

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

INDEX
IN
SUPPLEMENTARY AFFIDAVIT
IN

ORIGINAL APPLICATION NO. 44 OF 2024

JOT SINGH BIST

.... Applicant

Versus

STATE OF UTTARAKHAND AND ORS.

... Respondents

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Filed By ..

Ananya Thapliyal

(Counsel for Respondent No.4)

Phone No. 8979055846

Email Id: thapliyalananya15@gmail.com

Place: New Delhi

Date: 02.05.2025

अजय कुमार / Ajay Kumar
अपर महाप्रबंधक (परि०-2) ऋषिकेश-कारनप्रयाग प्रोजेक्ट
AGM (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि. / Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम) / A Govt. of India Enterprise
ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
SUPPLEMENTARY AFFIDAVIT
IN
ORIGINAL APPLICATION No.44/2024

IN THE MATTER OF:

JOT SINGH BISHT

...PETITIONER

VERSUS

STATE OF UTTARAKHAND AND OTHERS

...RESPONDENTS

ADDITIONAL WRITTEN ARGUMENTS ON BEHALF OF THE RESPONDENT
NO.4, RAIL VIKAS NIGAM LTD. IN COMPLIANCE OF THE ORDER DATED
27.03.2025 PASSED BY THE HON'BLE BENCH OF THE NATIONAL GREEN
TRIBUNAL, DELHI.

1. The instant Application is being filed by the Respondent No. 4 i.e., Rail Vikas Nigam Ltd. (RVNL) in the above O.A. No. 44 of 2024, titled *Jot Singh Bisht v. State of Uttarakhand and Ors.*, and as such the contents of the said Original Application are not being repeated herein for the sake of brevity.

2. That the answering respondent no.4 herein, in compliance of the order dated 27.03.2025, is hereby submitting below its additional arguments for the kind consideration of the Hon'ble Tribunal.

The true copy of the order passed by this Hon'ble Bench vide dated 27.03.2025 is annexed herewith and marked as **ANNEXURE R-1** to this application.

3. That for the sake of brevity as per the bid document; under Chapter 1 of Section 5 (works requirement) of Sr. No. 10 of Index i.e., Works/ Employer's Requirements wherein Clause No. 1.8 describes the works requirements for the protection of environment and as such contractors and its sub-contractors shall abide by all existing laws prevailing for the protection of the environment. The description of Clause No. 1.8 is being already reproduced by way of application for objections filed by Answering Respondent No.4(**Annexure R-2**).

4. That another abstract of Chapter 2 of the bid document is already being reproduced by way of the objections filed by Answering Respondent No.4 (**Annexure R-3**) wherein Clause 2.3 pertains to the project components and its sub cause E gives description of Muck Dumping locations.

अजय कुमार/Ajay Kumar

अपर महाप्रबंधक (परि०-२)/ ऋषिकेश-कर्णप्रयाग प्रोजेक्ट
 A G M (Project-2)/Rishikesh-Karanprayag Project
 रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
 (भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
 ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

1. FACTUAL STATUS OF THE PROJECT:-

5. That the answering respondent no.4 states the factual situation of the project (PK7-B) and the tentative time period for its completion which are being reiterated hereinunder:-

Present Status-

Item	Main Tunnel (9.42 Km)	Escape Tunnel (9.44km)	Remarks
Excavation of tunnels	100% Completed	100% Completed	
Final Lining of Tunnels	Completed 5.86km	Completed 3.57km	Work in progress
Open Works – Minor bridges, ROB(Road Over Bridge), yard development, Slope protection etc.	Almost 60% work of Slope Protection including retaining wall completed, Minor bridges= 30% completed (approx.) ROB - Substructure work =50% - Superstructure – Drg. Under revision and under proof check with IIT-Roorkee.		

