

Item Nos.13 &14

Court No. 1

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

Original Application No. 275/2023
(IA No.869/2023)

Mahesh Kumar

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

With

Original Application No. 569/2023
(IA No.719/2023)

Alok Kumar

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.04.2024

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

Applicant: Mr. Satyabeer Singh, Adv. for Applicant in OA 275/2023 (Through VC)
Mr. Anand Mishra, Mr. Prashant Kanha & Ms. Nisha Rai, Adv. for
Applicant in OA 569/2023

Respondent: Ms. Garima Prashad, AAG, Ms. Priyanka Swami & Ms. Simran Sehgal,
Adv. for the State of UP
Mr. Sumit Arora, Adv. for MoEF & CC in OA 569/2023
Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)
Mr. Abdhesh Chaudhary & Mr. Nishi Kant Singh, Adv. for Noida Authority
Mr. Rajesh Aggarwal, Adv. for Intervenor (Through VC)

ORDER

1. In this Original Application, pivotal issue is in respect of demarcation of floodplain zone of River Yamuna and River Hindon in the concerned districts and unauthorised constructions thereon.

2. Tribunal in the order dated 12.03.2024 had expressed the opinion that Survey of India which is a national reputed surveying agency can be engaged for demarcation of floodplain zone of River Yamuna and River Hindon.

3. Learned AAG appearing for State of UP has informed that so far as the floodplain zone of River Yamuna in the district is concerned, Survey of India has given the map with one metre contour for the stretch of 75 kilometres, out of which, identification of the stretch of 30 kilometre has been done and of remaining 45 kilometre will be done within one week and shape file will be prepared within this period and shared with the Survey of India.

4. She has submitted that demarcation of floodplain zone of entire 75 kilometre stretch will require four weeks time.

5. She has further submitted that since the parliamentary elections are in progress, therefore, four weeks time from 4th of June be granted for this purpose.

6. So far as demarcation of floodplain zone of River Hindon in the district under consideration is concerned, she has submitted that map with contours more than one metre were earlier received which were not found to be feasible and workable, hence, map with one metre contour has to be prepared for which Survey of India has sought three months time. She has submitted that state authorities will duly pursue the matter with the Survey of India to ensure that within this three months map of floodplain zone of River Hindon with one metre contour is received.

7. In view of the above submission, we grant further time as prayed above by Learned AAG to complete the process of demarcation of

floodplain zone of River Yamuna in the two districts and also to obtain the map from Survey of India and take action for identification of floodplain zone of River Hindon and preparation of shape file on the basis of that report within three months and file action taken report at least one week before the next date of hearing.

8. List on 07.08.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 29, 2024
Original Application No. 275/2023
& Original Application No. 569/2023
JG.