



2026:AHC:160511

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT – C No. - 41777 of 2025

Swami Shiv Swarupanand Ji
Maharaj

.....Petitioners(s)

Versus

State of U.P. & 3 Others

.....Respondents(s)

Counsel for Petitioners(s)	:	Dharmendra Kumar Gupta, Kiran Gupta
Counsel for Respondent(s)	:	Harsh Vardhan Gupta

Reserved on: 26.05.2026

Delivered on: 22.07.2026

AFR

Court No. -38

HON'BLE VINOD DIWAKAR, J.

Although the present case relates to an unauthorized construction, but this Court has expanded the scope of the writ petition to address a larger issue that requires urgent attention.

I- PROLOGUE:

THE PRIMACY OF UNDERSTANDING OVER REACTION

“The governance of large human gatherings- particularly those of a religious, cultural, or congregational nature- has, for far too long, been approached by administrative authorities as a logistical and law-and-order challenge rather than as a complex socio-psychological and behavioural phenomenon demanding systematic academic inquiry, institutional research, and evidence-based policy response. The recurring tragedies witnessed at pilgrimage sites, religious congregations, and mass gatherings across the country- including, most recently, the crowd crush incidents at Maha Kumbh Mela- 2025, at Prayagraj, and crowd

crush at Mathura, in 2022- are not merely the product of administrative failure or infrastructural inadequacy but at their root, they reflect a profound and institutionalized ignorance of the science of crowd behaviour: how crowds form, how they move, how they think collectively, how panicky propagates through dense human assemblies, and at what precise point a gathering transitions from a manageable congregation to a lethal crush. Until this foundational deficit is acknowledged and remedied, no amount of deployment of police personnel, erection of barricades, traffic diversion or issuance of standard operating procedures will suffice to prevent the recurrence of such tragedies.

It is in this context that this Court considers it necessary to examine, at some depth, the academic foundations of crowd behaviour science and to assess the extent to which the district administration of Mathura, the U.P. Braj Teertha Vikas Parishad, and the Mathura Vrindavan Development Authority have engaged- or conspicuously failed to engage- with this body of knowledge in discharging their respective statutory and constitutional obligations toward public safety.”

II- BACKGROUND AND BRIEF HISTORY OF THE CASE:

1. The present petition has been preferred assailing the impugned order dated 04.09.2025, passed by the respondent no.2- Commissioner, Agra Division, Agra, in Case No.RST/01751/2017, whereby the petitioner's appeal has been rejected by the Commissioner.

2. In brief, the facts of the case are that the petitioner claims to be the sole owner and possessor of the property ad-measuring 167.22 square meters, falling in Khasra Nos.64/189, 65 and 66, situated in Village Vrindavan Khaddar, Tehsil and District Mathura. It is further averred that in order to raise construction on the property in question, the petitioner submitted a building plan for sanction with the Mathura Vrindavan Development Authority for construction of an Ashram, and the same was disapproved on the ground that the area lies within the flood-affected

area, and therefore, no permanent structure could be build up on the plot in question.

3. The petitioner raised the construction. Dissatisfied by the construction, the Mathura Vrindavan Development Authority/respondent no. 4 passed a demolition order under Sections 27(1), 28(1) and 28(ii) of the U.P. Urban Planning and Development Act, 1973. Aggrieved by the same, the petitioner preferred an appeal under Section 27(iv) of the Urban Planning and Development Act, 1973. The same came to be dismissed by the Appellate Authority/Commissioner, Agra Division, Agra, on the ground that despite being given sufficient opportunity of hearing, the petitioner could not establish that the construction had been raised as per the approved sanction plan of the Mathura Vrindavan Development Authority.

4. Learned counsel for the petitioner submits that the impugned action of the authority is arbitrary and discriminatory, amounting to a case of "*pick and choose*". It is contended that, as is evident from Annexure-10 to the writ petition, demolition orders have been passed against 23 persons for alleged unauthorized constructions; however, such demolition proceedings have been selectively executed only against the petitioner and certain others, namely those placed at serial nos. 4, 9, 10 and 11 in the said list. It is thus argued that similarly situated persons have been treated unequally, without any reasonable classification or justification, rendering the impugned action legally unsustainable.

5. After hearing learned counsel for the petitioner and on perusal of the record, this Court vide order dated 23.04.2026 directed respondent no. 4/Mathura Vrindavan Development Authority (MVDA) to file a comprehensive affidavit. It was further directed that the affidavit should be filed by the Vice Chairman, MVDA, in consultation with its Chairman, and should, *inter-alia*, specifically contain: (i) the status and action taken by MVDA in respect of demolition proceedings concerning all 23 properties against whom demolition orders had been passed; (ii) the number and details of properties booked by MVDA for unauthorized

construction during the last five years; and **(iii)** the policy framework, statutory guidelines, standard operating procedures, and administrative mechanisms adopted by the authority to regulate, prevent, and curb unauthorized constructions within its jurisdiction.

