

3017

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

**OA NO- 477 OF 2022**

**IN THE MATTER OF:**

Rajender Gangsari

...APPLICANT

VERSUS

State Of Uttarakhand & ORS

..RESPONDENTS

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Dated: 04.02.2026

  
Adv Anjali Rajput

Counsel for State of Uttarakhand

**IN THE MATTER OF:**

Rajender Gangsari

...APPLICANT

VERSUS

State Of Uttarakhand & ORS

..RESPONDENTS

**AFFIDAVIT ON BEHALF OF DISTRICT MAGISTRATE, DEHRADUN, IN COMPLIANCE OF THE ORDER DATED 06.11.2025.**

Most respectfully showeth:

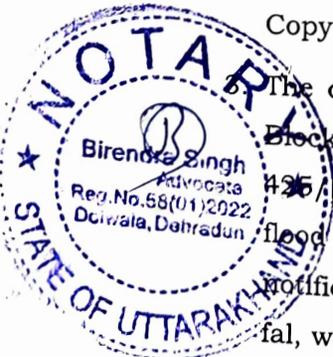
That I Savin Bansal aged about 41 Yrs. S/O Shri Shashi Bansal. Posted as District Magistrate, Dehradun, do here by solemnly affirm and state on oath as under:-

1. That I am fully conversant with the facts and circumstances of the present case and competent to swear this affidavit.
2. That the instant affidavit is being filed in compliance of the order dated 06.11.2025 where by Hon'ble Tribunal was pleased to pass following order:

*"5. Learned counsel appearing for the Respondent No. 1 to 3 & 7 submits that the demarcation of flood plain has been done and the fresh affidavit has been filed yesterday. The said affidavit has not comon record. She has also sought permission to file further affidavit disclosing the demarcation of flood plain at the ground level by putting the pillars, if it is not disclosed in the current affidavit. Let the same be filed with in four weeks...."*

Copy fo the order is Annexed here with as Annexure 1

The deponent has been informed by the Executive Engineer, Irrigation Block Vikasnagar, Dakpathar (Dehradun) through office letter No. 425/S.K.V.D./NGT/477/2022/Flood Zoning, dated 02.02.2026 that flood plaining zone of River Asan has been demarcated and the interim notification was issued on 19.11.2024 for both the stretches from Bhatta fal, where River Asan begins, till Asan Barrage. That after addressing the objections received by the committee constituted under the chairmanship of the District Magistrate, proposal was forwarded for final



*Handwritten signature*

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notification to the Uttarakhand Government via the District Magistrate, Dehradun's office letter no. 336/LBC-2024-25, dated 25.03.2025 by District Magistrate, Dehradun. The final notification is awaiting government approval. That the copy of the interim notification has already been placed on record. Copy of the letter No. 425/S.K.V.D./NGT /477/2022/Flood Zoning, dated 02.02.2026 is annexed herewith as Annexure 2

- 4. It is submitted that as per the letter of Executive Engineer, Irrigation Block Vikasnagar, Dakpathar (Dehradun) it is stated that flood plain zone has been demarcated by erecting temporary pillars and after provisional notification, permanent demarcation will be marked with cement pillars.
- 5. That the present affidavit is being filed in compliance of the directions passed by this Hon'ble tribunal on behalf of District Magistrate, Dehradun, Uttarakhand for kind perusal.

*[Handwritten Signature]*

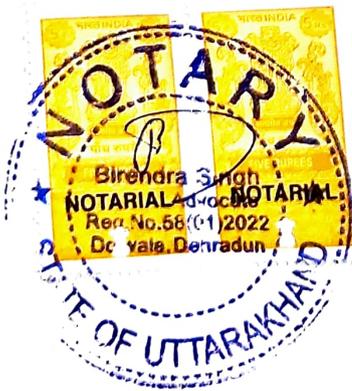
Deponent

Verification

I Savin Bansal, District Magistrate, Dehradun, Uttarakhand do here by affirm that the contents of this affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed there from.

