

Item No.10

Court No. 1

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

Original Application No.215/2024

Ankit Tiwari

Applicant

Versus

ISKCON Prayagraj &Ors.

Respondent(s)

Date of hearing: 27.08.2024

**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. Amit Tiwari, Applicant in Person (Through VC)

Respondent: Mr. Rahul Khurana, Mr. Hasil Jain & Mr. Vinay Kumar Singh, Advs. for R  
- 1  
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)  
Mr. Vibhav Mishra, Adv. for R - 4 (Through VC)

**ORDER**

1. This original application, applicant has raised the issue that respondent no.1 is carrying out unauthorised and illegal construction on the flood plain of river Yamuna on plot no. A/161 Kasiraj Nagar, Baluaghat, Allahabad, Uttar Pradesh.
2. Tribunal on 10.05.2024 had issued notice to the respondents.
3. Uttar Pradesh Pollution Control Board (UPPCB) has filed their response dated 22.08.2024 stating that on the northern side of river Yamuna at a distance of 43.0 meter from stairs on the bank of river Yamuna, three buildings are being constructed. First building is named Ganga and thereafter Sarsvati and Yamuna are being constructed. It further refers to the report sent by Executive Engineer, Flood Work Division, Prayagraj stating that flood plain will be demarcated as per the

definition of flood plain zone given by Engineer in Chief, Irrigation and Water Resources Department, UP in its letter dated 15.01.2015. The contents of that letter have been quoted in the report of the UPPCB and the said contents are not in consonance to the provisions of River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016.

4. Learned Counsel for UPPCB has stated that action will be taken against the authority/person who carries out or permits construction on the flood plain zone of river Yamuna and UPPCB will ensure that no construction takes place in flood plain zone of river Yamuna.

5. Learned Counsel for respondent nos. 1 and 4 seek four weeks time to file reply by way of affidavit.

6. Applicant is directed to supply legible copy of the original application along with complete set of annexures to respondent nos.1 and 4 within one week.

7. List on 05.12.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 27, 2024  
Original Application No.215/2024  
JG.