6. That it is hereby pertinent to mention that the Answering Respondent No.4 had taken several possible measures for the execution of the said project which are as follows:-

- i. PK-7B consist of construction of Tilani Yard and Tunnel no. 13 etc..
- ii. Before excavation of tunnels, slope protection works at tunnel portals were undertaken and completed.
- iii. The tunnels (Main Tunnel and Escape tunnel) have been excavated using NATM method.
- iv. All precaution, Regular monitoring of tunnel profile, deformation etc. have been done to avoid any untoward situation.
- v. Advanced equipment viz. Automatic/ semi-automatic Drilling Jumbo, continuous loader, tilting loader, Advanced shotcrete machines, 3D monitoring, advanced shotcrete machines etc.
- vi. Most of the machines work on electrical supply thus reducing smoke load in tunnels.
- vii. Regular monitoring of safety, health and environmental aspects.
- viii. Regular monitoring/testing of noise level, air quality, waste water quality, drinking water, vibrations during blasting.
- ix. Management of municipal waste and hazardous waste.
- x. In order to minimise the requirement of dumping area suitable provisions have been made in the contract agreement to use the usable tunnel muck.
- xi. Escape tunnel has been provide for safety of passengers. Cross passes between Main Tunnel and Escape tunnel are provided @375m.
- xii. A Fire Fighting section of almost 1 Km length has also been provided in-the tunnel.

2. DE-SEALING OF MUCK DUMPING:-



अजय कुमार/Ajay Kumar
अपर महाप्रबंधक (परि०-२)/रिश्किश-कारनप्रयाग प्रोजेक्ट
A G M (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
रिश्किश (उत्तराखण्ड)-249201/Rishikesh (Uttarakhand)-249201

7. In the case of de-sealing of muck dumping for which the order was passed by the Office of Geology and Mining Department, Rudraprayag vide order dated 11.07.2024 (the dumping site was sealed and the road leading to the dumping site was also blocked with the help of pillars and wire at Chopra Gadera in Village Jawadi, Rudraprayag), the same is being filed by way of IA No. 216 of 2025.
8. That the communication dated 11.07.2024 passed by the District Magistrate to the Chief Project Manager, Rail Vikas Nigam Ltd. Rishikesh, pursuant to an inspection, the muck dumping site, situated at Chopra Gadera at village Jawadi, Rudraprayag as well as the road leading to the said site was sealed. is being annexed herewith and marked as **ANNEXURE R-2** to this application.

It is hereby pertinent to mention that the following necessary steps is going to be executed if this Hon'ble Bench of National Green Tribunal may grant permission for de-sealing of the said muck dumping while granting stay of the communication vide dated 11.07.2024 passed by the District Magistrate, Rudraprayag.

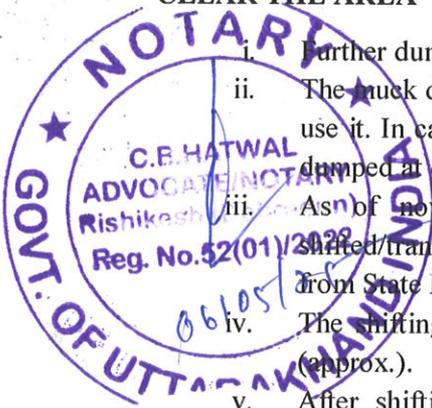
3. MEASURES FOR REUSING THE SAID MUCK AND SUPPORTING MEASURES TO CLEAR THE AREA

- i. Further dumping of muck in the subjected area will not take place.
- ii. The muck dumped at the area in question is usable and the contractor M/s MEIL can use it. In case M/s MEIL do not opt for use of this muck, it will be transported and dumped at designated dumping yards.
- iii. As of now contractor has desired to use the muck. The Muck shall be shifted/transported to land rented/leased by the contractor. After taking permission from State Mining Department the contractor will start using the muck.
- iv. The shifting process of the muck from the area in question will take 5-6 months (approx.).
- v. After shifting of muck, the area in question shall be reclaimed (revegetation/turfed). The reclamation of the area may further take 5-6 months.

9. That it is hereby pertinent to mention that the google imageries reflecting muck dumping location area from period 2021 to 2025 alongwith the video clip and photographs of the area are being produced by way of a pen drive by the answering respondent no.4.

The pendrive containing Google imageries of the site in question from 2021 to 2025 alongwith the recent photographs and video is annexed herewith and marked as **ANNEXURE R-3** to this application.

