

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

**MA No. 34 of 2024**

IN

OA No. 58 of 2015

**IN THE MATTER OF:**

Ramesh Chand & Ors.

.....Applicants

VERSUS

Union of India & Ors.

.....Respondents

N.D.O.H.: 07.04.2026

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PLACE: NEW DELHI

DATED: 06.04.2025

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Additional Reply on behalf of respondents No. 8 to 11 to the Response filed by respondent No.4 in compliance to the directions of this Hon'ble Tribunal dated 7.1.2026

**MOST RESPECTFULLY SHOWETH:**

1. That as per directions of this Hon'ble Tribunal dated 12.1.2016 with respect to which reference has been given in the previous orders, thus, for the sake of brevity, same are not being reiterated. The matter when came up before this Hon'ble Tribunal on 23.4.2025, time was granted to the State to file affidavit of respondent No.4 along with all supporting material and map disclosing whether Floodplain zone of river Salani has been defined and demarcated at the ground level.

Matter when came up before this Hon'ble Tribunal on 22.8.2025, affidavit being not on records, thus further time was given. In compliance to the same, response has been filed by respondent No.4 and on 7.1.2026 time was given to

ATTESTED  
(Jagdev Chand Sharma)  
Advocate  
Oath Commissioner  
Nahan H.P. (India)  
2/1/26

the replying respondents to file reply. The replying respondents No. 8 to 11 submits as under:

2. That attention of this Hon'ble Tribunal is drawn towards order dated 23.4.2025 vide which respondent No.4 was directed to disclose the supporting material with respect to the factum of defining Floodplain zone of River Salani. It is submitted that perusal of response filed would depict that Floodplain zone has not been defined and demarcated at the ground level. Para 5 of the response of respondent No.4 State specifically and categorically envisages that after attending the observations of the competent authority of (SDMA), matter has been resubmitted on 29.9.2025.

Above aspect clearly and unequivocally depict that till date Flood plan zone of River Salani has not been defined, thus, its demarcation cannot be conducted by the concerned authority, i.e. Tehsildar, Nahan.

Now referring to the orders dated 12.1.2016 and the earlier reply filed by respondents No. 8 to 11, it is submitted that perusal of Jamabandi for the year 2016-17, which is already on records in the affidavit as is filed by respondent No.4, would depict that nature of the land of Khasra Nos. 6/1 and 8 is 'Obar Doam', 'Gair Mumkin Sadak', 'Banzar Kadim' and admittedly is not in the Floodplain zone, which, in fact, has not been defined yet. The said change in the Jamabandi is after demarcation identifying Khasra Numbers and making said change in Khasra Girdwari by way of Part Patwar and

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Part Sarkar, the procedure as is given in the H.P. Land Record Manual.

So far as change of nature of land is concerned, the same being in the domain of the authorities after visiting and in local parlance after field to field partial and admittedly having been repeated after four years. It is humbly and respectfully submitted that so far as explaining and defining Floodplain zone is concerned, the same is in the domain of the State and until and unless the same is defined, as per humble light of the replying respondents, there cannot be any demarcation of the said Floodplain zone.

3. That attention of this Hon'ble Court is drawn towards Annexure R-2 of the reply of respondent No.4, which, in fact, is the report submitted by Superintending Engineer, Jal Shakti Circle, Nahan, which explains that the Detailed Project Report for Floodplain Zone of Markanda River along with its tributaries in Sirmaur District of Himachal Pradesh amounting to Rs. 143.36 lakh has been submitted to the Project Director, H.P. Secretariat, Shimla vide its letter dated 28.4.2025 for necessary approval from the State Disaster Management Authority and River Salani is a tributary of Markanda and its Floodplaining has been proposed for seeking necessary approval and for arranging funds.

Thus, in view of above stated facts, it is humbly and respectfully submitted that State is yet to define the Floodplain zone of River Salani and in that view of the matter, present reply is being filed that it is only after

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defining the Floodplain zone that further action in the matter  
can be taken.

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PLACE: NEW DELHI  
DATED: 1.04.2025

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Nahan HP. (Indir.)

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M.A. NO. 34 OF 2024

IN

ORIGINAL APPLICATION NO. 58 OF 2015

IN THE MATTER OF:

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AFFIDAVIT

I, Vinoj Kumar Sharma, aged about 60 years, S/o Late sh. Roop Lal, Prop. M/s Sailani Resorts, Village and Post Office Sainwala, Tehsil Nahan, District Sirmaur, H.P. do hereby solemnly affirm and state as under:-

1. That I am the Proprietor of Respondent No. 8 in the abovesaid matter and I am well conversant with the facts and circumstances of the case and as such I am fully competent to swear this affidavit. I am also duly authorised to swear this affidavit on behalf of Respondent No. 9 to 11.
2. That I have read and understood the contents of the accompanying additional reply and say that the facts stated therein are true and correct to best of my knowledge and belief.

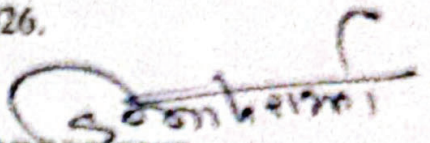
  
DEPONENT

ATTESTED  
(Jagdev Charan Sharma)  
Advocate & 2/14/24  
Oath Commission  
Nahan H.P. (India)

**VERIFICATION:**

I the abovenamed deponent, do hereby solemnly verify that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Verified at Nahan on this 2nd day of April, 2026.

  
DEPONENT

Certified that the above presented on oath before me on 2nd April day 2026 at Nahan before me who is identified by Self the contents of the same have been read over and explained to the deponent which have been admitted correct & true of the affidavit & making it there of hence attested

ATTESTED  
(Jagdev Chand Sharma\*)  
Advocate & 2/4/26  
Oath Commissioner  
Nahan H.P. (India)