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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH NEW DELHI

OA No. 127 /2024

In the matter of

Naathu ram Chauhan

Applicant

Versus

Ministry of Road Transport and Highways & Ors

Respondents

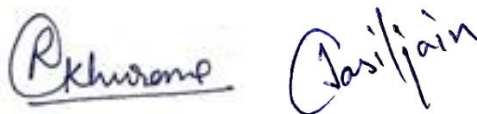
INDEX

S.No.	Particulars	Page no.
1.	Rejoinder on behalf of Applicant along with Affidavit	1-6
2.	ANNEXURE A (colly) Recent photographs of various illegal dumping sites and the various water sources which are still lying affected	7- 69

FILED BY: -

Place: New Delhi

Dated: 01.07.2026



(RAHUL KHURANA) (HASIL JAIN)

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**REJOINDER ON BEHALF OF APPLICANT TO THE AFFIDAVIT
DATED 15.12.2025 FILED BY RESPONDENT NO.1****Most Respectfully Showeth:**

1. That the OA has been filed aggrieved by the illegal dumping of hill cut material in to the valley by the construction companies undertaking the expansion of the single lane Paonta Sahib- Guma section at National Highway no. 707 in the State of Himachal Pradesh falling in District Sirmaur and Shimla.
2. That the present rejoinder is being filed in response to the affidavit/reply filed by the Ministry of Road Transport and Highways, whereby the Ministry has sought to portray that the works relating to debris disposal, muck management, drainage, culverts etc have been completed or substantially complied with.
3. That the said averments are wrong, misleading, self-serving and contrary to the actual site position. The Applicant specifically denies the claim of the Ministry that debris/muck has been properly disposed of and that drainage repair/restoration has been duly completed.
4. That the Ministry has merely relied upon a tabular statement containing general remarks such as "completed", "disposed as per

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Muck Management Plan” and “culverts constructed” etc. However, no credible, site-wise and verifiable material has been placed before this Hon’ble Tribunal to establish actual compliance.

5. That the Ministry has failed to place on record the most basic proof of compliance, including:
 - a. chainage-wise list of debris/muck dumping sites;
 - b. GPS coordinates/KML files of each disposal location;
 - c. independent inspection report confirming that drains, culverts and natural water channels are functional.
6. That the Ministry’s reply is therefore a paper compliance and does not answer the actual grievance of the Applicant, namely that debris/muck continues to remain at site, natural drainage remains obstructed, and repair/restoration of drains has not been completed.
7. That the actual position at site is that debris and loose muck continue to be lying along the road corridor, road shoulders, hill slopes, drainage paths and near natural water channels. The same has not been scientifically removed, transported or stabilised.

The recent photographs of various illegal dumping sites and the various water sources which are still lying affected are annexed as **ANNEXURE A (colly)**.

8. That the Ministry’s own tabular statement shows that rectification measures for debris disposal sites and bio-engineering measures, including plantation activities, were proposed to be completed by a future date. It is submitted that the said future date has already

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expired and the debris is still lying loose. At some locations the debris is still being thrown in the valley.

9. That the Applicant submits that unless the debris/muck is fully removed from unauthorised locations and scientifically disposed of at approved sites, the environmental damage will continue and will intensify during rainfall/monsoon.
10. That the Applicant specifically denies the Ministry's claim that culverts and drainage works have been completed and that natural water flow has been restored.
11. That the ground position is that several drains remain incomplete, blocked, damaged or choked with muck/debris.
12. That the Ministry's own material shows that work relating to longitudinal drains was recorded as "under execution" and to be completed by a future date. This contradicts the Ministry's broader claim of completion.
13. That the alleged construction of culverts is not sufficient unless the culverts are functional, unobstructed, properly connected to approach drains, and capable of carrying natural runoff. The Ministry has not filed any report demonstrating that water flow has been restored at all affected locations.
14. That the present dispute cannot be decided merely on the basis of self-certification by the project authority, contractor or Ministry. Since the Applicant has specifically disputed the claim of completion, an independent field inspection is necessary to verify:
 - a. whether debris/muck is still lying at unauthorised locations.

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- b. whether disposal sites are authorised and environmentally secured.
- c. whether debris has entered or blocked drains, streams or natural channels.
- d. whether culverts and drains are functional.
- e. whether drainage repair has actually been completed.

Prayer

In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) direct independent verification of the all dump sites, drainage channels.
- b) direct immediate removal of all debris/muck from unauthorised locations, road shoulders, slopes, drains, streams and natural water channels.
- c) direct restoration, desilting and repair of all blocked/damaged drains, culverts and cross-drainage structures in a time-bound manner.