10. That it is hereby pertinent to mention that without any restrained order being passed by this Hon'ble Bench, the District Magistrate vide communication dated 11.07.2024 pursuant to an inspection, the muck dumping site, situated at Chopra Gadera at village Jawadi, Rudraprayag as well as the road leading to the said site was sealed. It was further directed not to touch the dumping site till further orders and also to keep the constructed approach road as it is.





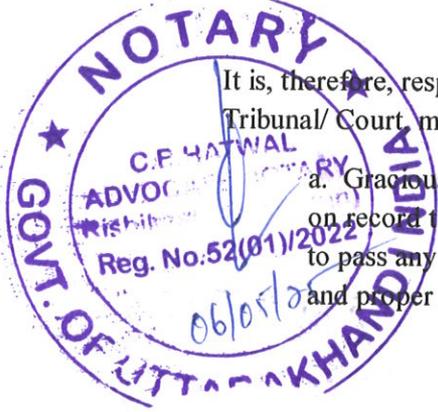
अजय कुमार/Ajay Kumar
 अपर महाप्रबंधक (परि०-2/ ऋषिकेश-कर्णप्रयाग प्रोजेक्ट)
 A G M (Project-2)/Rishikesh-Karanprayag Project
 रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
 (भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
 ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

11. That the project is itself represents a visionary and critical initiative for India, with far-reaching implications for national development and as such it aims to connect key spiritual and tourist destinations, Badrinath and Kedarnath, through future enhancements. Once completed, this ambitious project will significantly enhance connectivity within the Ganga/Alaknanda valley, fostering economic growth and advancing tourism in Uttarakhand. Its completion will not only streamline travel and trade but also open new avenues for regional development, thereby contributing to India's broader economic and infrastructural progress. This project stands as a testament to India's commitment to creating integrated and sustainable growth across its diverse region.

PRAYER

It is, therefore, respectfully prayed in the interest of justice and fair play that this Hon'ble Tribunal/ Court, may

- a. Graciously be pleased to allow this application to file additional documents to place on record the relevant documents in compliance of the order dated 27.03.2025 and or to pass any other appropriate order or directions as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case.



अजय कुमार/Ajay Kumar
अपर महाप्रबंधक (परि०-२)/ ऋषिकेश-कर्णप्रयाग प्रोजेक्ट
A G M (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

Filed By

Ananya Thapliyal

(Counsel for Respondent No.4)

Phone No. 8979055846

Email Id: thapliyalananya15@gmail.com

Place: New Delhi

Date: 02.05.2025

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

IN

ORIGINAL AAPPLICATION NO. 44 OF 2024

IN THE MATTER OF:-

JOT SINGH BISHT

....Petitioner

Versus

STATE OF UTTARAKHAND AND ORS.

...Respondents

AFFIDAVIT

I, Ajay Kumar, S/O Shri Narendra Kumar, aged about 43 years, R/O House No. 56, Shanti Vihar, Kanwali Road, near Telephone Exchange, Dehradun, District-Dehradun, Uttarakhand-248001, do hereby solemnly affirm and declare as under:-

1. That the deponent is the authorized representative of respondent no.4 i.e., Rail Vikas Nigam Limited and is filing an accompanying Supplementary Application along with this present affidavit and he is well conversant with the facts and circumstances of the case, and competent to swear this affidavit. I state the accompanying Supplementary Application may be read as part and parcel of the said Objection filed by the Respondent No.4
2. That the I/deponent has gone through the contents of the accompanying Supplementary Application which are true and correct to the best of my knowledge and are based on record maintained by the respondent no.4 in its normal course of work, and nothing material has been concealed therefrom.
3. That the Annexures to the accompanying Supplementary Application are true copies of their respective originals.

DEPONENT

VERIFICATION:

अजय कुमार/Ajay Kumar
अपर महाप्रबंधक (परि०-२) ऋषिकेश-कर्णप्रयाग प्रोजेक्ट
A G M (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम) / A Govt. of India Enterprise
ऋषिकेश (उत्तराखण्ड) - 248001 / Rishikesh (Uttarakhand)-249201

Verified at Rishikesh on this 06/05 day of 2025 that the contents of my above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.



