

645

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

WRITTEN SUBMISSION

In

ORIGINAL APPLICATION NO. 511 OF 2023

IN THE MATTER OF

Priyank Bharati

APPLICANT IN PERSON

Versus

State of Uttar Pradesh through its Chief Secretary and ors.

RESPONDENT

INDEX

S.No	Particulars	Page No.
1.	Written Submission	01-04
2.	Affidavit	05
3.	Annexure 1	06-08
4.	Service Proof	09


Priyank Bharati

Applicant in Person

Date : 02/05/25

Place : Meerut

Written Submission

Subject: Concerning Administrative Inaction and Wilful Disobedience of Hon'ble Tribunal's Orders in OA No. 511/2023 - Continued Illegal Constructions in Hastinapur.

Respected Sir/Madam,

I, Priyank Bharati, the Applicant in the above-mentioned Original Application (OA No. 511/2023), respectfully bring to your urgent attention the ongoing and grave violation of the clear and specific directions issued by the Hon'ble National Green Tribunal (NGT), passed in protection of the environment and the preservation of the **ecologically sensitive Budhi Ganga River or its flood plain.**

Despite numerous complaints submitted through appropriate channels, the unauthorized constructions on the riverbed and within the floodplain have been fully carried out. Regrettably, the district administration of Meerut has failed to take any substantive or deterrent action in response.

Vide order dated 17 March 2025, the Hon'ble National Green Tribunal issued specific directions to the District Magistrate, Meerut. The operative portions of the said order are reproduced hereinbelow for ready reference :

“Meanwhile, Respondent No. 2, District Magistrate, Meerut is directed to ensure that no illegal construction takes place in the river bed of Budhi Ganga as alleged during the course of argument by the Applicant”.

However, **I regret to inform Hon'ble Tribunal** that, to date, there has been no effective compliance with the Tribunal's order. **In complete disregard of the directions, illegal constructions continue unabated in the said area, openly and seemingly with full knowledge of the district administration.**

This ongoing inaction either reflects gross negligence or a deliberate defiance of lawful authority by the concerned officials. It raises a larger and worrying question:

If even the orders of the Hon'ble Tribunal are not being implemented, what assurance does the common public have regarding the redressal of their grievances and the protection of shared natural heritage?

Adding to this concern, the Hon'ble Supreme Court of India, on 25 July 2001 in the matter of *Hinch Lal Tiwari v. Kamala Devi and Others* (decided on 25 July 2001) established a crucial precedent in environmental jurisprudence concerning the protection of public water bodies.

On 30 April 2025 (Petition for Special Leave to Appeal (C) Nos.12199-12200/2025 *Kaniz Ahmed vs SABUDDIN & ORS.*), also passed strong remarks and directions against illegal encroachments and constructions.

Unauthorised construction has to be demolished. There is no way out. Judicial discretion would be guided by expediency. Courts are not free from statutory fetters. Justice is to be rendered in accordance with law.

Yet, the situation on the ground remains unchanged, further highlighting the State Government's and local authorities' failure to uphold the rule of law.

In the present matter, **the Chief Secretary of the State**, though arrayed as a **respondent no 1**, has completely failed to discharge his statutory and supervisory responsibilities. **Despite being duly informed, no effective action has been initiated against the concerned officials**, nor has any concrete step been taken towards the **revival and ecological restoration of the Budhi Ganga River**.

It is deeply disheartening that the Budhi Ganga – a river of profound historical, ecological, and cultural significance, associated with the Mahabharata era and the spiritual heritage of Hastinapur – is now gasping for survival under the weight of encroachment and neglect. The failure of the **Government of Uttar Pradesh and the National Mission for Clean Ganga**

(Respondent No 6) to safeguard this invaluable river system reflects an alarming abdication of their statutory duties and public trust.

If illegal constructions are allowed to flourish in such a brazen manner, future generations will be deprived of this sacred river and the legacy it represents.

It is deeply unfortunate to observe that the persistence of these unauthorized constructions, despite clear judicial directives, gives rise to a reasonable apprehension that such activities may be proceeding under the tacit protection or undue influence of certain quarters

I am just asking one question to State authorities :

“Will the revival of the Budhi Ganga river only be considered after it is overwhelmed by a proliferation of unauthorized constructions?”