6. It was also observed that in the recent past, the city of Mathura had witnessed incidents of stampede-like crowd crush during pre-Holi events and other auspicious occasions, resulting in injuries, loss of consciousness, and casualties. The heavy influx of devotees during festivals had led to dangerous overcrowding, raising serious concerns regarding public safety at these historically significant sites. Unauthorized constructions had further aggravated the situation by obstructing rescue and emergency operations, as had been observed on several such occasions.

7. In view of the above, this Court deemed it appropriate to expand the scope of the present writ petition. Accordingly, the District Magistrate, Mathura, was directed to file an affidavit indicating whether a comprehensive plan for crowd and crisis management existed for Mathura. The affidavit was also required to disclose whether any expert body exist in the district for: **(i)** understanding crowd behaviour; **(ii)** coordination among stakeholders with clearly defined roles and responsibilities; and **(iii)** methodologies adopted for effective crowd management. The District Magistrate was further directed to provide details of the strategies and management principles in place for handling crowd-related disasters, for sensitizing stakeholders, and for enhancing institutional capacity through training and awareness.

8. All officers concerned, as referred to herein, were directed to clearly and specifically state in their respective affidavits whether any scientific studies, academic research, or institutional analyses had been conducted by or on behalf of the district administration. Such disclosures were required to include details of any involvement of academic institutions, research bodies, or expert agencies, particularly in light of the recent stampede-like crowd crush incidents reported in Mathura. The

affidavits were further required to indicate the scope, methodology, findings, and recommendations of any such studies, as well as the extent to which these insights had been considered or implemented by the District authorities in order to prevent recurrence of similar incidents.

9. The Municipal Commissioner, Mathura, and the SSP, Mathura, were also directed to file affidavits outlining the measures undertaken by Nagar Nigam, Mathura, and the Police to ensure that the city remained safe and livable.

10. In compliance thereof, the Vice Chairman, Mathura Vrindavan Development Authority, District Magistrate, Mathura, and SSP Mathura have filed compliance affidavit. The District Magistrate, Municipal Commissioner, Commissioner, Mathura Division, Mathura, SSP Mathura and Chief Executive Officer, Uttar Pradesh Braj Teerth Vikas Parishad have appeared through video conferencing, and the officers have been heard.

III- FACTS AND FINDINGS EMERGING FROM THE AFFIDAVIT OF THE VICE CHAIRMAN MATHURA VRINDAVAN DEVELOPMENT AUTHORITY, MATHURA:

11. From the affidavit filed by the Vice Chairman, Mathura Vrindavan Development Authority, it is discernible that pursuant to Supreme Court's order dated 13.11.2024, passed in Writ Petition (Civil) No. 295 of 2022 in "*Re: Directions in the matter of demolition of structures and others*," the State Government issued certain directions vide circulars dated 15.01.2025, 17.01.2025 and 25.04.2026 mandatorily required to be adhered with before executing any demolition order. The directions to the District Magistrate, Municipal/Local Authorities are comprehensive and self explanatory.

12. It is further gathered from the affidavit that in view of the aforesaid Circulars, the Development Authority need to issue fresh notices before executing the demolition orders. The Vice Chairman has in detail examined and explained, each property mentioned in the

impugned demolition notification. In most of the cases the application for compounding the unauthorized construction has been pending consideration in the office of MVDA Mathura.

13. It is further gathered that out of referred 23 offending constructions, 01 has been compounded, 03 have been found to be beyond territorial jurisdiction of MVDA Mathura, for 03 offending constructions, the notices have been issued, and for 16 properties, demolition orders are yet to be examined in the wake of newly issued circulars. It is also indicated that in some cases appeals are pending, therefore, no requisite action has been undertaken and the decision on 16 applications for seeking compounding of the offending constructions shall be taken in consonance and in-conformity with building by-laws.

14. It further emerges from the affidavit that over the last five years (2021-22 to 2025-26), the Authority has undertaken enforcement action against unauthorized constructions, issuing 2,453 notices under Section 27(1) of the Uttar Pradesh Urban Planning and Development Act, 1973. Pursuant to these notices, 700 demolition orders were passed, of which 323 were actually executed. Additionally, 104 properties were sealed, and 212 cases were regularized through compounding. While the data reflects a sustained enforcement drive, it represents merely the tip of the iceberg- the magnitude of the problem is far more serious and grave than what these figures suggest.

15. The details of action taken by the authority against unauthorized constructions over the last five years are set out in the table below.

Sl. No.	Year	Number of Notices Issued under Section 27(1)	Number of Demolition Orders Passed	Number of Properties Sealed	Accepted Compounding
1	2021–22	624	52	35	2
2	2022–23	539	135	49	12
3	2023–24	485	179	135	5

4	2024–25	400	181	50	46
5	2025–26	405	153	54	39
Total		2453	700	323	104

IV- FACTS EMERGING FROM THE AFFIDAVIT OF DISTRICT MAGISTRATE, MATHURA:

16. The Court directed the District Magistrate, Mathura, to file a personal affidavit addressing three specific questions: (i) whether a comprehensive crowd and crisis management plan exists; (ii) whether any expert/specialized body exists to study the crowd behaviour; and (iii) what methodologies are adopted for effective crowd management.