[Handwritten signature]

DEPONENT

अजय कुमार/Ajay Kumar
अपर महाप्रबंधक (परि०-२/ ऋषिकेश-कर्णप्रयाग प्रोजेक्ट)
AGM (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

This affidavit is sworn before me by
Ajay Kumar
who is identified by Shri. Santosh Kumar Semwal
at Rishikesh, Dehradun on 06/05/25

Identified by

[Handwritten signature]
Santosh Kumar Semwal
Adv Rishikesh
Dehradun

C.B. HATWAL
Advocate/Notary
Reg No. 52(01)/2022
Tehsil Rishikesh
(Dehradun) India

[Handwritten signature]

Item No. 08

Court No. 2

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

Original Application No. 44/2024
(I.A. No. 460/2024 & I.A. NO 216/2025)

Jot Singh Bist

Applicant

Versus

State of Uttarakhand & Ors.

Respondents

Date of hearing: 27.03.2025

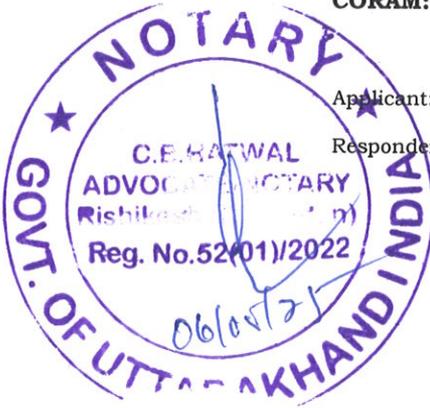
**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the Applicant.

Respondents: Ms. Anjali Rajput, Advocate for respondents no. 1 and 3.
Mr. Mukesh Verma and Ms. Vatsala Tripathi, Advocates for respondent
no. 2 (through VC).
Mr. Nalin Kohli, Senior Advocate with Ms. Nimisha Menon and Mr.
Ananya Thapiyal, Advocates for respondent no. 4.
Mr. Ninad Laud, Mr. Varun Chugh, Ms. Ishani Shekhar, Ms. Ivo D'Costa,
Mr. Kunal Gupta, Mr. Anant Vikram and Mr. Katahiamang Panhej,
Advocates for respondent no. 5.

ORDER

1. Vide order dated 13.02.2025, Respondents No. 4 and 5 were directed to file their responses with pen drives containing video clips, if any available, showing status before and after execution of the project and other respondents were also directed to file their responses. However, Respondents No. 4 and 5 as well as other respondents have not filed their responses.
2. On the other hand, Respondent No. 4-Rail Vikas Nigam Ltd. has filed I.A. No. 216/2025 with the following prayers:-



 1

अजय कुमार /Ajay Kumar
अपर महाप्रबंधक (परि०-२) ऋषिकेश-कर्णप्रयाग प्रोजेक्ट
A G M (Project-2)/Rishikesh-Karanprayag Project
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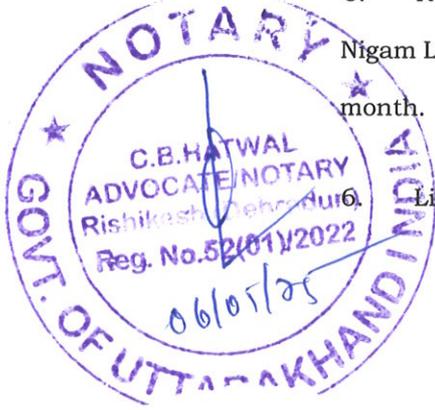
"a. Be pleased to pass appropriate directions to permit to reuse of the excavated muck which was sealed by communication dated 11.07.2024 passed by the District Magistrate, Rudraprayag as well as the road leading to the dumping site at Chopra Gadera in the Village Jawadi, thereby allowing the same for re-use for construction related activities and to relocate the excess muck from the said site; and
b. The Hon'ble Tribunal may be pleased to issue any other appropriate order or directions as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case."

3. Respondents no. 4 and 5 are directed to file their responses with pen drives and other respondents are directed to file their responses as directed vide order dated 13.02.2025 within one month.

4. Reply to I.A. No. 216/2025 filed by Respondent No. 4-Rail Vikas Nigam Ltd. may also be filed by respondents no. 1 and 3 within one month.

