

ITEM NO.45

COURT NO.7

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.3367/2020

ASHOK KUMAR SINHA

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[TO BE TAKEN UP AT THE TOP OF THE BOARD]

(IA No. 54518/2024 - CLARIFICATION/DIRECTION, IA No. 28766/2024 - EXEMPTION FROM FILING O.T., IA No. 247125/2023 - EXEMPTION FROM FILING O.T., IA No. 184904/2023 - EXEMPTION FROM FILING O.T., IA No. 73609/2023 - EXEMPTION FROM FILING O.T. AND IA No. 100859/2020 - STAY APPLICATION

Date : 12-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) :

Mr. Akash Vashishtha, Adv.
Ms. Nidhi Agarwal, Adv.
Mr. Neeraj Kumar Sharma, AOR

For Respondent(s) :

Mrs. Aishwarya Bhati, A.S.G.
Ms. Ruchi Kohli, Adv..
Mr. Navanjay Mahapatra, Adv.
Mr. Santosh Kumar, Adv.
Mr. Annirudh Sharma-(II), Adv.
Dr. N. Visakamurthy, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. B K Satija, Adv.
Mr. Raman Yadav, Adv.
Mr. Rohan Gupta, Adv.

Mr. Azmat Hayat Amanullah, AOR
Ms. Rebecca Mishra, Adv.
Ms. Ekta Kundu, Adv.

Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.

Mr. Kumar Saurav, Adv.

Mr. Chandrika Prasad Mishra, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. This petition arises from the order dated 30th June, 2020 passed by the National Green Tribunal, Principal Bench, New Delhi in Original Application No. 42/2020/EZ by which the original application preferred by the petitioner before us stood dismissed.

2. The impugned order passed by the NGT, referred to above, reads thus:

"1. Case taken up by video conference on Vidyo App.

2. This case has been filed pursuant to order dated 21.01.2020 in O.A. No. 78/2019/EZ, whereby leave had been granted to the Applicant to withdraw the O.A. with liberty to file afresh.

3. Earlier vide order dated 11.12.2019 direction had been issued upon the Applicants to furnish particulars application of the alleged violators in the application.

4. We do not find the position having altered in any manner as the pleadings are still bereft of particulars of the violations and the violators. In view of this, the O.A. stands dismissed."

3. It appears on plain reading of the impugned order that earlier OA number 78 of 2019 was permitted to be withdrawn with liberty to file afresh with necessary and material particulars as regards encroachments over the periphery of the banks of River Ganga etc. Since the fresh OA was also bereft of material particulars, the NGT thought fit to dismiss the same.

4. We should first take notice of the order passed by this court dated 2nd August, 2024.

5. The Order reads thus:-

IA No. 54518/2024:-

Heard Mr. Azmat Hayat Amanullah, learned counsel appearing for the State of Bihar. Ms. Aishwarya Bhati, learned Additional Solicitor General appears for the Union of India and National Mission for Clean Ganga (NMCG). Mr. Akash Vashishtha, learned counsel appears for the appellant.

2. This court's attention is drawn to the order passed by this Court on 01.12.2023. The order reads as under:-

"When the matter is called on for hearing, learned counsel for the State of Bihar submits that the State has identified unauthorized constructions adjacent to the river Ganga in and around Patna and steps have been taken to remove these encroachments/constructions. List on 05.02.2024.

On that date the State shall report to this Court the progress in getting these unauthorized structures removed by filing an affidavit. Such affidavit shall be filed by the Chief Secretary of the State of Bihar. The State shall also ensure no further construction takes place adjacent to the river Ganga particularly in and around the city of Patna"

3. It is submitted by the applicant(s) that the last sentence in the said order is capable of being misconstrued and therefore the Court should clarify that the order has reference to only illegal construction and unauthorized encroachment in and around the areas adjacent to the river Ganga in Patna City.

4. On reading of the order and the nature of the appeal that is under consideration, it is quite apparent that appellant is concerned about the illegal construction and unauthorized encroachment on the bank of river Ganga.

5. This is also the submission of the counsel for the State of Bihar and also the learned ASG, appearing for the Union of India.

6. Considering the above, we deem it appropriate to clarify that the last sentence in this Court's order dated 01.12.2023 in the Civil Appeal No.3367/2020 should be read as "the State shall also ensure no further illegal construction or unauthorized encroachment takes place adjacent to the river Ganga particularly in and around the City of Patna."