*[Handwritten Signature]*

Deponent



This affidavit is sworn before me  
 Shri. Savin Bansal D.M. Dehradun  
 who is identified by Shri. A.P.M. Dehradun  
 at Dehradun on 02.02.2026

*[Handwritten Signature]*  
 Birendra Singh  
 Advocate & Notary  
 Dehradun, Uttarakhand

02.02.2026

S.P. NO 279  
2026

Item No. 03

Court No. 1

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

Original Application No. 477/2022

Rajender Gangsari

Applicant

Versus

State of Uttarakhand &amp; Ors.

Respondent(s)

Date of hearing: 06.11.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**Applicant: Mr. Gaurav Kumar Bansal, Ms. Nandita Bansal & Ms. Chandrika  
Upadhyay, Advs. for Applicant (Through VC)Respondent: Ms. Anjali Rajput, Adv. for R - 1 to 3 & 7  
Mr. Manish Kumar & Ms. Aparajita Jha, Advs. for R - 4  
Mr. Mukesh Verma & Ms. Vatsala Tripathi, Advs. for UKPCB**ORDER**

1. The Tribunal in the previous proceedings had recorded the objection of the applicant that leachate was flowing from the solid waste dump to Aasan River and therefore the need for immediate action was expressed. In the previous proceedings the statement of counsel for the Respondent No. 7 in respect of demarcation of the flood plain zone of River Aasan with one meter contour taking into account 1:100 highest flood level was also recorded.

2. So far as the leachate issue is concerned the Respondent No. 4 has filed the affidavit dated 04.11.2025 disclosing that the leachate was overflowing on account of the broken boundary wall surrounding the dump site and has mentioned the action which has been taken in this regard as under: -

*"m) It is stated that all the damaged boundary Walls have been repaired. The boundary wall on North & West side is designed/constructed in such a way that it facilitates the flow of storm water through these opening of the wall. If these opening are closed and water channel is obstructed, it may cause damage to the entire plant. Regular*

*maintenance of this drain is being done and a Leached Drain is created along the SLF to prevent the leachate mixing into storm water drain. Answering Respondent has constructed the boundary wall to separate the storm water with wastewater coming to the storm water drain. Photographs showing separation is annexed herewith and marked as Annexure R-4/ 13 (Colly.)*

*p) The company used a suction pump to collect the leachate that had accumulated outside the plant's boundary wall and transferred it to the leachate treatment plant for treatment. Currently, the reconstruction of the damaged boundary wall is complete, and there is no longer any leachate flowing outside the wall. Photographs showing current status are annexed herewith and marked as Annexure R-4/ 15 (Colly.)"*

3. In this affidavit the Respondent No. 4 has also disclosed the status of disposal of legacy waste and has given the timeline of 30<sup>th</sup> January, 2026 for clearing the entire legacy waste by stating as under: -

*"i) It is respectfully submitted that the Agency vide letter dated 01/11/2025 has informed that the accumulated RDF between 26.11.2022 to 31.10.2025 were 1999205.54 MT, out of which as on 31 /10/2025 151258.83 MT has already been removed and the balance 47946. 71 MT is proposed to be removed within a span of three months, on an average removal of 400.00 MT per day, until 30/01 /2026. The said period is tentative and efforts are undertaken to dispose these accumulated RDF at the earliest. True Copy of the letter dated 01/11/2025 is annexed herewith and marked as Annexure R-4/9."*

4. Learned counsel appearing for the Respondent No. 4 submits that the testing of soil and groundwater was also done and the reports were found to be within the parameters.

5. Learned counsel appearing for the Respondent No. 1 to 3 & 7 submits that the demarcation of floodplain has been done and the fresh affidavit has been filed yesterday. The said affidavit has not come on record. She has also sought permission to file further affidavit disclosing the demarcation of floodplain at the ground level by putting the pillars, if it is not disclosed in the current affidavit. Let the same be filed within four weeks.