5. Reply to I.A No. 216/2025 filed by Respondent No. 4-Rail Vikas Nigam Ltd. may also be filed by other respondents, if so desired, within one month.

List on 08.05.2025 for further consideration.



Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 27th, 2025
Original Application No. 44/2024
(I.A No. 460/2024 & I.A. No. 216/2025)
AB


अजय कुमार / Ajay Kumar
अपर महाप्रबंधक (परि-2/ ऋषिकेश-कर्मप्रयाग प्रोजेक्ट)
A GM (Project-2)/Rishikesh-Karanprayag Project
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(भारत सरकार का उपक्रम) / A Govt. of India Enterprise
ऋषिकेश (उत्तराखण्ड)-249201/ Rishikesh (Uttarakhand)-249201

ANNEXURE R-2

प्रेषक,

उप जिलाधिकारी,
रूद्रप्रयाग।

सेवा में,

जिलाधिकारी,
रूद्रप्रयाग।

संख्या- 487 /रीडर-विविध / 2023-24

दिनांक: रूद्रप्रयाग 11 जुलाई, 2024

विषय- मा0 एन0जी0टी0 में योजित मूल आवेदन पत्र संख्या-44/2024 जोत सिंह बिष्ट बनाम
उत्तराखण्ड राज्य व अन्य के संबंध में।

महोदय,

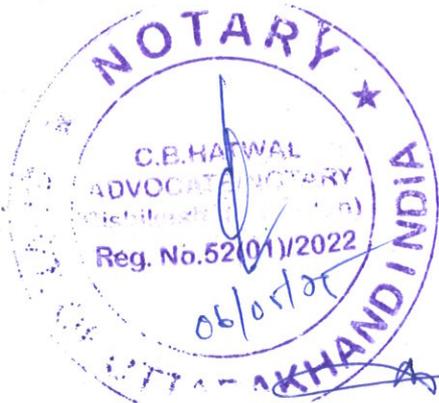
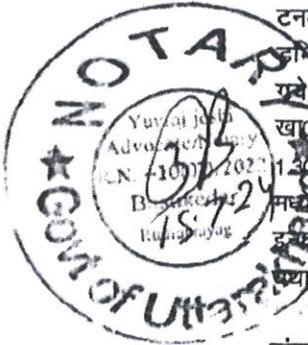
उपरोक्त विषयक कृपया अपने कार्यालय पत्र संख्या-4608/33-15(2023-24) दिनांक-05 जुलाई 2024, जो अन्य के साथ इस कार्यालय को संबोधित है, का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा विषयगत प्रकरण में जांच आख्या उपलब्ध कराये जाने के निर्देश प्राप्त हुये हैं।

तत्कम में सादर अवगत कराना है कि प्रश्नगत प्रकरण में तहसीलदार रूद्रप्रयाग, उप निदेशक/ज्येष्ठ खान अधिकारी, रूद्रप्रयाग, राजस्व उपनिरीक्षक, जवाड़ी, रेल विकास निगम एवं मेघा इंजीनियरिंग एण्ड इन्फ्रास्ट्रक्चर लिमिटेड के प्रतिनिधि की उपस्थिति में बिदु संख्या 01, 02, एवं 04 संयुक्त स्थलीय निरीक्षण/जांच आख्या निम्नवत् है-

