

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

ORIGINAL APPLICATION NO. 632 OF 2022

IN THE MATTER OF:

V. K. TYAGI

.....APPLICANT

VERSUS

STATE OF UTTARAKHAND

.....RESPONDENT(S)

INDEX

S.No.	PARTICULARS	PAGE NO.
1.	FURTHER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 7 IN COMPLIANCE OF THE ORDER DT. 03.07.2025 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI	
	ANNEXURES	
2.	COPIES OF THE LETTERS DT. 04.10.2025 ANNEXED HEREWITH AS ANNEXURE R-1.	

THROUGH COUNSEL



BHANWAR PAL SINGH JADON
STANDING COUNSEL FOR STATE OF U.P.

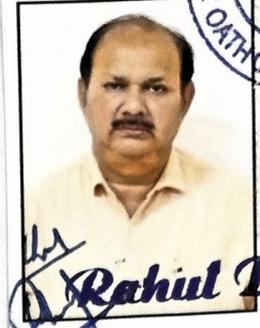
EMAIL- bhanwar09jadon@gmail.com

Ph: 9639286572

DATE: 07.10.2025

PLACE: NOIDA

2099



Rahul Bhatnagar
Advocate

UP Bar Council E. N. 3764/20
No. 16, Zila Bar Building, Meerut
Mob: 9219503050

BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 632 OF 2022

IN THE MATTER OF:

V. K. TYAGI

.....APPLICANT

VERSUS

STATE OF UTTARAKHAND

.....RESPONDENT(S)

FURTHER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 7 IN

COMPLIANCE OF THE ORDER DT. 03.07.2025 PASSED BY THE

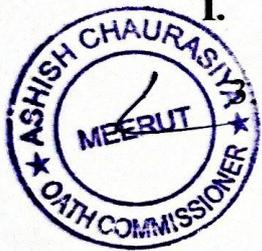
HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

I, Gyan Prakash Srivastava, aged about 55 years S/o Naval Kishore Srivastava, presently posted as Chief Engineer (Ganga), Irrigation and Water Resources Department, State of Uttar Pradesh, do hereby solemnly affirm and state on oath as under:

मुख्य अभियन्ता (गंगा)
सिंचाई एवं जल संसाधन विभाग
उ० प्र० मेरठ



1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and is competent and authorized to swear the present affidavit.
2. That I state that the contents of the affidavit have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.



I. BACKGROUND OF THE MATTER

That in the present matter, the issue involved in this Original Application relates to encroachment for cultivation on the land of river Solani, a tributary of river Ganga, which is obstructing its flow, further grievance is about discharge of untreated sewage in river Solani which is creating health hazards and converting the river into a drain.

4. That the present matter was last listed for hearing on 03.07.2025, wherein the Hon'ble Tribunal directed as under:

".....3. The question of rejuvenation of river Sonali involves three material aspects as mentioned hereunder:-

(a) Identification and demarcation of its Flood Plain Zone.


 मुख्य अभियन्ता (गंगा)
 सिंचाई एवं जल संसाधन विभाग
 उ० प्र० मेरठ

(b) Identification and removal of encroachments on its river bed/catchment area.

(c) Tapping of drains discharging domestic sewage/industrial effluents in it for ensuring that untreated domestic sewage/ industrial effluents is not discharged in it.

4. Even though, this case is pending since the year 2022 but all requisite remedial measures have not been taken and complete action taken reports have not been filed so far.



5. The respondents are directed to take requisite action and file action taken reports giving all requisite details regarding their action plan, remedial measures already taken/required to be taken, the budgetary allocation made/to be made, the timelines for execution/completion of the work and names of the agencies entrusted with the task of executing the work and names of the agencies entrusted with the task of monitoring the same.

6. Detailed action taken reports may be filed by the respondents with respect to all-relevant aspects as mentioned above within three months."


 मुख्य अभियन्ता (गंगा)
 सिंचाई एवं जल संसाधन विभाग
 उ० प्र० मेरठ

II. IDENTIFICATION AND DEMARCATON OF ITS FLOOD PLAIN ZONE.

5. That it is respectfully submitted that the physical demarcation of the floodplain zone of the Solani River has been completed, and boundary pillars have been installed based on the 100-year return period, in accordance with the Ganga Rejuvenation Order, 2016. The same has been duly recorded in the Further Progress Report filed on behalf of Respondent No. 7 (*Refer @ Pg. No. 1601 of the Judicial Record*).