6. Respondent No. 4 is also directed to file further affidavit disclosing the progress made in clearing the legacy waste at least one week before the next date of hearing.

7. It will be open to the applicant to file objection/rejoinder to the affidavits filed by the Respondent Nos. 4 and 1 to 3 & 7 within four weeks.
8. List for hearing on 05.02.2026.

Prakash Shrivastava, CP

Dr. Afroz Ahmad, EM

November 06, 2025  
Original Application No. 477/2022  
AS

प्रेषक,

अधिसासी अभियन्ता  
सिंचाई खण्ड विकासनगर  
डाकपत्थर(देहरादून)

प्रेषित,

जिलाधिकारी,  
देहरादून ।

पत्रांक:- 425 / सिं0ख0वि0डा0 / NGT/477/2022/वाढ परिक्षेत्रण, दिनांक 02/02/2026

विषय:- मा0 राष्ट्रीय हरित अधिकरण, (NGT), नई दिल्ली में योजित मूल आवेदन सं0-477/2022 श्री राजेन्द्र गंगसारी बनाम उत्तराखण्ड राज्य व अन्य में पारित आदेश दिनांक 06.11.2025 के सम्बन्ध में ।

सन्दर्भ:- उत्तराखण्ड शासन के पत्रांक-ई0पत्रावली सं0-73153, सिंचाई एवं वाढ नियंत्रण अनुभाग-02, दिनांक: 02.01.2026 ।

गक्षेत्तय,

उपरोक्त विषयक वर्तमान में जमीन पर जगह- जगह अस्थाई पिलर (खुंटीया) लगाकर वाढ मैदान परिक्षेत्रण का सीमांकन किया गया है, आसन नदी के प्रारम्भिक विन्दु भटटाफाल रो आसन बैराज तक आसन नदी के दोगो तटो पर वाढ मैदान परिक्षेत्रण का अनन्तिम अधिसूचना दिनांक 19.11.2024 को जारी की गई। उसके बाद उत्तराखण्ड वाढ मैदान परिक्षेत्रण अधिनियम 2012 के अनुसार जिलाधिकारी महोदय की अध्यक्षता में गठित समिति के द्वारा प्राप्त आपत्तियों का निराकरण करते हुये अन्तिम अधिसूचना जारी किये जाने हेतु प्रस्ताव जिलाधिकारी देहरादून के पत्रांक 336/एल0वी0सी0-2024-25/दिनांक 25.03.2025 के द्वारा उत्तराखण्ड शासन को प्रेषित है । जिसकी अन्तिम अधिसूचना शासन स्तर से जारी होनी है, जो कि आतिथि तक अपेक्षित है, अन्तिम अधिसूचना के उपरान्त जमीन पर सीमेंट के पिलरो को लगाकर रथाई सीमांकन का कार्य कर लिया जायेगा ।

  
2/2/26  
अधिसासी अभियन्ता  
सिंचाई खण्ड विकासनगर  
डाकपत्थर, (देहरादून)

पत्रांक \_\_\_\_\_ / सिं0ख0वि 0डा0 / कोर्टकेस / तदिनांक

प्रतिनिधि - प्रतिनिधि निम्नलिखित को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है ।

1-प्रमुख अभियन्ता(नियोजन अनुभाग)सिंचाई विभाग, उत्तराखण्ड, देहरादून ।

2-अधीक्षण अभियन्ता सिंचाई कार्य मण्डल देहरादून ।

3--Smt. Anjali Rajput Panel Counsel For Uttarakhand, Chamber 136, M.C. Setalvad Block  
Supreme Court of India New Delhi -110001

  
अधिसासी अभियन्ता  
सिंचाई खण्ड विकासनगर  
डाकपत्थर, (देहरादून)