राजस्व विभाग तथा भूतत्व एवं खनिकर्म विभाग रूद्रप्रयाग द्वारा रेल विकास निगम एवं उनकी कार्यदायी संस्था मेघा इंजीनियरिंग इन्फ्रास्ट्रक्चर लि0 के प्रतिनिधियों की उपस्थिति में संयुक्त रूप से ग्राम जवाड़ी के चोपड़ा गदेरा में डम्प किये गये मक/मलवा स्थल का निरीक्षण किया गया, मौका स्थल पर रेल विकास निगम व उनकी कार्यदायी संस्था उपरोक्त से चोपड़ा गदेरा में मक/मलवा डम्पिंग से संबंधित सक्षम स्तर से निर्गत अनुमति पत्र मांगे जाने पर प्रस्तुत नहीं किया गया। प्रथम दृष्टिया बिना अनुमति के टनल से निकले मक को चोपड़ा गदेरा में डम्प करना अवैध मानते हुये डम्पिंग स्थल को सील करते हुये डम्पिंग स्थल को जाने वाले मार्ग को पिलर व तार के सहायता से बंद/अवरूढ करते हुये सील लगा दिये गये हैं जिसकी फोटोग्राफ संलग्न है। राजस्व अभिलेखानुसार मक/मलवा डम्पिंग स्थल ग्राम जवाड़ी के ख0ख0 संख्या 41/251 श्रेणी 9(03) ड0 के खसरा नम्बर 5361रकवा 0.158 हे0, खसरा नम्बर 5362 रकवा 1.208 हे0, खसरा नम्बर 5364 रकवा 0.717 हे0, खसरा नम्बर 5446 रकवा 0.227 हे0, कुल रकवा 2.410 हे0 मक 1.310 हे0 भूमि है। मौके पर उपस्थित रेल विकास निगम व उनकी कार्यदायी संस्था मेघा इंजीनियरिंग इन्फ्रास्ट्रक्चर लि0 के प्रतिनिधियों को निर्देशित किया गया कि अग्रिम आदेशों तक डम्पिंग स्थल की उपस्थिति बनाये रखे/खुर्द-बुर्द ना करें, साथ ही सील किये गये पहुंच मार्ग को भी यथावत रखें।

अतः एतदविषयक संयुक्त स्थलीय जांच आख्या मूल में संलग्न कर महोदय की सादर प्रेषित।

संलग्न: - यथोपरि।



मवदीय

(आशीष चन्द्र धिविज्याल)
उप जिलाधिकारी,
रूद्रप्रयाग

For Handle w/T paper
Sugalswal
District Magistrate
Rudraprayag

अजय कुमार/Ajay Kumar
अपर महाप्रबंधक (परि0-2/ ऋषिकेश-कर्णप्रयाग प्रोजेक्ट
AGM (Project-2)/Rishikesh-Karanprayag Project
रेल विकास निगम लि./ Rail Vikas Nigam Ltd.
(भारत सरकार का उपक्रम)/ A Govt. of India Enterprise
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मौका फर्द

आज दिनांक 10-07-2024 को कार्यालय जिलाधिकारी रुद्रप्रयाग के पत्र सं. 4608/33-15 (2023-24) दि. 05-7-2024 जो कि मां. एन.जी.टी. में प्रोजेक्ट मूल आवेदन संख्या 44/2024 जोर सिंह विठ वनाम उन्नाखण्ड राज्य व अन्य के संबंध में है के अनुपालन में राज्य विभाग तथा सड़क एवं खनिज विभाग रुद्रप्रयाग जहां रेल विकास निगम व उनकी कार्रवाही संस्था मेधा इंजिनियरिंग इन्फ्रास्ट्रक्चर लि. के प्रतिनिधियों की उपस्थिति में संयुक्त रूप से ग्राम जवाही के चोपड़ा जदेरा में डम्प सिंगे ड्राई मक। मलवा स्थल का निरीक्षण किया गया। मौका स्थल पर रेल विकास निगम व उनकी कार्रवाही संस्था उपरोक्त से चोपड़ा जदेरा में मक। मलवा डम्पिंग से सम्बंधित सफाई कर ले निर्गत अनुमति प्राप्त मांगी जाने पर सहित नहीं किया गया। कोतः प्रथम दृष्टिवा बिना अनुमति के तबल से निकले मक को चोपड़ा जदेरा में डम्पिंग स्थल को जल वल मर्ज को पील व तार की सहायता

वन्द। अवलोकन करे ड्रे सील लगा दिये जाये है। (कोले श्राफ मन्ज) राज्य अभिलेखानुसार मक। मलवा डम्पिंग स्थल ग्राम जवाही रवा. सं. सं. 41/25। श्रेणी 9(3) (ड) के ख. न. 5361 रकबा 0.158 है ख. न. 5362 रकबा 1.308 है, ख. न. 5364 रकबा 0.717 है, ख. न. 5446 रकबा 0.227 है, कुल रकबा 2.410 है मं 1.310 है भूमि है। मौके पर उपरोक्त रेल विकास निगम व उनकी कार्रवाही संस्था मेधा इंजिनियरिंग इन्फ्रास्ट्रक्चर लि. के प्रतिनिधियों की निर्दिष्ट किया गया कि अफिम साई वि सील सिंगे ड्राई पहुंच मर्ज को भी प्रभावित करें। फर्द मौके पर पदमल सुभाषी जारी।