7. The IA is ordered accordingly.

8. In course of deliberation in this matter, it came to light that there is wide spread use of plastic in the areas which are to be kept free from such pollution potential products. The dumping of plastic is causing serious environment degradation and also impacting aquatic life in the river banks and the water bodies in the country. Unless concerted effort is made by the responsible authorities with people's cooperation, irrespective of the efforts to target illegal/unauthorized constructions, the desired improvement of the quality of the water in river Ganga/all other rivers and water bodies in the country will remain illusory.

9. In the above circumstances, while permitting the learned ASG to file an affidavit in four weeks on the issues raised in the appeal, the response should also take into account the environment concerns raised in the present order. Affidavit in response be also filed by the State of Bihar within the same time line."

6. We must also take notice of the order passed by this court dated 2-4-2025.

7. The same reads thus.

1. We heard Mr. Akash Vashishitha, the learned counsel appearing for the appellant, Mr. Azmat Hayat Amanullah, the learned counsel appearing for the State of Bihar and Ms. Manisha Chava, the learned counsel appearing for the Union of India.

2. We take notice of the order passed by a Coordinate Bench of this Court on 16.12.2022, the same reads thus:-

"Ms. Aishwarya Bhati, learned Additional Solicitor General apprises this Court that steps have been taken by the concerned Ministry for identifying unauthorised constructions, if any, on the flood of the river plain Ganga in and around the location over which complaints have been made by the appellant by using Geo Mapping technology and it will take sometime to complete this process.

List the matter after six weeks alongwith the report from the concerned Ministry."

8. We also take notice of the order dated 17th February, 2023, the same reads thus:-

"Ms. Aishwarya Bhati, learned additional solicitor general appearing for the Union of India, Ministry of Jal Shakti, submits that a survey map has already been made available to the State of Bihar.

Let an assessment on the survey map giving the ground level situation as regards particulars of existing constructions on the floodplains of the river Ganga in Patna. A report shall be filed disclosing therein how the floodplains have been described in the revenue records and if there is any construction within the zone of floodplains of the Ganga. List after four weeks."

9. In pursuance of the two orders passed by this Court, referred to above, an affidavit has been filed on behalf of respondent no.4 duly affirmed by one Sh. Ved Prakash Mishra, Joint Secretary in the Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi.

10. We have looked into the affidavit, referred to above, the same appears to be one relating to dumping of plastic.

11. The affidavit reads thus:-

"ADDITIONAL AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE, RESPONDENT NO. 4.

I, Ved Prakash Mishra, S/o Shri Ram Sidh Mishra, aged about 50 years currently working as Joint Secretary in the Ministry of Environment, Forest and Climate Change (MoEF&CC) having office at Aliganj, Jor Bagh, New Delhi-110003, do hereby solemnly affirm and state as under:

1. That I, in the capacity of Joint Secretary at Ministry of Environment, Forest and Climate Change, am fully conversant with the facts of the case and competent to swear this affidavit on behalf of Respondent No 4.

2. That the contents of the petition under reply, unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter. The annexure accompanying this affidavit is true copy of its original.

3. That, without prejudice to the above and as an alternative submission, the deponent craves liberty to raise further required contentions during the course of the proceedings.

4. That vide order dated 02.08.2024, Hon'ble Court directed Respondent no. 4 -MoEF&CC file an affidavit with respect to the para 8: In course of deliberation in this matter, it came to light that there is wide spread use of plastic in the areas which are to be kept free from such pollution potential products. The dumping of plastic is causing serious environment degradation and also impacting aquatic life in the river banks and the water bodies in the country. Unless concerted effort is made by the responsible authorities with people's cooperation, irrespective of the efforts to target illegal/unauthorized constructions, the desired improvement of the quality of the water in river Ganga/all other rivers and water bodies in the country will remain illusory. A copy order dated 02.08.2024 is marked and annexed as Annexure- I.

5. The Ministry vide G.S.R. 320 (E) dated 18th March 2016 had notified the Plastic Waste Management (PWM) Rules, 2016 that provides satisfactory framework for management of plastic waste in the country. A copy of the Plastic Waste Management Rules, 2016 is marked and annexed as Annexure-II.