## कार्यालय जिलाधिकारी, देहरादून

पत्र सं०:- 1246/एल0बी0सी0/एन0जी0टी0/2025-26

दिनांक:- 03.02.2026

श्रीमती अंजली राजपूत,  
पैनल अधिवक्ता,  
मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली।

विषय:- मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित मूल आवेदन सं० 477/2022 राजेन्द्र गंगसारी बनाम उत्तराखण्ड एवं अन्य के सम्बन्ध में।

उपरोक्त विषयक अपने कार्यालय पत्र सं० 870/अड्तीस-1-2, दिनांक 21.12.2025 का सन्दर्भ ग्रहण करने कष्ट करें, जो अपर सचिव, उत्तराखण्ड शासन, पर्यावरण एवं जलवायु परिवर्तन अनु० देहरादून दिनांक जनवरी, 2026 द्वारा मा0 राष्ट्रीय हरित प्राधिकरण, द्वारा दिनांक 06.11.2025 को पारित आदेश के क्रम में अपने-अपने विभाग से सम्बन्धित बिन्दुओं पर नियमानुसार अग्रेत्तर कार्यवाही हेतु प्रेषित किया गया है, के अनुपालन में अधिशासी अभियन्ता, सिंचाई खण्ड विकासनगर, डाकपत्थर (देहरादून) द्वारा अपने कार्यालय पत्र सं० 425/सि०ख०वि०डा०/एन०जी०टी०/477/2022/बाढ परिक्षेत्रण, दिनांक 02.02.2026 (छाया प्रति संलग्न) प्रेषित करते हुए अवगत कराया गया है कि वर्तमान में जमीन पर जगह-जगह अस्थाई पिलर (खुटीया) लगाकर बाढ मैदान परिक्षेत्रण का सीमांकन किया गया है, आसन नदी के प्रारम्भिक बिन्दु भट्टाफाल से आसन बैराज तक आसन नदी के दोनों तटों पर बाढ मैदान परिक्षेत्रण का अनन्तिम अधिसूचना दिनांक 19.11.2024 को जारी की गई। उसके बाद उत्तराखण्ड बाढ मैदान परिक्षेत्रण अधिनियम 2012 के अनुसार जिलाधिकारी महोदय की अध्यक्षता में गठित समिति के द्वारा प्राप्त आपत्तियों का निराकरण करते हुये अनन्तिम अधिसूचना जारी किये जाने हेतु प्रस्ताव जिलाधिकारी, महोदय, देहरादून के कार्यालय पत्रांक 336/एल०बी०सी०-2024-25 दिनांक 25.03.2025 के द्वारा उत्तराखण्ड शासन को प्रेषित है, जिसकी अनन्तिम अधिसूचना शासन स्तर से जारी होनी है। जोकि आतिथि तक अपेक्षित है, अनन्तिम अधिसूचना के उपरान्त जमीन पर सीमेन्ट के पिलरों को लगाकर स्थाई सीमांकन का कार्य कर लिया जायेगा।

अतः आप उक्त प्रकरण में मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित मूल आवेदन सं० 477/2022 राजेन्द्र गंगसारी बनाम उत्तराखण्ड एवं अन्य में Affidavit तैयार कर, इस कार्यालय को उपलब्ध कराने का कष्ट करें, ताकि प्रश्नगत प्रकरण में अग्रिम कार्यवाही की जा सकें।

संलग्नक:- यथोपरि।

(अपर्णा ढौंडियाल)  
प्रभारी अधिकारी (स्था०नि०)  
कलेक्ट्रेट देहरादून।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एएवं आवश्यक कार्यवाही हेतु प्रेषित:-

01. जिलाधिकारी, महोदय देहरादून को सादर सूचनार्थ प्रेषित।
02. अपर जिलाधिकारी (वि०/रा०) देहरादून।

प्रभारी अधिकारी (स्था०नि०)  
कलेक्ट्रेट देहरादून।