17. In response to the specific questions, the affidavit discloses that after stampede at Shri Banke Bihari Ji Temple, Vrindavan, on 20.08.2022 during Aarti, in which two persons died, the State Government came into action and subsequently litigation also ensued. The affidavit acknowledges that while Mathura City has remained largely incident-free, Kasba Vrindavan, with its dense concentration of major temples, faces acute crowd pressure during festivals.

18. After the stampede on 22.08.2022, the Government constituted a High-Level Committee (chaired by Shri Sulkhan Singh, former DGP, U.P.) This committee submitted a report on 07.09.2022 recommending three categories of measures: (i) Immediate, (ii) Short-term, and (iii) Long-term. Subsequently, the Hon'ble Supreme Court, by order dated 08.08.2025 in WP (Civil) No. 704/2025, constituted the "*Thakur Shri Banke Bihari Ji Temple High Powered Management Committee*" under the chairmanship of a Retired Judge of the Allahabad High Court, with the DM, SSP, District Judge, Municipal Commissioner, and MVDA Vice Chairman as members.

19. The affidavit asserts that a comprehensive crowd management plan exists, and implemented through: Multi-departmental coordination meetings chaired by the DM, one-way routing, barricading, and en-

marking holding areas around temples, vehicle diversion and restriction of four-wheeler near temples, separate entry and exit gates at Banke Bihari Temple, extension of Darshan hours (12 hrs normal / 18 hrs on special occasions), online Darshan registration, live telecasting of Thakurji's Darshan, installation of steel pipe queue barriers, CCTV deployment, and conduct of structural survey of temple lanes by IIT Roorkee.

20. The affidavit further discloses engagement of expert agencies for designing, and architectural purpose which prepared a preliminary Brij Vikas Yojana Report (May 2019), and preparation of a Traffic Survey and Analysis Report for Green Mobility Zone Study for Mathura-Vrindavan (April 2026).

21. Further reliance has been placed upon multiple departments report regarding ongoing and proposed works: Road widening (PWD), new bypass construction (NHAI-32 KM NH-530B, completed on 30.08.2025), Vrindavan Bypass proposed, development of Parikrama Marg by Brij Teerth Vikas Parishad, bus station up-gradation under PPP by UPSRTC, railing installation in lanes, installation of RO plants, construction of mobile toilets, solid waste management by Nagar Nigam, decentralization of religious sites, parking and rope-way development by MVDA.

22. Following the 2022 stampede, *Anant Sharma vs. State of U.P.* (PIL 1509/2022) was filed before the High Court seeking a mandamus directing preparation of a proper maintenance plan for Banke Bihari Temple, protecting rights of Vaishnav devotees under Article 25 of the Constitution, and acquisition of approximately 5 acres of land around the temple for public facilities and parking.

23. The affidavit identifies a clear division of responsibilities across agencies: DM is responsible for overall administration, magistrate deployment, emergency medical, disaster planning, SSP shall maintain crowd control, CCTV, barricading, police deployment, Municipal

Commissioner shall look after sanitation, water, lighting, MVDA is responsible for parking, encroachment removal, infrastructure, PWD job is road widening, ARTO (transport enforcement), UPSRTC (pilgrim facilities), and Brij Teerth Vikas Parishad (Parikrama Marg, public amenities).

V- FACTS EMERGING FROM THE AFFIDAVIT OF SUPERINTENDENT OF POLICE, MATHURA:

24. A conjoint reading of the affidavit dated 03.05.2026 and 18.05.2026 and accompanying documents indicates that the SSP's affidavit largely mirrors the District Magistrate's affidavit in its factual narration regarding the 2022 stampede, constitution of High Level Committee constituted by High Court pursuant to PIL No. 1509 of 2022, and the Supreme Court also directed for constitution of High Powered Management Committee. The affidavit further discloses about action plan for strengthening the traffic management system in the Vrindavan area, adoption of effective route system for operation of E-Rickshaws, Autos in Kasba Vrindavan, Prohibition of E-Rickshaws, Autos in Kasba Vrindavan at such places where there is potentiality of crowd traffic congestion. Certain locations have been identified where iron chain barriers have been installed, dedicated Action Plan for Traffic Management on Saturdays/Sundays and Special Occasions/Festivals in Kasba Vrindavan has been in place.