6. The Ministry had notified the Plastic Waste Management (Amendment) Rules, 2021 vide G.S.R. 571 (E) dated 12th August, 2021 thereby prohibiting the manufacture, import, stocking, distribution and sale and use of identified single use plastic items, which have low utility and high littering potential, with effect from 1st July, 2022, in

order to reduce pollution of environment caused by littered single use plastic items leading to protecting and improving the quality of the environment. A copy of the Plastic Waste Management (Amendment) Rules, 2021 is marked and annexed as Annexure-III.

7. That considering the unmanaged and littered plastic waste has adverse impacts on terrestrial and aquatic ecosystems, inter alia the following identified single use plastic items, which have low utility and high littering potential, have already been prohibited, with effect from 1st July, 2022,

(i) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;

(ii) plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation, cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers.

8. That Ministry of Environment, Forest and Climate Change has also notified the Guidelines on Extended Producer Responsibility (EPR) for plastic packaging vide Plastic Waste Management (Amendment) Rules, 2022, on 16th February 2022. The guidelines mandate targets for recycling of plastic packaging waste, reuse of rigid plastic packaging and use of recycled plastic content. The ban on identified single use plastic items, which have littering potential and low utility, coupled with implementation of extended producer responsibility on plastic packaging is expected to reduce pollution caused by littered and unmanaged plastic waste. A copy of Guidelines on Extended Producer Responsibility is marked and annexed as Annexure- IV.

9. That Guidelines for Extended Producer Responsibility (EPR) on plastic packaging notified in February 2022, has provided clear framework for market based EPR mechanism made operational through a centralized online portal. As on date, under this framework for EPR implementation on plastic packaging, around 41446 PIBOs are registered on the online EPR portal as opposed to 300 in 2021. The EPR liability of PIBOs for 2022-23 is around 3 million tonnes, which is significant proportion of plastic waste generated in the country. Around 2503 plastic waste processors have also registered on the centralized online portal.

10. It is submitted that as on date, EPR certificates of around 75 lakh tonnes equivalent of plastic waste processed have been generated by registered plastic waste processors, of which, around 57 lakh tonnes EPR certificates have been procured by producers, importers and brand owners to fulfil their EPR obligations. The progress achieved can be seen on the Dashboard of the EPR portal.

11. Further, a National Task Force has been constituted which reviews measures on implementation of ban on identified single use plastic items and effective plastic waste management in the country. All States and UTs have constituted a Special Task Force under Chief Secretary inter alia for effective plastic waste management. The States/UTs have been asked to take measures for stopping of ingress of plastic waste into water bodies including rivers.

12. That in view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to pass such other order and further order(s) as this Hon'ble Court may deem fit and necessary in the interest of justice.

13. That no new facts and no documents have been taken in the Counter Affidavit, which was not, parts of the Court below."

12. However, we are concerned as on date with the issue of large scale illegal encroachments over the banks of river Ganga.

13. The learned counsel appearing for the appellant(s) submitted that there are large scale encroachments all over the banks which require immediate attention. He pointed out that some parts of these riverbanks are very rich in fresh water Dolphins.

14. As pointed out by the learned counsel appearing for the State of Bihar we looked into the second supplementary counter affidavit filed on behalf of the State duly affirmed by one Shri Pramod Kumar Rajak in his capacity as the Project Officer cum Deputy Director, Urban Development & Housing Department, Government of Bihar.

15. The affidavit reads thus:-

"2nd SUPPLEMENTARY COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NOS. 5 TO 9.

I, Pramod Kumar Rajak, aged about 30 years, son of Shri Bhim Rajak, resident of Vill. + P.O. Belawon, Police Station Kaler, District Arwal, Bihar do hereby solemnly affirm and state as follows:-

1. I am presently posted as the Project Officer cum Deputy Director, Urban Development and Housing Department, Government of Bihar. I have been authorized to file the present 2nd supplementary counter affidavit on behalf of the State of Bihar (Respondent No. 5) as well as Respondent Nos. 6 to 9. I am aware of the facts of the present case on the basis of official records maintained by the State of Bihar that I believe to be true. As such, I am competent to depose the present counter affidavit.