III. IDENTIFICATION AND REMOVAL OF ENCROACHMENTS ON ITS RIVER BED/MAIN COURSE

6. That it is relevant to submit here that there is no encroachment on the main course/river bed of the Solani river within the Muzaffarnagar District.
7. That further it is pertinent to state that Executive Engineer (Irrigation and Water Resources Department), Irrigation Construction Division, Saharanpur has informed vide letter dt. 04.10.2025 that there is no encroachment on the main course/river bed of the Solani river within the Saharanpur District.


 मुख्य अभियन्ता (गंगा)
 सिंचाई एवं जल संसाधन विभाग
 उ० प्र० मेरठ

8. That similarly the Executive Engineer, Northern Division, Ganga Canal Roorkee has informed vide letter dt. 04.10.2025 that there is no encroachment on the main course/river bed of the Solani river within the Roorkee District.

Copies of the letters dt. 04.10.2025 has been annexed herewith as ANNEXURE R-1.

IV. STATUS OF DOMESTIC SEWAGE/INDUSTRIAL EFFLUENTS DISCHARGE IN THE SOLANI RIVER

That the Uttar Pradesh Pollution Control Board (UPPCB) is the competent and concerned authority responsible for monitoring, regulating, and controlling the discharge of domestic sewage and industrial effluents in the State. It is respectfully submitted that the Irrigation Department has no role or jurisdiction in matters pertaining to the assessment or regulation of sewage or industrial effluent discharge.

10. That the deponent is duty bound to fulfil the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal. The Deponent is fully committed to ensure strict adherence to the orders of this Hon'ble Tribunal and undertakes to faithfully comply with any further directions or instructions that may be issued by this Hon'ble Tribunal, without demur or delay.



मुख्य अभियन्ता (गंगा)
सिंचाई एवं जल संसाधन विभाग
उ० प्र० मेरठ



11. Hence, the present affidavit is being submitted for the kind perusal of this

Hon'ble Tribunal. It is prayed that the same be taken on record.




06/10/2025

मुख्य DEPONENT
सिंचाई एवं जल संसाधन विभाग
उ० प्र० मेरठ

VERIFICATION

Verified at MEERUT on this 06 day of October, 2025, that the contents of the above affidavit from paragraphs 1 to 10 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.



IDENTIFIED
[Signature]
06/10/25

Rahul Bhatnagar
Advocate
UP Bar Council E. N. 3764/20
Ch No. 16, Zila Bar Building, Meerut
Mob 9219503050

[Signature]
06/10/2025

मुख्य DEPONENT
सिंचाई एवं जल संसाधन विभाग
उ० प्र० मेरठ

22
verified that Shri रिजुल अली identified by Shri रिजुल अली made this affidavit before me on 06/10/25
Ashish Chaurasia, Oath Commissioner, Meerut





कार्यालय अधिशाली अभियन्ता
(सिंचाई एवं जल संसाधन विभाग)
सिंचाई निर्माण खण्ड, सहारनपुर।

ANNEXURE R-1

Email Address:- eesreicd001@gmail.com

eeicdidupsa-up@nic.in

Phone No:-

0132-2661746

पत्रांक: 2318 / सिंनिखस / सोलानी नदी,

दिनांक: 04-10-2025

विषय: माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० सं०-६३२/२०२२ (I.A.No.499/2024) श्री वी०के० त्यागी बनाम उत्तराखण्ड राज्य व अन्य के सम्बन्ध में।

सन्दर्भ: आपका पत्रांक: 1710 / डीडीएम / ओ०ए०-६३२ / २०२२, दिनांक 03.10.2025

अधिशाली अभियन्ता, ड्रेनेज खण्ड-प्रथम, मेरठ।

उपरोक्त विषयक सन्दर्भित पत्र का अवलोकन करने का कष्ट करें, जिसमें माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० सं०-६३२/२०२२ (I.A.No.499/2024) श्री वी०के० त्यागी बनाम उत्तराखण्ड राज्य व अन्य के सम्बन्ध में जनपद सहारनपुर में सोलानी नदी पर लगाये गये पिलरों पर किसी प्रकार का अतिक्रमण की वर्तमान वस्तुस्थिति से यथाशीघ्र अवगत कराने की वांछना की गयी है।