25. Vrindavan has been divided into 5 traffic zones, each staffed with dedicated Sub-Inspectors (Traffic), 34 traffic intersections/crossings have traffic police personnel deployed, 7 E-Rickshaw routes have been designated with fixed fares and vehicle capacity numbers, 34 iron chain barrier locations have been identified and installed to prohibit unauthorized entry of E-Rickshaws and four-wheeler into inner lanes — though several are noted as already damaged, signaling maintenance lapses. On Saturdays, Sundays, and festival days, heavy vehicles are fully prohibited from entering Kasba Vrindavan from 09 specified points, with diversion routes via NH-19 and Yamuna Expressway, 04

primary parking facilities are designated for normal days, with overflow parking at Mandi Samiti and IIT-IAI College. For NH-19 traffic, 05 designated parking areas exist near Chardham Mandir, 06 vehicle diversion points are specified for crisis management, with fire tenders, ambulances, and emergency vehicles explicitly exempted from all restrictions.

26. Vehicle diversion points for crowd control has been identified and vehicles are diverted in accordance with the plan. A report has also been placed with regard to the enforcement action taken by the office of Assistant Regional Transport Officer (Enforcement Mathura) indicating the number of vehicles seized and individuals challaned for various traffic violations.

27. To avoid future crowd crushing stampede, the intensive enforcement action will be taken by the enforcement team against vehicles parked unauthorizedly on the road side, so that obstruction to the movement of vehicles can be prevented and transportation to the devotees will be smooth and easy.

28. Besides the issues related to the traffic diversion and crowd control, the affidavit also highlighted the roles and responsibility of the Public Works Department in widening the roads, office of Assistant Regional Transport Officer for enforcement actions, role of Mathura Vrindavan Development Authority dealing with unauthorized constructions and other issues, role of Uttar Pradesh State Road Transport Corporation to provide adequate facilities at bus stations for devotees visiting Mathura, role of Uttar Pradesh Braj Teerth Vikas Parishad for construction of Parikrama Marg and public amenities. The Nagar Nigam Mathura Vrindavan's role for installing railings in lane for the convenient darshan of devotees, a smooth supply of clean drinking water, solid waste management, mobile toilets, cleaning arrangements and street lighting facilities.

29. Likewise, reliance has been placed upon a report dated 15.05.2026 prepared by National Highway Authority of India for constructing Mathura-Bareilly highway by-pass providing effective relief to devotees visiting Mathura from traffic congestion. Construction of Vrindavan by-pass etc.

30. After hearing Shri M.C. Chaturvedi, learned Additional Advocate General, assisted by Shri Prabhakar Tripathi, learned Standing Counsel, Shri D.S. Chauhan, learned counsel for Respondent No. 4, and Shri D.K. Gupta, learned counsel for the petitioner, it emerges that the authorities have, on paper, undertaken considerable preparatory work. The police, after identifying traffic-congested locations, have put in place traffic diversion plans. For the purposes of urban development, a ten-year Development Master Plan has also been prepared by the U.P. Braj Teertha Vikas Parishad in addition to the developmental work undertaken by the Development Authority and the National Highways Authority of India.

31. However, it must be clearly stated that the intention of this Court was never to examine or assess the efficacy of the traffic diversion plans or the ten-year Development Master Plan prepared by the U.P. Braj Teertha Vikas Parishad in conjunction with the Mathura Vrindavan Development Authority.

32. Upon a close and careful perusal of the order dated 23rd April, 2023, the true purport and spirit of the directions issued thereunder are self-evident. The Court's primary concern and emphasis was- and remains- whether the administration of the city of Mathura has any comprehensive crowd and crisis management plan, grounded in a scientific understanding of crowd behaviour, and capable of anticipating, preventing, and responding to crowd-related emergencies of the nature that have tragically manifested in recent times.

33. This Court is constrained to observe that the State is not bereft of talent, expertise, or resources. What appears to be conspicuously absent

is vision- and the selfless commitment to public service that responsible governance demands. The universities and research laboratories of this country are endowed with considerable intellectual wealth and technical capacity that remains, by and large, untapped by the administrative machinery- not because it is inaccessible, but because no coherent policy framework exists to facilitate or mandate such engagement. What is equally disconcerting is that the cities- and religious cities in particular- have been abandoned, whether by act or omission, to the mercies of self-serving priest, land mafias and real estate interests, driven by nothing more than the lure of short-term and often illicit gain. In doing so, it seems, those entrusted with the stewardship of public resources and public spaces have mortgaged the safety, the heritage, and the future of the next generation. It is a dereliction that this Court cannot regard with equanimity.

VI- CRITICAL ISSUES EMERGING DURING THE COURSE OF ARGUMENTS:

34. During the course of arguments, several critical issues of systemic and structural significance have emerged before this Court. First, that the Mathura Vrindavan Development Authority prepared its master plan for a period of merely ten years- a planning horizon that this Court regards as wholly inadequate for a city of the religious, cultural, and demographic significance of Mathura. Second, that crowd management in the district has been conceptually and administratively reduced to little more than traffic management- a reductive equivalence that reflects a fundamental misunderstanding of the science and complexity of crowd behaviour. Third, that stampedes and crowd crush incidents have been attributed primarily to the existence of narrow lanes and unauthorized constructions, along with other contributory factors- an attribution that, while not entirely without basis, addresses only the symptomatic manifestations of a far deeper and more entrenched planning and governance failure.