(नीरु सिंहा)
सर्वप्रथम
शु. सं. अपि. विभाग
काठप्रयाग।
(उपनिवेशी रो. सि. वि.)
अजय कुमार

(लक्ष्मी)
रा. सं. नि. 0
जवाही

(Mukesh / Shau)
(Shailendra Singh)
Admin

10-7-2024
(नीरु कुमार)
उपनिवेशी
काठप्रयाग

for M...
District Magistrate
Rudrapur

मौका फर्द

आज दिनांक 10.07.2024 को कार्यालय जिलाधिकारी, रुद्रप्रयाग के पत्र सं०-4608/33-15 (2023-24) दि० 05.07.2024 जो कि मा० एन.जी.टी. में योजित मूल आवेदन संख्या 44/2024 जोत सिंह बिष्ट बनाम उत्तराखण्ड राज्य व अन्य के संबंध में है के अनुपालन में राजस्व विभाग तथा भूतत्व एवं खनिकर्म विभाग रुद्रप्रयाग द्वारा रेल विकास निगत व उनकी कार्यदायी संस्था मेघा इंजिनियरिंग इन्फ्रास्ट्रक्चर लि० के प्रतिनिधियों की उपस्थिति में संयुक्त रूप से ग्राम जवाड़ी के चोपड़ा गदेरा में डम्प किये गये मक/मलवा स्थल का निरीक्षण किया गया। मौका स्थल पर रेल विकास निगम व उनकी कार्यदायी संस्था उपरोक्त से चोपड़ा गदेरा में मक/मलवा डम्पिंग से सम्बन्धित सक्षम स्तर से निर्गत अनुमति पत्र मांगे जाने पर प्रस्तुत नहीं किया गया। अतः प्रथम दृष्टिया बिना अनुमति के टनल से निकले मक को चोपड़ा गदेरा में डम्प करना अवैध मानते हुये डम्पिंग स्थल को सीज करते हुये, डम्पिंग स्थल को जाने वाले मार्ग को पीलर व तार की सहायता से बन्द/अवरूद्ध करते हुये सील लगा दिये गये है। (फोटोग्राफ संलग्न) राजस्व अभिलेखानुसार मक/मलवा डम्पिंग स्थल ग्राम जवाड़ी के खा.ख.सं. 41/251 श्रेणी 9(3)(ड) के ख. न. 5361 रकवा 0.158 है०, ख.न. 5362 रकवा 1.308 है०, ख.न. 5364 रकवा 0.717 है०, ख.न. 5446 रकवा 0.227 है० कुल रकवा 2.410 है० म० 1.310 है० भूमि है। मौके पर उपस्थित रेल विकास निगम व उनकी कार्यदायी संस्था मेघा इंजिनियरिंग इन्फ्रास्ट्रक्चर लि० के प्रतिनिधियों को निर्देशित किया गया कि अग्रिम आदेशों तक डम्पिंग स्थल की यथास्थिति बनाये रखे/खुर्द-बुर्द ना करे साथ ही सील किये गये पहुंच मार्ग को भी यथावत रखें। फर्द मौके पर तैयार कर पढ़कर सुनायी गयी।



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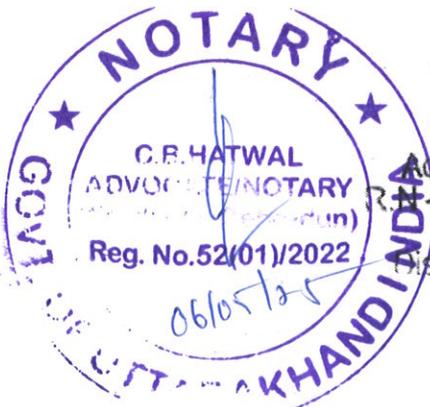
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