2. The present civil appeal has been preferred by the Appellant assailing the impugned Order dated 30.06.2020 passed by a Bench of the National Green Tribunal (NGT) in OA No. 42/2020/EZ vide which the Appellant's original application before the Ld. NGT was summarily dismissed for being 'bereft of particulars of the violations and of the violators'. It is pertinent to note that the Appellant's application before the Ld. NGT (and the present civil appeal) pertain to the alleged encroachments on the floodplains of the Ganga River in Patna.

3. The present 2nd supplementary counter affidavit is being filed on behalf of the Respondent Nos. 5 to 9 in terms of the directions contained in Order dated 17.02.2023 passed by this Hon'ble Court to prepare and file a report regarding encroachments on the floodplains of the river Ganga in Patna. It may be noted that the answering Respondents had earlier filed a brief counter affidavit in response to the subject civil appeal and, thereafter, a supplementary counter affidavit was also filed by the answering Respondents. The contents of the same may kindly be read in conjunction with the present 2nd supplementary counter affidavit.

4. As mentioned in the supplementary counter affidavit already filed, in terms of the mandate of this Hon'ble Court vide Order dated 17.02.2023, the Urban Development and Housing Department, Government of Bihar vide departmental letters bearing letter no. 1996 dated 04.05.2023, letter no. 2118 dated 16.05.2023, letter no. 2572 dated 15.06.2023, letter no. 3598 dated 01.08.2023 requested the District Magistrate, Patna to make available a detailed report on the encroachments made on the floodplains of the river Ganga in Patna after proper verification on the ground and on the basis of revenue records.

5. Thereafter, the District Magistrate, Patna vide letter no. 5609 dated 25.08.2023 made available a detailed survey report that was prepared and submitted by a measurement team constituted by the District Magistrate, Patna for carrying out a survey and measurement, on the ground level, from Digha Ghat to Nauzar Ghat situated on the banks of river Ganga in Patna.

6. It is notable that till that time (25.08.2023), survey had been completed along the banks of the Ganga river from Digha Ghat to Mahatma Gandhi Setu that is approximately an 8 km stretch that is divided into Survey Map (1908-1909), Khas Mahal Digha-Diara map and Municipal Survey Map (1932-1933).

7. It may be of note, for context, that in each survey map, private or raiyati land is marked by plots or khesra numbers and the areas along the banks of river Ganga were left un-surveyed, presumably because they were subject to seasonal floods. Any private construction on these parts which is unauthorized has been identified as an encroachment.

8. In pursuance of the directions of the District Magistrate, the measurement team conducted measurement work on the basis of Survey Map (1908-1909), Khas Mahal Digha-Diara map and Municipal Survey Map (1932-1933) and the said measurement team submitted a detailed 1st survey report (from Digha Ghat to Mahatma Gandhi Setu) to the Circle Officer, Patna Sadar enclosing therewith (i) report, (ii) visual

map, (iii) joint map of Siwan Patna District, and (iv) list of encroachers that were forwarded vide letter no. 7558 dated 24.08.2023 to the District Magistrate, Patna.

9. As per the measurement report qua the survey completed till August 2023 from Digha Ghat to Mahatma Gandhi Setu, the status of illegal constructions/encroachments, Mauza/village-wise was as follows:

- (i) Mauza Digha Diara Khas Mahal ½: Total number of illegal constructions, permanent/temporary encroachments are 35.
- (ii) Mauza-Digha Diara, Thana no. 141:- Total number of illegal constructions, permanent/temporary encroachments are 21.
- (iii) Mauza-Mainpura, Thana No. 140: Total number of illegal constructions, permanent/temporary encroachments are 06.
- (iv) Mauza-Mainpura Diara, Thana No. 140: Total number of displaced families that were rehabilitated to these areas, decades ago by the Government in Bindi Toli are 205.
- (v) Mauza-Dujra Diara, Thana No. 13: Total number of displaced families that were rehabilitated to these areas, decades ago by the Government are 08.

10. As per the report (qua the survey completed till August 2023 from Digha Ghat to Mahatma Gandhi Setu), at present the river Ganga is flowing only through certain parts of Diara area that is marked in the map and there is no specific map of the river Ganga in the survey maps. Temporary farming is done by local villagers due to increase and decrease in the water level during the rainy season. A true translated and typed copy of the report of the measurement team has already been placed on record by the answering Respondents with their supplementary counter affidavit where the same is marked as Annexure R-5/10.