A. The Inadequacy of Long-Term Planning: A Comparative Perspective

35. It is a matter of considerable significance that when the city of Chandigarh was conceived and developed in the early 1950s under the visionary direction of the Swiss-French architect Le Corbusier, the urban plan was designed not merely for the immediate needs of its inhabitants but with deliberate foresight for the city's requirements over the next several decades- incorporating sector-based zoning, dedicated green belts, regulated building lines, and carefully calibrated population density norms that continue to define the city's livability to this day.

36. Similarly, when Sir Edwin Lutyens and Sir Herbert Baker were commissioned to design New Delhi in the early twentieth century, the imperial capital was planned with a long-term architectural and urban vision that accounted for the functional, ceremonial, and spatial requirements of a capital city well into the foreseeable future. The city of Jaipur, founded by Maharaja Sawai Jai Singh II in 1727, was laid out on the principles of architectural eminence, with a grid-based street plan, uniform building heights, and a civic order that was designed to endure for centuries- and which, despite centuries of organic growth and encroachment, remains discernible and functional to this day.

37. This Court is deeply shocked and profoundly concerned that the development plan for Mathura- one of the most ancient, sacred, and visited pilgrimage cities in the world, receiving millions of devotees annually and carrying an unbroken civilizational and religious heritage of over thousand years- has been prepared for a period of merely ten years. This is particularly incomprehensible at a time when the Government of India has articulated its national development agenda through the Viksit Bharat vision extending to the year 2047, and when urban planning frameworks globally are increasingly adopting centennial and multi-generational perspectives. A city that is eternal in its religious significance cannot be governed by a planning document that expires in a decade. The temporal inadequacy of the master plan is not a technical oversight- it is a governance failure of the first order. Mathura, Ayodhya,

Varanasi, and Chitrakoot cannot be placed at equal footing with the other cities in Uttar Pradesh.

B. The Nature of Religious Crowds: A Distinction the Administration Must Recognize

38. This Court considers it necessary to record an important conceptual distinction that appears to have been lost upon the administrative authorities concerned. The crowds that converge upon Mathura are, by their very nature and motivation, religious crowds-gatherings of men, women, and children drawn together by faith, devotion, and the desire for spiritual communion. A religious crowd is, in its essential character, a self-regulating assembly. It is animated not by political passion, competitive aggression, or recreational excitement, but by collective piety and shared reverence. The behavioural dynamics of a religious crowd are therefore qualitatively and fundamentally distinct from those of a crowd assembled for a political rally, a sporting event, or a public protest. To equate the two- as administrative practice in this country has long tended to do- is not merely academically imprecise; it is administratively dangerous, because it leads to the application of crowd control strategies designed for adversarial or unruly gatherings to assemblies that are inherently peaceful and cooperative in their orientation, thereby generating unnecessary friction, confusion, and, in extreme cases, panic.

39. The self-regulating character of a religious crowd, however, must not be mistaken for self-sufficiency. A devotional crowd, precisely because of its heightened emotional and spiritual state, its reduced attention to physical surroundings, and its tendency toward collective synchronization of movement during rituals and processions, is peculiarly vulnerable to the effects of spatial constriction, sudden density surges, and the absence of clearly defined and adequately dimensioned pathways for ingress, egress, and circumambulatory movement. It is the duty of the State, and of every authority entrusted with the governance of pilgrimage sites, to recognize and respond to this vulnerability through

informed, sensitive, and scientifically grounded crowd management- not through the blunt instruments of police deployment and barricade construction that have hitherto constituted the sum total of the administration's crowd management strategy.

C. Unauthorized Construction: A Hydra-Headed Menace

40. The problem of unauthorized construction is not unique to Mathura. It is a pervasive and deeply entrenched challenge confronting development authorities across virtually every city and town in India. However, its manifestation in a religious city of Mathura's significance assumes an altogether graver dimension, given the direct and demonstrable causal relationship between unauthorized construction- particularly along pilgrimage routes, riverfront ghats, and congregational spaces- and the occurrence of crowd crush incidents, emergency access failures, and fire safety hazards during mass gatherings.

41. The causes of unauthorized construction are multiple, interconnected, and deeply structural. They include: the corruption of regulatory and enforcement machinery at various levels of the administrative hierarchy; fundamental failures of spatial planning, including the absence of adequate provisions for affordable housing, commercial space, and pilgrim accommodation within the formal planning framework; institutional failure manifested in the form of under-resourced, under-staffed, and often complicit enforcement agencies; and, most perniciously, the systematic and sustained interference of real estate developers, construction conglomerates, and what may candidly be described as construction mafias in the planning and development processes of cities- particularly in the pilgrimage cities of northern India, where the unrelenting demand for accommodation, commercial premises, and ritual space creates conditions of chronic supply scarcity that are ruthlessly exploited by those with the political connections and economic muscle to build without sanction and occupy without consequence.

