

**URGENT: Matter involves Land/Property granted 'status quo quo' by
HON'BLE HIGH COURT NAINITAL.**

Letter no. 1/ADB/Danijala 05-Oct-2025

To,

The Country Director ,
Asian Development Bank,
New Delhi,

**Subject: Complaint Regarding Frivolous and Harmful Danijala Footbridge Project
Affecting Property, Livelihood, and Pending Court Matters AND Misuse of ADB funds**

Ref: Proposed Foot Bridge at village Danijala Tehsil and District Nainital,

Sir /Madam ,

I am submitting this complaint regarding the proposed construction of the Danijala Foot Bridge over the Gola River in District Nainital, Uttarakhand, India. As an affected landholder and resident, my rights, livelihood, and security are directly threatened by this project. The project documents misrepresent the population and beneficiaries, while ignoring the fact that the connecting road has been mapped on my leased land without any acquisition process or consent. If constructed, the bridge will cause severe damage to my property, crops, and agricultural livelihood, while providing undue benefit to only a few individuals. The approval process appears flawed, with inaccurate beneficiary data, fabricated certificates, and the absence of proper technical and financial scrutiny.

Furthermore, this project appears frivolous and mala fide, intended only to benefit the opposite parties in an ongoing property dispute. **The matter concerning the proposed site is already sub judice before the Hon'ble High Court of Uttarakhand at Nainital and the Civil Court. Despite this, the project is being advanced in disregard of the status quo, which undermines the judicial process.** It is also important to note that **Danijala already has a functional access route across the Gola River through the Kathgodam Bridge**, which has been used by villagers for nearly eight decades. Additionally, a motorable road project (**Kathgodam Bypass**) is already approved and under progress, which will provide effective connectivity to the village. In this light, the purpose of sanctioning a separate footbridge project is highly doubtful, lacks justification, and raises concerns of misuse of public resources to benefit a few private individuals. This is to be noted that from decades **the existing route to Toak Danijala is through Kathgodam Bridge at 1.5 km distance, to achieve the feasibility of the project this important fact is also concealed in this frivolous project report.**

Grounds and Submissions

1. Absence of Consent and Fabricated Gram Pradhan Certificate

- Annexure H (p.15) contains a certificate issued by Gram Pradhan Meena Devi stating that "all farmers whose land is impacted have no objection." This certificate is false, fabricated, and politically motivated.

- The list contains names of individuals who neither own land at the proposed site nor have any direct concern with the bridge. Genuine affected landowners/leaseholders, including the undersigned, are missing.
- The DPR also wrongfully shows the connecting road from Nainital road to the proposed footbridge as an “existing public path.” In reality, this land is leased property held by the undersigned and co-owners, and no such consent was ever granted.

2. Suppression of Material Fact: Parallel Motorable Road Project

- The DPR conceals the fact that the Kathgodam–Amritpur Bypass Project (3.5 km) was approved in 2019 under a CM announcement, providing a motorable road directly passing through Village Danijala.
- This fact was deliberately suppressed while revising the administrative approval of the footbridge project in 2023.
- **The RTI reply of Executive Engineer, TD Bhowali (annexed), confirms the bypass road project and its beneficiary villages, including Danijala.** Non-disclosure of this approved road project renders the footbridge redundant and constitutes suppression of material fact.

3. False Information Regarding Existing Bridges

- Annexure A (p.4 – Bridge Reconnaissance Survey) incorrectly states that there is no place to cross the Gola river.
- In reality, two existing bridges at Ranibagh and Kathgodam are both within 1.5 km of the proposed site. Google Map screenshots annexed confirm this fact.
- Thus, the very foundation of “no existing connectivity” is factually incorrect and misleading.