11. This report of the measurement team (qua the survey completed till August 2023 from Digha Ghat to Mahatma Gandhi Setu) was shared by the Circle Officer, Patna City with the Office of the District Magistrate, Patna vide letter dated 24.08.2023 that clarified, inter alia, that in order to vacate the permanent/temporary encroachments that had been identified, and in terms of the Bihar Public Land Encroachment Act, 1956, action has duly been initiated vide Encroachment Case No. 14/2023-24, Encroachment Case No. 15/2023 and Encroachment Case No. 16/2023-24. A true translated and typed copy of letter dated 24.08.2023 has already been placed on record along with the supplementary counter affidavit filed by the answering Respondents where it has been marked as Annexure R-5/11.

12. The 1st supplementary counter affidavit filed by the answering Respondents also specified that as regards the Displaced Persons in these un-surveyed areas, a scheme for rehabilitation would need to be prepared in case a decision was taken to relocate these persons.

13. This 1st report (qua the survey completed till August 2023 from Digha Ghat to Mahatma Gandhi Setu) also clarified that the process for measurement and identification of the encroachers was still underway for the remaining area i.e., from Mahatma Gandhi Setu to Nauzer Ghat.

14. It is notable that this balance survey exercise has also now been concluded and vide letter dated 27.09.2023, the Measurement Survey Report for the remaining area (hereinafter referred to as "the balance Measurement Survey Report") was supplied by the District Magistrate, Patna to the Department enclosing therewith a copy of the report, list of encroachers and other documents. A true translated and typed copy of the letter dated 27.09.2023 is enclosed herewith and is marked as Annexure R-5/13.

15. As was the case in the earlier part of this exercise, in each survey map, private or raiyati land is marked by plots or khesra numbers and the areas along the banks of river Ganga were left un-surveyed, presumably because they were subject to seasonal floods. Any private construction on these parts which is unauthorized has been identified as an encroachment.

16. The salient observations of this the balance Measurement Survey Report are as follows:

- i. The measurement work and identification of encroached areas was done by the team (constituted under the orders of the District Magistrate) based on a comparative examination of the Survey Map (1908-09) and the Municipal Survey Map (1932-33).
- ii. A total number of 151 illegal constructions comprising of temporary and permanent structures were identified and listed for the balance from between Mahatma Gandhi Setu to Nauzer Ghat, comprising of un-surveyed areas of Sambalpur Diara, Police Station Nos. 169 and 170.
- iii. In order to vacate the permanent/temporary encroachments that have been identified, and in terms of the Bihar Public Land Encroachment Act, 1956, action has duly been initiated vide Encroachment Case Nos. 24/2023-24, 25/2023-24, 26/2023-24, 27/2023-24, 28/2023-24, 29/2023-24, 30/2023-24, 31/2023-24, 32/2023-24, 33/2023-24, 34/2023-24, 35/2023-24, 36/2023-24, 37/2023-24, and 38/2023-24.
- iv. Apart from the list of encroachments/illegal construction appended with the report, the report also specified that there is a concrete road from Mahavir Ghat to Nauzer Ghat which is presently being used for general traffic and is also functioning as an embankment.
- v. The balance Measurement Survey Report also reiterated that at present the river Ganga is flowing only through certain parts of Diara. Temporary farming is done by local villagers due to increase and decrease in the water level during the rainy season.

A true translated and typed copy of the Measurement Survey Report for the remaining area dated 18.09.2023 along with the list of encroachments enclosed therewith is enclosed herewith and is marked as Annexure R-5/14.

17. The facts stated in the present affidavit are true to my knowledge as derived from the official records. No part of the same is false and nothing material has been concealed therefrom. The annexures filed with the present affidavit are true translated copies of their respective originals."

18. We would like to have more than a fair idea as regards the current status of the matter.

19. We would like to know what steps have been taken by the authorities to remove all such encroachments over the banks of river Ganga.

20. We would also like to know how many such encroachments are still there as on date on the banks of the river and in what manner authorities propose to remove all such encroachments & within what period of time.

21. Before we proceed to issue final directions in this matter, we would like to have a report in this regard by the next date of hearing.