42. This Court observes, with considerable concern, that the development trajectories of most Indian cities have been indirectly but powerfully shaped by the interests of construction lobbies operating in intimate proximity to political authority. In the religious cities of northern India- Mathura, Varanasi, Ayodhya, Prayagraj, Vrindavan- this influence has assumed an especially virulent form, driven by the extraordinary commercial value of land in proximity to sacred sites and the consequent incentive structures that corrode regulatory integrity and subvert planning discipline. Unauthorized construction in these cities is not simply a product of poverty or ignorance; it is, in significant measure, a product of organized, politically facilitated, economically motivated illegality that has been allowed to accumulate over decades through a combination of institutional complaisance, regulatory capture, and political patronage.

43. To confront this menace effectively requires not merely stronger laws- India does not lack for laws- but something far rarer and more demanding: strong, selfless, and incorruptible institutional will. It requires development authorities, district administrations, and State governments willing to act against powerful vested interests without fear or favour; judiciary-supported enforcement mechanisms capable of withstanding political pressure; and a civic culture that recognizes unauthorized construction not as a private entrepreneurial initiative but as a public safety hazard and a collective crime against the urban fabric and the communities that inhabit it. This Court expects nothing less from the authorities before it.

VII- CROWD BEHAVIOUR, PLANNING HORIZONS, AND THE MENACE OF UNAUTHORIZED CONSTRUCTION:

A. The Science of Crowd Behaviour: An Academic Overview

44. The academic study of crowd behaviour is a well-established interdisciplinary field drawing upon social psychology, physics, urban planning, computational modeling, and disaster management science. Contrary to popular administrative assumption, a crowd is not merely an

aggregation of individuals behaving independently. It is, in the language of contemporary crowd science, a complex adaptive system exhibiting emergent properties- collective behaviours that cannot be predicted solely by reference to the conduct of individual members, but which arise from the dynamic interactions among them.

45. The foundational work of scholars such as Gustave Le Bon¹, who in the late nineteenth century identified the psychological transformation that individuals undergo when subsumed within a crowd, laid the early theoretical groundwork for this discipline. Le Bon's observations regarding the submergence of individual rational agency, the amplification of emotional contagion, and the susceptibility of crowd members to suggestion and panic remain analytically relevant even today, though they have been substantially refined and, in several respects, challenged by subsequent research. Contemporary crowd scientists, including Professor John Fruin², whose landmark work on pedestrian planning and level-of-service analysis introduced the concept of critical crowd density thresholds, and Professor G. Keith Still, who developed the concept of crowd dynamics modeling and risk assessment tools now widely used in event safety planning globally, have transformed the study of crowd behaviour from a largely theoretical exercise into a rigorous applied science with direct and measurable implications for public safety.

46. Of particular relevance to pilgrimage and religious gatherings is the concept of crowd density and flow velocity- the relationship between the number of persons per square meter and the speed at which crowd movement becomes self-sustaining, uncontrollable, and ultimately lethal. Research has established that at densities exceeding approximately four to five persons per square meter, individual volition is effectively lost; persons within the crowd can no longer choose their direction of

1 Gustave Le Bon (1841–1931) was a French polymath and pioneer of social psychology. He is best known for his 1895 seminal work, *The Crowd: A Study of the Popular Mind*. Le Bon posited that individuals in a crowd lose their rational, critical thinking and adopt a primitive "collective mind" driven by emotion and suggestion.

2 Fruin was an engineer, urban planner, and author known for his work in the field of crowd science. In 1983, he received the American Society of Civil Engineers Transportation Engineering Award.

movement and are instead carried involuntarily by the collective force of the surrounding mass. At densities exceeding six to seven persons per square meter- a threshold frequently encountered at major pilgrimage sites in India- compressive asphyxia becomes a serious and imminent risk, and the conditions for a crowd crush are fully present. The transition from manageable congregation to lethal crush can occur within minutes, and frequently does so without any external trigger such as fire, explosion, or structural collapse. The crush generates its own momentum, driven entirely by the behavioural dynamics of the crowd itself.

47. Further, academic research has established that crowd behaviour at religious gatherings is qualitatively distinct from crowd behaviour at secular events such as sporting fixtures or concerts. Religious crowds are characterized by heightened emotional and devotional states, a pronounced tendency toward collective synchronization of movement- particularly during rituals, processions, and circumambulatory practices- reduced responsiveness to conventional crowd control signals such as police instructions or public address announcements, and a significantly elevated tolerance for discomfort, physical compression, and adverse conditions, which paradoxically increases the risk of crush injuries and fatalities by suppressing the early warning signals that would otherwise prompt self-regulation and dispersal. These characteristics make the scientific study of religious crowd behaviour not merely academically interesting but administratively indispensable.