In such a scenario, which competent authority shall bear the responsibility for the demolition of these illegal structures?”

Despite the clear directives of the Hon’ble Supreme Court prohibiting construction on water bodies, the Government of Uttar Pradesh has failed to effectively enforce these orders. This failure is particularly evident in the region of Hastinapur, District Meerut UTTAR PRADESH. It is a matter of grave concern that in Hastinapur, the binding directions issued by the Hon’ble Supreme Court and the Hon’ble National Green Tribunal regarding river conservation are not being adhered to.

Therefore, I most humbly request the following:

1. That strict action be taken against the District Authorities of Meerut, for non-compliance with the clear directions of the Hon’ble Tribunal dated 17 March 2025.
2. That immediate and exemplary measures be taken to stop and remove all ongoing illegal constructions in the Hastinapur.
3. That the responsibility of failure be fixed on the concerned authorities of the Government of Uttar Pradesh and the NMCG for not taking

649

04

proactive steps in protecting the Budhi Ganga and ensuring compliance with judicial orders.

Your urgent and just intervention is the only hope to ensure that the principles of environmental justice, rule of law, and public interest are upheld, and that our natural and cultural heritage is preserved for generations to come.

With sincere regards,



Priyank Bharati

(Applicant – OA No. 511/2023)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

**ORIGINAL APPLICATION NO. OF
IN THE MATTER OF**

Priyank Bharati

APPLICANT IN PERSON

Versus

State of Uttar Pradesh through its Chief Secretary and ors.

RESPONDENTS

Affidavit

I, Priyank Bharati, S/o, Shri. Brahampal Singh Singh aged about 36 years, R/o, 148/4 Jagriti Vihar, District Meerut, Uttar Pradesh do hereby solemnly affirm and declare as under:

1. That I am the Applicant/Applicant In Person in above mentioned application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That, the statements made in WRITTEN SUBMISSION of this affidavit is true to my knowledge