22. We direct both the State of Bihar as well as the Union of India to file an appropriate report so that we can proceed further in the matter.

23. It shall be open for the appellant also to furnish us with the necessary information as regard the position as on date.

24. Post it after four weeks."

16. In the course of today's hearing, we heard the learned counsel appearing for the petitioner, Ms. Aishwarya Bhati, the learned ASG appearing for the Respondent Nos.1 & 2 (Union of India and National Mission for Ganga Authority) respectively, Mr. Azmat Hayat Amanullah, the learned counsel appearing for the Respondent No.5 - State of Bihar and also the other Respondent Nos.6 to 9 respectively

17. In today's hearing, the learned counsel appearing for the petitioner mainly flagged the issue with regard to removal of encroachments on two particular stretches insofar as the State of Bihar is concerned. He highlighted that in 2023, 213 encroachments were identified on the stretch between Digha Ghat and Nauzar Ghat.

18. Out of 213 encroachments, 58 have been demolished so far whereas the State authorities have not been able to remove the balance 145 encroachments, as according to the learned counsel appearing for the State, there are some interim orders passed by the High Court and various other Courts of the district judiciary. The second stretch which the learned counsel talks about is from Nauzar Ghat to Nurpur Ghat. According to the learned counsel, there are hundreds of encroachments insofar as the stretch from Nauzar Ghat to Nurpur Ghat is concerned.

19. Our attention was also drawn to the affidavit filed on behalf of the National Mission for Clean Ganga Authority duly affirmed by Shri Binod Kumar, Director, National Mission for Clean Ganga Authority (NMCG), Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti New Delhi. The affidavit highlights the status insofar as the State of Uttar Pradesh, State of Uttarakhand, State of West Bengal, State of Bihar, Government of National Capital Territory of Delhi, State of Haryana, State of Jharkhand, State of Rajasthan and State of Chhattisgarh respectively are concerned.

20. In all the States, referred to above, the Authority has highlighted encroachments all over the banks and periphery of River Ganga.

21. Our attention was also drawn to the Notification dated 7th October 2016 issued by the Ministry of Water Resources, River Development and Ganga Rejuvenation, in exercise of the powers conferred by sub-Section 1 read with other relevant provisions of the Environment (Protection) Act, 1986.

22. Insofar as the Notification, referred to above, is concerned, Ms. Bhati highlighted clause 4 of the Notification which talks about the principles to be followed for rejuvenation, protection and management of River Ganga. Thereafter, our attention was drawn to clause 5 of the notification which talks about ecological flow of water in River Ganga to be maintained. Clause 6 of the Notification talks about prevention, control and abatement of environmental pollution in River Ganga and its tributaries.

23. The affidavit filed by the Authority is of the year 2024. Almost 2 years have elapsed. We do not have the current status report. The first thing that we would like to impress upon Ms. Bhati, the learned ASG is to take appropriate instructions and place before us a comprehensive detailed report highlighting the following:-

1. What is the current status insofar as encroachments are concerned in all the States, referred to above, from where River Ganga is flowing or passing through?
2. What steps have been taken so far for the meaningful implementation and execution of all the clauses of the Notification dtd. 7th October 2016 referred to above?
3. What are the impediments or hurdles coming in the way of the Authority in giving effect to the better and effective implementation of the Notification, referred to above?
4. What steps the Authority intends to take to protect the river Ganga passing through all the States, referred to above, and ensure that the river plains and banks are free of all encroachments?
5. And in the last, we would also like to know from Ms Bhati what type of directions the Authority would like to seek from this Court to give meaningful effect to the Notification, referred to above, more particularly, to give effect to the very mission which the Government of India has undertaken to make the river plains and the banks of river Ganga absolutely free of all encroachments?.

24. The report should also indicate the status of the flood plain demarcation in each of the States referred to above.

25. The State of Bihar is very much before us. However, let notice be issued to all other States, referred to above.

26. We grant liberty to the petitioner to serve one set of his entire paper book to all the learned Standing counsel appearing for the respective States.

27. Post this matter for further hearing on 23-4-2026.

28. This matter shall be treated as part heard.

29. Ms. Bhati shall see to it that one copy of the entire report is furnished to the learned counsel appearing for the petitioner, who in turn, may study and file his response to the same.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)