48. The question that arises- and which this Court regards as of the utmost importance- is whether the district administration of Mathura, or any of the authorities statutorily responsible for the management of the Braj pilgrimage circuit, have at any point commissioned, conducted, or even consulted such scientific studies and computational models in relation to the major religious gatherings held in and around Mathura. The affidavits filed before this Court suggest, with troubling clarity, that they have not.

B. The Administrative Imperative: From Behavioural Study to Institutional Policy

49. The gap between the state of academic knowledge regarding crowd behaviour and the state of administrative practice in Uttar Pradesh- is not merely a gap of awareness. It is a gap of institutional will, organizational culture, and governance philosophy. The study of crowd behaviour must be recognized not as an academic exercise but as an administrative necessity- a prerequisite to the formulation of any rational, effective, and constitutionally compliant crowd management policy.

50. What is required, at the minimum, is the establishment of a permanent, multi-disciplinary expert body at the district and divisional level, comprising specialists in crowd psychology, urban planning, disaster management, civil engineering, and public health, charged with the continuous study of crowd behavioural patterns at major religious sites and events. This body must be empowered to conduct pre-event risk assessments, commission site-specific crowd flow studies, engage with academic institutions and research organizations of national and international repute, and translate their findings into actionable administrative directives binding upon the civil and police administration.

51. The role of the U.P. Braj Teertha Vikas Parishad is particularly significant in this context. As the statutory body entrusted with the development and regulation of the Braj pilgrimage region, the Parishad is uniquely positioned- and uniquely obligated- to serve as the institutional anchor for crowd behaviour research and evidence-based crowd management planning across the entire Braj circuit. Its mandate cannot be construed as limited to infrastructure development and tourism promotion; it must be understood to encompass the safety and well-being of every pilgrim who visits the sacred sites under its stewardship. A Parishad that constructs ghats, temples, and pilgrim facilities without simultaneously commissioning rigorous crowd flow studies and

behavioural safety assessments is a Parishad that is building the architecture of potential tragedy.

52. Similarly, the Mathura Vrindavan Development Authority, in its capacity as the spatial planning authority for the district, is obligated to integrate the findings of crowd behaviour science into its master planning, zoning, and development control processes. The width of streets, the design of access and egress points, the location and capacity of congregation spaces, the provision of emergency evacuation routes — all of these are not merely engineering decisions but crowd safety decisions, and they must be informed by a thorough understanding of how crowds behave in the specific spatial and cultural context of Mathura's religious landscape.

C. A Paradigm Shift from Reaction to Research

53. This Court is of the firm view that the prevention of crowd crush disasters at pilgrimage sites across the State- cannot be achieved through the deployment of additional police personnel, the installation of more barricades, or the issuance of more standard operating procedures drafted in ignorance of the science of crowd behaviour. What is required is a fundamental paradigm shift: from reactive crowd control to proactive crowd behaviour research; from instinct-driven administration to evidence-based governance; from siloed departmental action to integrated, research-informed, multi-agency coordination anchored in a deep and institutionalized understanding of how human crowds behave, why they behave as they do, and what specific interventions- spatial, psychological, communicative, and institutional- are most effective in preventing the transition from peaceful congregation to catastrophic crush.

VIII- RECOMMENDATIONS:

54. This Court considers it appropriate to record its recommendations to the Government of Uttar Pradesh, and through it to the relevant academic, administrative, and policy-making bodies, with respect to the

urgent need for institutionalizing the study of crowd behaviour and crowd management as a recognized and structured academic discipline within the universities, technical institutions, and professional training establishments of the State.

Reason and Logic: It is a matter of both academic and administrative concern that despite India being one of the most densely populated nations on earth and Uttar Pradesh is the most densely populated state among all States, and despite hosting the largest religious congregations, political rallies, and mass gatherings known to human Civilization- including the Kumbh Mela, which is recognized as the single largest peaceful human assembly on the planet- no structured academic curriculum devoted to the scientific study of crowd behaviour exists in any university or institution of higher learning within the State of Uttar Pradesh, or indeed across most of India. This lacuna is not merely an academic oversight; it is a governance failure with direct, measurable, and potentially fatal consequences for public safety. We need not to be confused with crowd management, though the process of traffic diversion and study of crowd behaviour are two different and distinct concepts.

IX- SPECIFIC RECOMMENDATIONS:

A. Introduction of Crowd Behaviour and Crowd Management as an Academic Discipline

55. This Court recommends that the State Government, through the Department of Higher Education and in consultation with the other stake holders, direct all State universities- and particularly those offering programmes in urban planning, public administration, disaster management, civil engineering, architecture, sociology, applied psychology, and data analysis, to introduce dedicated courses, modules, and research programmes on the science of crowd behaviour encompassing the psychological, sociological, and physical dimensions of human crowd dynamics, including theories of collective behaviour, crowd psychology, panic propagation, emotional contagion, and the

behavioural distinction between religious, political, agitational, recreational, and emergency crowds, and including;

(i) Crowd flow dynamics and density modelling- including pedestrian movement science, level-of-service analysis, critical density thresholds, agent-based modelling, and computational simulation of crowd behaviour in defined spatial environments;

(ii) Crowd risk assessment and safety planning- including pre-event risk profiling, site capacity assessment, vulnerability mapping, ingress and egress management, emergency evacuation planning, and post-event analysis of crowd-related incidents;

(iii) Crowd management policy and law- including the legal framework governing public gatherings, the statutory responsibilities of development authorities, police, district administrations, and event organizers, and the comparative study of crowd management regulatory frameworks in other jurisdictions;

(iv) Case studies in crowd disasters- including the systematic academic analysis of major crowd crush incidents in India and internationally, with particular reference to the lessons learned, the administrative failures identified, and the corrective measures adopted thereafter.

