**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**I.A. No. 557 of 2024**

**IN**

**ORIGINAL APPLICATION No. 515 of 2023**

**IN THE MATTER OF:**

**GANGA POLLUTION … APPLICANT**

**VERSUS**

**STATE OF UTTAR PRADESH & ORS. … RESPONDENTS**

**INDEX**

| SL.NO | DESCRIPTION OF DOCUMENTS | | PAGE NO. |
|---|---|---|---|
| **1.** | Rejoinder on behalf of Harish-Chandra Research Institute Prayagraj to the reply filed by the District Magistrate, Prayagraj in compliance of the order of this Hon'ble National Green Tribunal dated 10.02.2026. | | |

**PLACE:**

**DATE:**



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**I.A. No. 557 of 2024**

IN

**ORIGINAL APPLICATION No. 515 of 2023**

(WRIT PETITION (PIL) No. 4003/2006)

**IN THE MATTER OF:**

**GANGA POLLUTION … APPLICANT**

**VERSUS**

**STATE OF UTTAR PRADESH & ORS. … RESPONDENTS**

**REJOINDER ON BEHALF OF HARISH-CHANDRA RESEARCH INSTITUTE PRAYAGRAJ TO IA 557 OF 2024 IN OA 515 OF 2023 TO THE REPLY FILED BY THE DISTRICT MAGISTRATE, PRAYAGRAJ IN COMPLIANCE OF THE ORDER OF THIS HON'BLE NATIONAL GREEN TRIBUNAL DATED 10.02.2026**

MOST RESPECTFULLY SHOWETH:

**1.** That the present Rejoinder is being filed by the applicant Harish-Chandra Research Institute, Prayagraj through its authorized representative, Shri Durgam Giri working as Registrar at Harish-Chandra Research Institute, in response to the Reply filed on behalf of the District Magistrate, Prayagraj in purported compliance of the directions issued by this Hon'ble Tribunal vide order dated 10.02.2026 in I.A. No. 557 of 2024 in O.A. 515 of 2023.

**2.** That the District Magistrate, Prayagraj reply itself records that boundary pillars demarcating the floodplain zone (FPZ) have already been installed along approximately 200 kilometers of the River Ganga in District Prayagraj. The Google Earth map annexed with the District Magistrate, Prayagraj Reply also depicts these pillars in the Chhatnag area. Thus, the demarcation and delineation of the floodplain zone (FPZ) for flood frequency of 1:100 years in the Chhatnag stretch, where the Institute is located, stands completed as per the reply filed by the District Magistrate, Prayagraj.

**3.** That it is most respectfully submitted as under:

**a)** As per River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 dt. Oct 07, 2016 issued by the Ministry of Water Resources, River Development, and Ganga Rejuvenation of Government of India under Section 3 of the Environment (Protection) Act, 1986 to establish a comprehensive statutory and institutional framework for the rejuvenation, protection, and management of the River Ganga and its tributaries the floodplain zone (FPZ) is required to be identified and demarcated on the basis a flood of frequency once in hundred years.

**b)** That this Hon'ble Tribunal vide its judgment dated 13th July 2017 in the matter of M. C. Mehta vs Union of India 200/2014 has inter alia directed the following:

> "142: Being an integral part of the river, floodplain of the river requires protection. Floodplains play significant role in maintaining the bio-diversity and aquatic life of the river. It's significance cannot be overlooked, in terms of environment and ecology. There are numerous dimensions involved while identifying the floodplains. **It is required to categorize it into different zones, namely, No Development Zone, Regulated Zone and a Free Zone for development.** The principle of Sustainable Development itself

justifies the classification of floodplains into such zones for protecting the river. This Tribunal in the case of Manoj Misra (supra) had the occasion to deal with the concept of floodplain, its zoning and management. The Tribunal held as under:

"79. Development and regulation of floodplain of Rivers falls within the purview of the State. Floodplain is an integral part of River system even though it is used only occasionally to pass down flood flows. When floodplain is not occupied by water it forms part of the land system providing possibilities of carrying on some restricted activity. It is not possible to provide uniformity in the extent of floodplains with respect to different Rivers as well as its various reaches."

"80. **Floodplain zoning has been accepted as an important nonstructural strategy for flood management. The basic concept of floodplain zoning is to regulate land use of floodplains to restrict damage caused due to floods.** The floodplain zoning, therefore, aims at determination of locations so that flood damages are reduced to minimum. A very restrictive activity can be allowed in that area. It is not only to protect the areas from damage resulting from floods and failure of water protective measures, but is also useful in reducing the damage caused due to drainage congestion, particularly in urban areas."