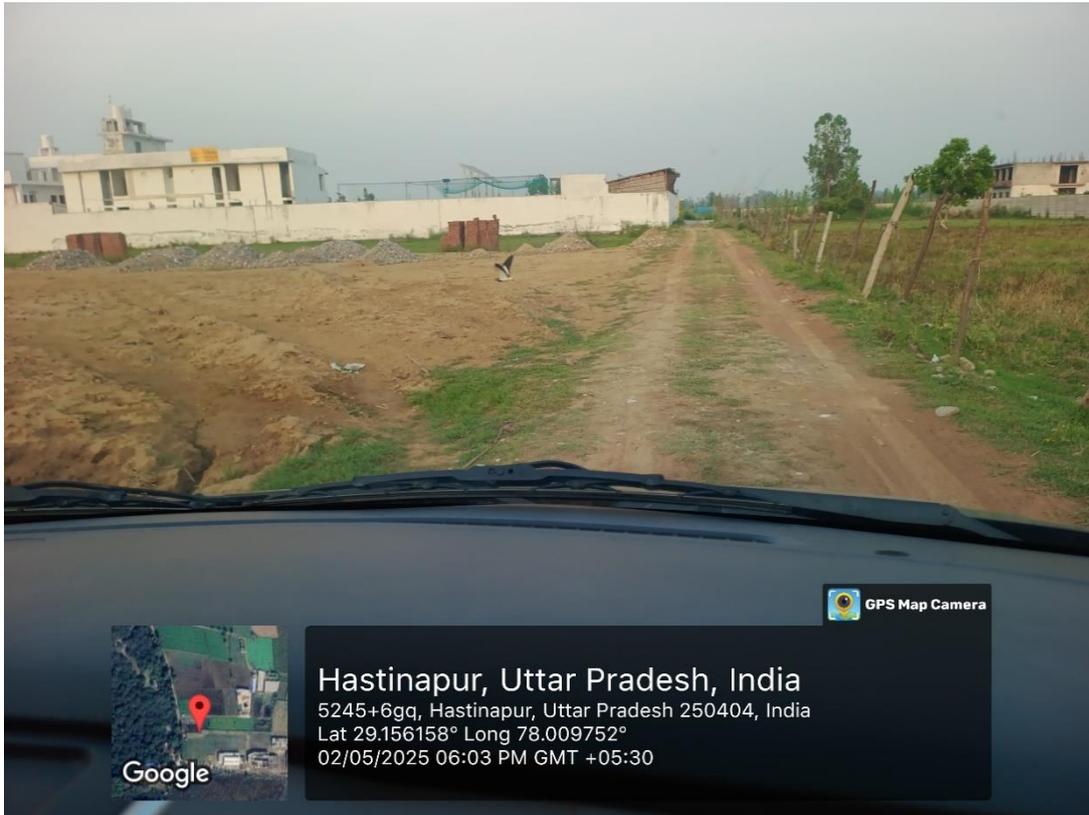

Applicant In Person

VERIFICATION

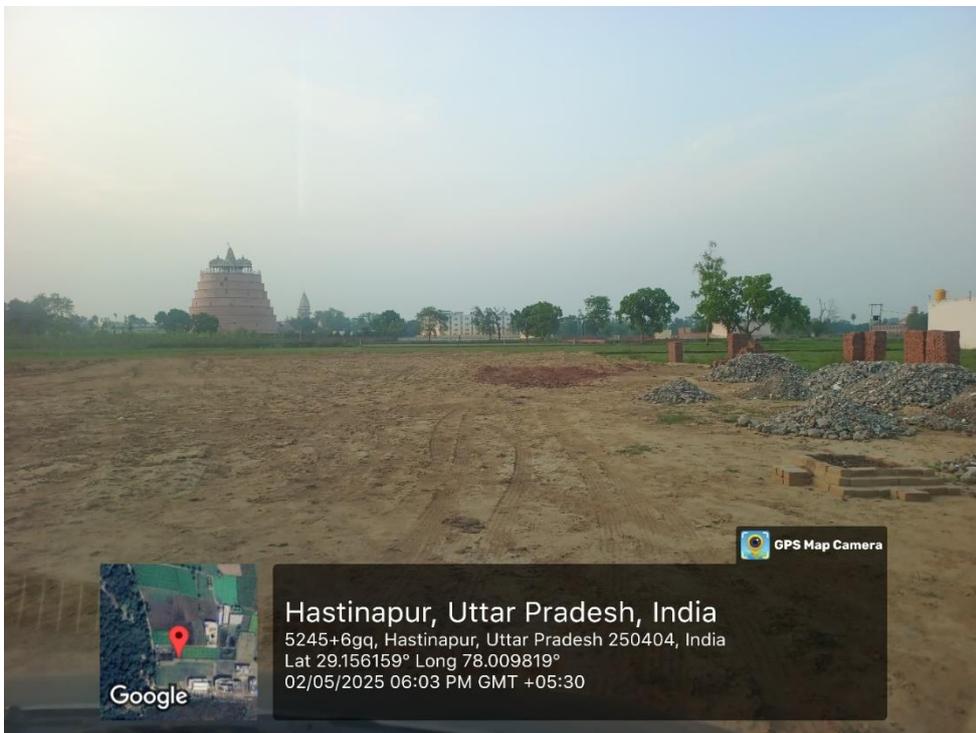
Verified on this 02nd day of May, 2025 that the contents of the present Application are true and correct to my knowledge and belief and nothing material is concealed therefrom.


**Applicant In Person
/Deponent**

ANNEXURE 1



*True Copy
Shakti*



True Copy
Shakti



True Copy
Shakti

Concerning Administrative Inaction and Wilful Disobedience of Hon'ble Tribunal's Orders in OA No. 511/2023 – Continued Illegal Constructions in Hastinapur.

1 message

Priyank Bharati <naturalsciencetrustmrt@gmail.com>

Fri, May 2, 2025 at 11:04 PM

To: csup@nic.in, dmmee@nic.in, dg@nmcg.nic.in, borlko@nic.in, chakbandiayukt@gmail.com

Respected Sir,
please refer to the attachment.

Regards,
Priyank Bharati
Applicant

 **WS in the matter of OA 511 of 2023.pdf**
4209K