B. Having regard to the considerations set out hereinabove, it is recommended that the State Government shall examine the feasibility of constituting a statutory commission for Uttar Pradesh, on the lines of the Delhi Urban Art Commission constituted under the Delhi Urban Art Commission Act, 1973, to advise the Government and the development authorities on the aesthetic and environmental quality of urban design and development in the cities of the State, and in particular on proposals for construction that may materially affect the character of an area of historical, architectural or environmental significance.

56. This Court further recommends that the State Government consider establishing, in collaboration with a leading State or Central university- or, alternatively, with the Indian Institute of Technology,

Kanpur, the Indian Institute of Technology, Roorkee, or any other institution of national repute situated within the State- a dedicated *Center of Excellence for Crowd Science, Mass Gathering Safety, and Urban Risk Management*. Such a Center should be mandated to:

- (i) conduct original interdisciplinary research into crowd behaviour at religious, political, cultural, and emergency gatherings;
- (ii) develop and maintain a comprehensive database of crowd-related incidents, near-misses, and safety interventions across the State;
- (iii) provide technical advisory services to district administrations, development authorities, and event management bodies on a continuous and institutionalized basis;
- (iv) design and deliver training programmes for civil servants, police officers, urban planners, and event administrators in the science and practice of crowd management;
- (v) collaborate with international centers of excellence in crowd science- including the Crowd Science Unit at the University of Suffolk, United Kingdom, the research programmes of Professor G. Keith Still, Makkah- so as to ensure that the State's crowd management practices are aligned with the most advanced global knowledge and methodology.

57. This Court further recommends that the State Government, through appropriate legislative or executive action, make it mandatory for all departments, statutory authorities, local bodies, and event organizers- whether governmental or private- to engage qualified and certified crowd behaviour experts and crowd safety consultants at the planning stage of every major public gathering, irrespective of whether such gathering is of a religious, political, agitational, cultural, or recreational character. Such mandatory engagement should apply to, and encompass:

58. This Court additionally recommends that the State Government may direct all development authorities- including the Mathura Vrindavan

Development Authority and the U.P. Braj Teertha Vikas Parishad- to integrate crowd behaviour science and crowd safety norms into their master planning processes, development control regulations, and building bye-laws.

59. It must be borne in mind that we hold the urban landscape in trust for those who come after us. If, in a State that is not wanting in land, its cities are permitted to be surrendered to a builder–bureaucrat nexus for the erection of high-rise structures in disregard of planning norms, the generations to come will have neither the means to undo it nor the reason to forgive it. The history of urban development reminds us that a city's landscape, once disfigured, cannot be restored by the generations that follow. Posterity will judge us not by what we built, but by what we permitted to be destroyed.

X- CONCLUSION:

60. This Court is of the considered opinion that the recommendations set out herein above are not aspirational moralities but minimum governance necessities, demanded by the constitutional obligation of the State to protect the life and safety of every citizen and pilgrim within its territory. The right to life guaranteed under Article 21 of the Constitution of India is not fulfilled merely by the absence of active State violence; it imposes upon the State a positive obligation to create and maintain conditions in which human life is not lost to preventable disasters arising from the State's own administrative and intellectual unpreparedness. The institutionalization of crowd behaviour science- in academia, in administration, and in policy- is a constitutional imperative that this Court urges the State Government to act upon with the seriousness, urgency, and commitment that it deserves.

61. Reverting back to the merits of the case, the present petition is **disposed of** with the liberty to the petitioner to approach the respondent no.4 afresh by raising his grievances, and the MVDA shall take a decision in the light of the Circulars dated dated 15.01.2025, 17.01.2025 and 25.04.2026 issued by State Government in compliance of the

Supreme Court's order dated 13.11.2024, passed in Writ Petition (Civil) No. 295 of 2022 in Re: Directions in the matter of demolition of structures and others. Meanwhile, the impugned order dated 04.09.2025, passed by the Commissioner, Agra Division, Agra shall be kept in abeyance.

62. The Registrar (Compliance) is directed to forthwith transmit a copy of this order to the Chief Secretary along with Secretary, Higher Education; Chairman, University Grants Commission; Secretary, Higher Education, Government of India, for their future reference and record.

July 22, 2026

A. Tripathi

(Vinod Diwakar, J.)