

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.569/2023
(I.A. Nos. 719/2023 & 240/2024)

Alok Kumar

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 24.10.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Anand Mishra, Mr. Prashant Kanha & Ms. Nisha Rai, Advs.

Respondent: Ms. Garima Prashad, AAG with Ms. Priyanka Swami & Ms. Simran
Sehgal, Advs. for the State of UP
Mr. Ravindra Kumar, Senior Advocate with Mr. Vipin Saxsena & Mr.
Shivam Saksena, Advs. for Greater Noida
Mr. Bhanwar Pal Singh Jadon, Adv. for UPPCB (Through VC)
Mr. Abdhesh Chaudhary, Adv. for Noida Authority
Mr. Gigi. C. George, Adv. for Survey of India (Through VC)
Mr. Sumit Arora, Adv. for MoEF & CC (Through VC)
Mr. Yagyawalkya Singh, Adv. for GDA (Through VC)

ORDER

1. In this original application, the Applicant has raised the issue of demarcation of flood plain zone of Rivers Yamuna and Hindon in Gautam Buddha Nagar and Ghaziabad.
2. In the connected matter in OA No. 275/2023, the Tribunal is considering the issue of demarcation of flood plain zone of river Yamuna in Districts Ghaziabad, Gautam Buddha Nagar and Greater Noida, wherein the report has been filed disclosing that the demarcation exercise is complete, except for 3km stretch upstream of Okhla barrage. Hence, the Tribunal is confining this OA to demarcation of flood plain zone of River Hindon in the Districts concerned.

3. The compliance report by the Executive Engineer, Irrigation & Construction Division, Ghaziabad has been filed disclosing that the map with relevant contour is yet to be received from the Survey of India.

4. Learned AAG, State of UP has informed that the total length of river Hindon is 371 km and the stretch of river Hindon in Ghaziabad is 56 km and in Gautam Buddha Nagar Greater Noida about 45 km. She has submitted that the map with relevant contours will be supplied by the Survey of India by February 2025 and, thereafter, the exercise for demarcation of flood plain zone of river Hindon in these three districts will be completed within 4 months.

5. The stand of the State in the latest report of the Executive Engineer, Irrigation and Construction Division, Ghaziabad in this regard is as under:

“6. That after the Survey of India provides the Digital Elevation Model (DEM)/Contour Map by February 2025, the Irrigation Department will need additional time for the following activities:

- a. Marking of HFL on DEM/Map. - 15 Days This involves analysing the DEM/Map and marking the High Flood Level (HFL) to identify the areas prone to flooding*
- b. Fixing of coordinates of Flood plain zone on ground by survey of India. - 45 Days*

The Survey of India will physically mark the coordinates of the floodplain zone on the ground based on the HFL marking and the DEM/Map.

- c. Fixing of Pillar of flood plain zone on both side of Hindon river in District Ghaziabad and Gautambuddh Nagar. - 90 Days This involves installing pillars along the demarcated floodplain zone to clearly indicate the boundaries on the ground.”*

6. In view of the above, the case is adjourned today with a direction to the State of UP to file a progress report by way of an affidavit of the competent authority at least one week before the next date of hearing.

7. The oral prayer made by Counsel for the Applicant for impleadment of Survey of India is allowed and the additional respondent is impleaded as under:

Respondent No. 12. Director, Survey of India, Uttar Pradesh Geospatial Directorate (Norther Zone), 5, Manchitra Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.

8. Shri Gigi. C. George, learned Counsel accepts notice on behalf of the newly added respondent and seeks four weeks' time to file reply by way of affidavit.

9. The Applicant is directed to amend the cause title of the OA and file an amended memo of parties.

10. List on 03.03.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 24, 2024
Original Application No.569/2023
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