**c)** That in compliance to the order dated 22nd July 2022 in OA 200 of 2014 M.C. Mehta vs Union of India and others this Hon'ble Tribunal reasserting point 28 (ii - c) of earlier order dated 18th December 2019 "*NMCG and concerned States – Uttarakhand, UP, Jharkhand, Bihar and West Bengal may take further steps as per directions already issued for Demarcation of flood plain zones and preventing encroachments thereof.*", the Irrigation and Water Resources Department of Uttar Pradesh entrusted National Institute of Hydrology (NIH) Roorkee for the delineation and

demarcation of Flood plain of river Ganga from Unnao to Ballia in three zones as defined below:

- Prohibited Zone: Flood recurrence interval of 5 Years
- Regulatory Zone: Flood recurrence interval of 25 Years
- Warning Zone: Flood recurrence interval of 100 Years

**d)** That a detailed report on the same has been submitted to this Hon'ble Tribunal on dated 24th May, 2024 by the Chief Engineer, Irrigation and Water Resource Department, Varanasi UP on behalf of state of UP in response to order of this Hon'ble Tribunal dated 15th March, 2024 in OA 515 of 2023.

**e)** That as detailed in order of this Hon'ble Tribunal in OA 515 of 2023 dated 19th September, 2024, this Hon'ble Tribunal has taken into record the response filed by NMCG on dated 11th September, 2024 defining the graded Flood Plain Zones as following:

"* Prohibited Zone: with limits conforming to 5-year return period flood

* Regulatory Zone: with extent up to 25-year return period flood beyond extent of prohibited zone.

* Warning Zone: with extent up to 100-year return period flood beyond extent of Regulatory Zone (for urban areas only)."

**f)** That the Central Water Commission Technical Guidelines on Floodplain Zoning, 2025 and the Uttar Pradesh Building Bye-laws, 2025 recognize Educational institutions, research centers, libraries and hostels as permissible regulated activities subject to environmental safeguards which comes under regulated zone i.e. regulatory zone (area of flood plain covered by floods between one in five years return period and one in twenty five year return period.

**g)** That the coordinates of the flood zone boundary with frequency of 1:100 years are made available in the public domain by *Flood Management Information System Centre*, Uttar Pradesh. However, the coordinates for

the boundary of other two zones viz. Flood frequency of one in 5 year and one in 25 years are not made available.

**h)** The construction sought by the Harish-Chandra Research Institute is confined strictly to essential academic infrastructure (hostel, lecture hall complex, library extension and related facilities) within its existing campus pursuant to the building plans sanctioned by the then Allahabad Development Authority (now Prayagraj Development Authority i.e. PDA). There is no element of commercial real-estate development.

**4.** That the construction activities of the Institute have already remained stalled for more than a decade pursuant to the interim orders dated **22.04.2011** and **16.08.2012** passed by the Hon'ble High Court of Allahabad in PIL 4003 of 2006 as detailed in the present application. Continued restraint, despite completion of site-specific demarcation and delineation in the Chhatnag area, would amount to perpetuating an unnecessary and disproportionate hardship on a premier national research institution.

**5.** That it is here worth mentioning that the Institute has already implemented robust environmental safeguards, including a fully functional Sewage Treatment Plant of 200 KLD capacity with zero discharge into the River Ganga (treated effluent is utilized only for horticulture within the campus), rainwater harvesting and groundwater recharge structures, and extensive tree plantation. These measures stand recorded vide submission made in the present application.

**6.** That in view of the foregoing, there is no further justification for slowing or restraining the limited academic construction proposed by Harish-Chandra Institute. Any construction lying beyond active flood plain (Prohibited Zone) i.e. one into five years must be permitted to proceed forthwith in accordance with the sanctioned plans as construction is for the greater public cause and welfare.

**7.** That the balance of convenience, the principles of sustainable development, equity, and the larger public interest in the promotion of higher education and scientific research under the Department of Atomic Energy, Government of India clearly favour the grant of the limited interim relief sought. Further delay would be wholly unjust and disproportionate.

**8.** That it is prayed that in view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased:

**a)** To kindly take the present Rejoinder on record.

**b)** To allow the present applicant/Harish-Chandra Research Institute, Prayagraj to do the construction beyond the demarcation and delineation of the floodplain zone (FPZ) for flood frequency of 1:100 year in the Chhatnag stretch (where the campus of Harish-Chandra Research Institute is situated) having already been completed, as recorded in the Reply of the District Magistrate, Prayagraj, there remains no justification for further restraining the limited construction of essential academic infrastructure within the existing campus.

**c)** To kindly pass the interim and immediate relief by permitting the Harish-Chandra Research Institute Prayagraj to proceed with construction of the hostel, lecture hall, library and related academic facilities on those portions of its existing campus ***that lie beyond demarcation and delineation of FPZ for flood frequency of 1:100 years*** in accordance with the sanctioned building plans.

**d)** To kindly direct the Government of Uttar Pradesh and/ or NIH Roorkee to share the coordinates corresponding to the demarcation for flood frequency of 1:5 year and 1:25 years with HRI Prayagraj pertaining to the stretch of River Ganga besides HRI Prayagraj.

e) To kindly allow the applicant/Harish Chandra Institute to do the construction beyond the prohibitory area i.e. 1 to 5 years Flood Recurrence interval period as per the latest amendment dt.07.08.2026 of River Ganga (Rejuvenation, Protection and Management) Authorities Order 2016 and Technical Guidelines issued by Central Water Commission,

f) To pass such further or other order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

(Durgam Giri)

**APPLICANT**

**PLACE:** Prayagraj

**DATE:** 14-11-2026

Durgam Giri
Registrar
Harish-Chandra Research Institute
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Prayagraj-211019

THROUGH

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