0अ0अधि0-2005

दिनांक: 17-02-2024

विषय: -सूचना का अधिकार अधिनियम-2005 के अन्तर्गत मांगी गयी सूचना उपलब्ध कराने के सम्बन्ध में

**श्री डा0शरद गुप्ता निवासी-324, हीरा बाग कालौनी, दयालबाग आगरा।**

कृपया सूचना का अधिकार अधिनियम-2005 के अधीन सूचना उपलब्ध कराये जाने के सम्बन्ध में अद्योहस्ताक्षरी सम्बोधित क्रमांक-319 दिनांक 30.01.2024 पर पंजीकृत अपने आवेदन दिनांक 08.01.2024 का सन्दर्भ ग्रहण करने का कष्ट करें। सहायक अभियन्ता प्रथम लोअर खण्ड आगरा नहर आगरा द्वारा दी जाने वाली सूचना, जो निम्नवत् है।

बिन्दुस0-01 उपरोक्त विषयक जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत अवगत कराना है कि उपखण्डीय अभिलेखानुसार वर्ष 2017 में उपखण्ड प्रथम के कार्यक्षेत्र में यमुना नदी वाये किनारे पर स्थित पौइया घाट के अपरट्रीम में 9 किलोमीटर से प्रारम्भ होकर पौइया घाट के 10 किलोमीटर की दूरी तक मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए सख्यां 145/2015 में पारित आदेशों के क्रम में डूब क्षेत्र के निर्धारण हेतु पिलर लगाये गये थे। वर्तमान में जनपद आगरा में यमुना नदी की शेष रीष में उपखण्ड चतुर्थ द्वारा डूब क्षेत्र के निर्धारण हेतु पिलर लगाने का कार्य किया जा रहा है।

जनसूचनाअधिकारी/अधिशासी अभियन्ता  
लोअर खण्ड आगरा नहर  
आगरा

17/02/2024

**Office of the Executive Engineer  
Lower Section Agra Canal  
Agra**

Letter No. 619 / RTI-\2005

Date: 17-02.2024

Subject: - Providing information sought under the Right to Information Act-2005

**Regarding Mr. Dr. Sharad Gupta R/o 324, Heera Bagh Colony,  
Dayalbagh Agra.**

Please accept the report to your application dated 08.01.2024 having registration no. 319 dated 30.01.2024, addressed to the undersigned, regarding providing information under the Right to Information Act, 2005. Please try to take reference of the Information given by Assistant Engineer First Lower Section Agra Canal Agra, which is as follows.

**Point 0-01**

Under the Right to Information Act,2005 on the above mentioned subject, it is to be informed that according to the sub-divisional records, found in the year 2017, in the area of work of Sub-division I, starting from 9 kilometers upstream of Podya Ghat located on the left bank of Yamuna River, till the distance of 10 kilometers of Podya Ghat. Pillars were installed to determine the submerged area as per the orders passed by the Hon'ble National Green Tribunal, New Delhi in OA No. 145/2015. Presently, in Agra district, the work of installing pillars is being done by Sub-division IV in the remaining part of Yamuna river to determine the submerged area.

Public Information Officer/Executive Engineer  
Lower Section Agra Canal  
Agra

No = 619



शुभो

श्री. जे. जे.  
बरेवाजी

श्री. बाळराज युसा निवासी - 324,  
दरिया बाग कॉलनी, इमालबावा - आगरा  
Pin = 282005 - ~~324~~



डिस्पेंचर  
कार्यालय अधिशासी अभियन्ता  
लोअर खण्ड, आगरा नहर, आगरा