4. Wrongful Consideration under UDRP and Irregular Approval

- Annexure G (p.4) shows that the project has been considered under UDRP (Uttarakhand Disaster Recovery Project), which was intended to replace bailey bridges damaged in the 2013 disaster. At Danijala, there has never been any bailey bridge or other washed-out structure. The classification is therefore fraudulent.
- The DPR further reveals that the budget was revised on 30.06.2023 (Letter No. 275/UDRP-AF/2023) from ₹6.74 Cr to ₹7.5 Cr, without mandatory technical sanction and without verification by JE, AE, EE, or SE.
- This amounts to procedural irregularity, misappropriation, and approval without due diligence.

5. False and Inflated Population and Beneficiary Data

- Annexure H (p.5) claims that 787 people will benefit, covering Danijala and Pasauli villages. This is false and misleading.



- Village Pasauli already has a motorable road passing through it and is 3.32 km from Danijala bridge site. Residents have no requirement for the proposed footbridge when they already have two alternate access points (including Kathgodam Bridge at 3.14 km).
- Danijala itself has only 10–15 houses with a population of 30–45 persons, all belonging to one extended family of just 8 co-owners across two khataunis (ZA and Non-ZA). The DPR falsely states population as 248 and 57 houses.
- Even images in DPR's own Annexure A (p.6) map shows an existing nearby motorable bridge, which is being used by villagers since decades
- No supporting evidence such as Aadhaar, electricity, or water records has been collected. Beneficiary data is therefore exaggerated and fabricated.

6. False and Misleading Site Selection Report

- Annexure B is signed by Er. S.K. Garg, Er. D.S. Naviyal (SE), and Er. G.S. Pangti (SE), claiming a site survey on 08.01.2016. No such inspection ever took place.
- The report falsely states that:
 - The connecting road is an “existing public path” requiring no acquisition – when in fact it is leased land of the undersigned.
 - All landowners gave consent – which is completely false as the undersigned never gave any such consent and was not even informed.
- Wrongful and false declarations in Annexure B amount to gross misconduct and misrepresentation of facts.
- Report falsely states that all landowners gave consent. The undersigned never gave consent and was never informed about the project until Feb 2025.

7. Ownership Structure of Danijala Lands

- RTI reply of Revenue Inspector Raushil confirms that there are only 33 plots (khet) in Village Danijala, of which 28 khets (2.28 hectares) are private ZA land belonging entirely to one extended family of 8 co-owners.
- Remaining land (5 khets) is government land or jalmagni.
- Thus, the entire beneficiary population is restricted to one family, and the project is designed solely for their benefit at the cost of public money.

8. Absence of Benefit-Cost Ratio (BCR) and Legal Compliances

- The DPR contains no Benefit-Cost Ratio (BCR) calculation, which is a mandatory requirement for assessing economic viability. Absence of BCR renders the approval arbitrary and unscientific.



- Further, the project has not followed mandatory stages under the Land Acquisition Act, 2013: Section 3A notification, Section 3D declaration, and Section 3G compensation.
- This has deprived genuine affected landowners of their statutory right to raise objections and violated the principles of natural justice.

Relief Sought In light of the above:

1. Direct an **independent technical and financial audit** of the DPR, approvals, and budget revisions of the Danijala Footbridge Project.
2. **Withhold further execution and funding** until the above discrepancies are addressed.
3. Ensure strict compliance with the **Hon'ble High Court Nainital status quo order**.
4. Initiate **disciplinary and legal action** against officers responsible for fabrication of data, false site reports, and misclassification under UDRP.
5. Direct compliance with the **Land Acquisition Act (3A/3D/3G)** to restore landowners' right of objection.
6. Ensure that **rights and consent of affected farmers/leaseholders** are fully respected before any acquisition or construction.

This project, in its current form, is **politically influenced, economically unviable, technically unjustified, and designed to benefit a single extended family while wasting crores of public money.**

Copies as mentioned above of DPR extracts, RTI reply, revenue map of village Danijala, Google Map screenshots, and Hon'ble High Court status quo order are enclosed for reference.

Yours faithfully,



**(Jugal Kishor Chaudhary)
Maya Niwas, Gulab Ghati,
Kathgodam Distt Nainital**

M:9219509193