तदक्रम में अवगत कराना है कि इस खण्ड के सहायक अभियन्ता-द्वितीय, सिंचाई निर्माण खण्ड, सहारनपुर ने अपने पत्रांक: 698 / सहा०अभि०-द्वितीय / दिनांक 04.10.2025 द्वारा अपनी आख्यानुसार अवगत कराया है कि इस खण्ड के कार्यक्षेत्रान्तर्गत जनपद सहारनपुर में सोलानी नदी से सम्बन्धित अनुपालन आख्या निम्नवत् है :-

क्र०सं०	बिन्दु	प्रतिउत्तर
3	The question of rejuvenation of river Sanoli involves three material aspects as mentioned hereunder:-	
(a)	Identification and demarcation of its Flood Plain Zone.	फ्लड प्लेन जोन का Identification and demarcation पूर्ण हो चुका है।
(b)	Identification and removal of encroachments on its river bed/catchment area.	सोलानी नदी के बेड में कोई अतिक्रमण नहीं है।
(c)	Tapping of drains discharge domestic sewage/industrial effluents in it for ensuring that untreated domestic sewage/industrial effluents is not discharged in it.	इस खण्ड से सम्बन्धित नहीं है।

सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।


4/10/25
(रामबाबू)

अधिशाली अभियन्ता

पत्रांक: / सिंनिखस / तदिनांक: -10-2025

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

- (1) अधीक्षण अभियन्ता, सिंचाई कार्य मण्डल, सहारनपुर।
- (2) सहायक अभियन्ता-द्वितीय, सिंचाई निर्माण खण्ड, सहारनपुर को उनके पत्रांक: 698 / सहा०अभि०-द्वितीय / दिनांक 04.10.2025 के सन्दर्भ में।

(रामबाबू)
अधिशाली अभियन्ता

2107

कार्यालय अधिशासी अभियन्ता
उत्तरी खण्ड गंगा नहर, रुड़की

दिनांक:- 04/10/2025

पत्रांक:- 338 /उखगनरु/रा०अनु०/एन०जी०टी०,

विषय:- मा० राष्ट्रीय हरित अधिकरण नई दिल्ली मे योजित वाद ओ०ए० संख्या- 632/2022 (I.A. No. 499/2024)

श्री वी०के० त्यागी बनाम उत्तराखंड राज्य व अन्य के संबंध मे।

संदर्भ:- आपका पत्रांक 1711/डीडीएम/ ओ०ए०-632/2022, दिनांक 03-10-2025

अधिशासी अभियन्ता, ड्रेनेज खण्ड प्रथम, मेरठ।

उपरोक्त विषयक संदर्भित पत्र का अवलोकन करने का कष्ट करें, जिससे मा० न्यायालय द्वारा दिनांक 03-07-2025 को की गई सुनवाई मे सोलनी नदी के तल/जल ग्रहण क्षेत्र मे अतिक्रमणो की पहचान कर उन्हें हटाने के निर्देशों की अनुपालना की वांछना की गई है।

उक्त के विषय मे अवगतनीय है कि वर्तमान मे इस खण्ड के कार्यक्षेत्र के अन्तर्गत रुड़की क्षेत्र में आने वाले सोलानी नदी के भाग पर किसी प्रकार का अतिक्रमण नहीं है। अतः मा० राष्ट्रीय हरित अधिकरण नई दिल्ली के आदेशों की अनुपालना सुनिश्चित कर ली गई है।

सूचनार्थ प्रेषिता


अधिशासी अभियन्ता

उत्तरी खण्ड गंगा नहर, रुड़की

पत्रांक:- /उखगनरु/तदिनांक:-

प्रतिलिप निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. मुख्य अभियन्ता (गंगा), सिंचाई एवं जल संसाधन विभाग, उत्तर प्रदेश, मेरठ।
2. अधीक्षण अभियन्ता, गंगा नहर संचालन मण्डल, मेरठ।


अधिशासी अभियन्ता
उत्तरी खण्ड गंगा नहर, रुड़की