01.07.2026



Applicant

Through



Counsel

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PRINCIPAL BENCH NEW DELHI

OA No. 127 /2024

In the matter of

Naathu ram Chauhan

Applicant

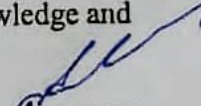
Versus

Ministry of Road Transport and Highways & Ors

Respondents

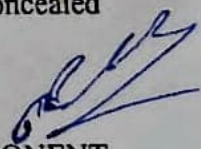
I, Naathu ram Chauhan, S/o Meen Singh Chauhan R/o village Pabhar P.O. Jamna Tehsil Kamrau S T, Rangwa Pabhar (246), Sirmaur, Jamna, Himachal Pradesh 173029, presently at delhi, do hereby solemnly affirm and declare as under :

1. That I am the Applicant in the Original Application and well being and acquainted with facts and circumstances of the case and thus competent to swear this affidavit.
2. That the accompanying rejoinder along with photographs is being placed by my counsel under my instructions and contents thereof have been read over and explained to me in my vernacular which are true and correct to my knowledge, the contents thereof may kindly be read as part and parcel to this affidavit also and not repeated herein.
3. The contents as stated above are true and correct to my knowledge and belief.


 DEPONENT

Verification

It is verified at Paonta Sahib on 11/7/2024 that the contents of the present application are true and correct and nothing has been concealed therefrom.


 DEPONENT

This affidavit has been presented before me for attestation by the deponent personally today on 11/7/2024. The contents of the same have been read over and explained to the deponent who has affirmed that the contents are true and correct to his knowledge and belief. The deponent is known to me, hence attested.

Sh. Self

ATTESTED

11/7/2024

Jagdish Negi
 Advocate & Notary Public
 Paonta Sahib (H.P.) India

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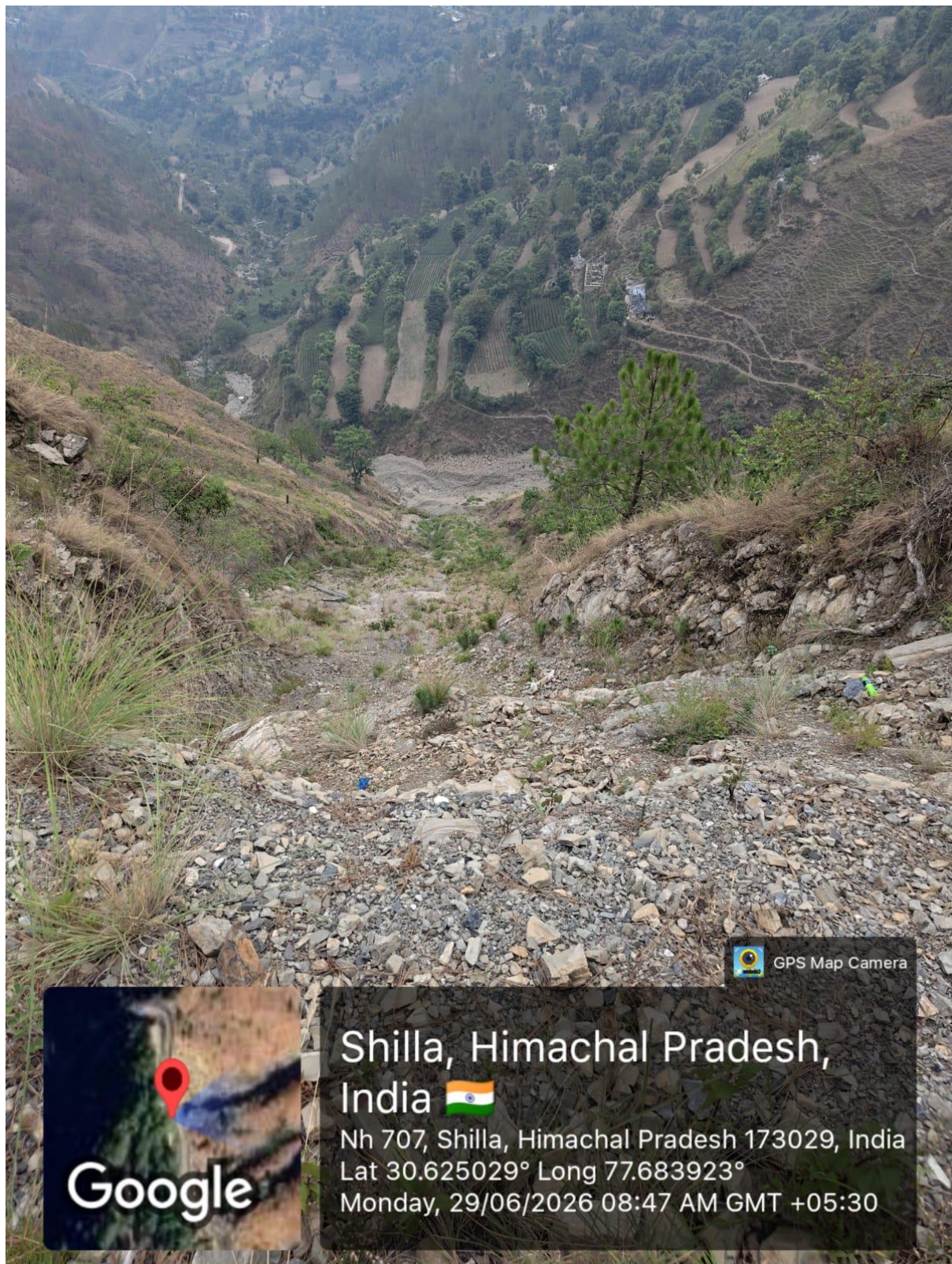
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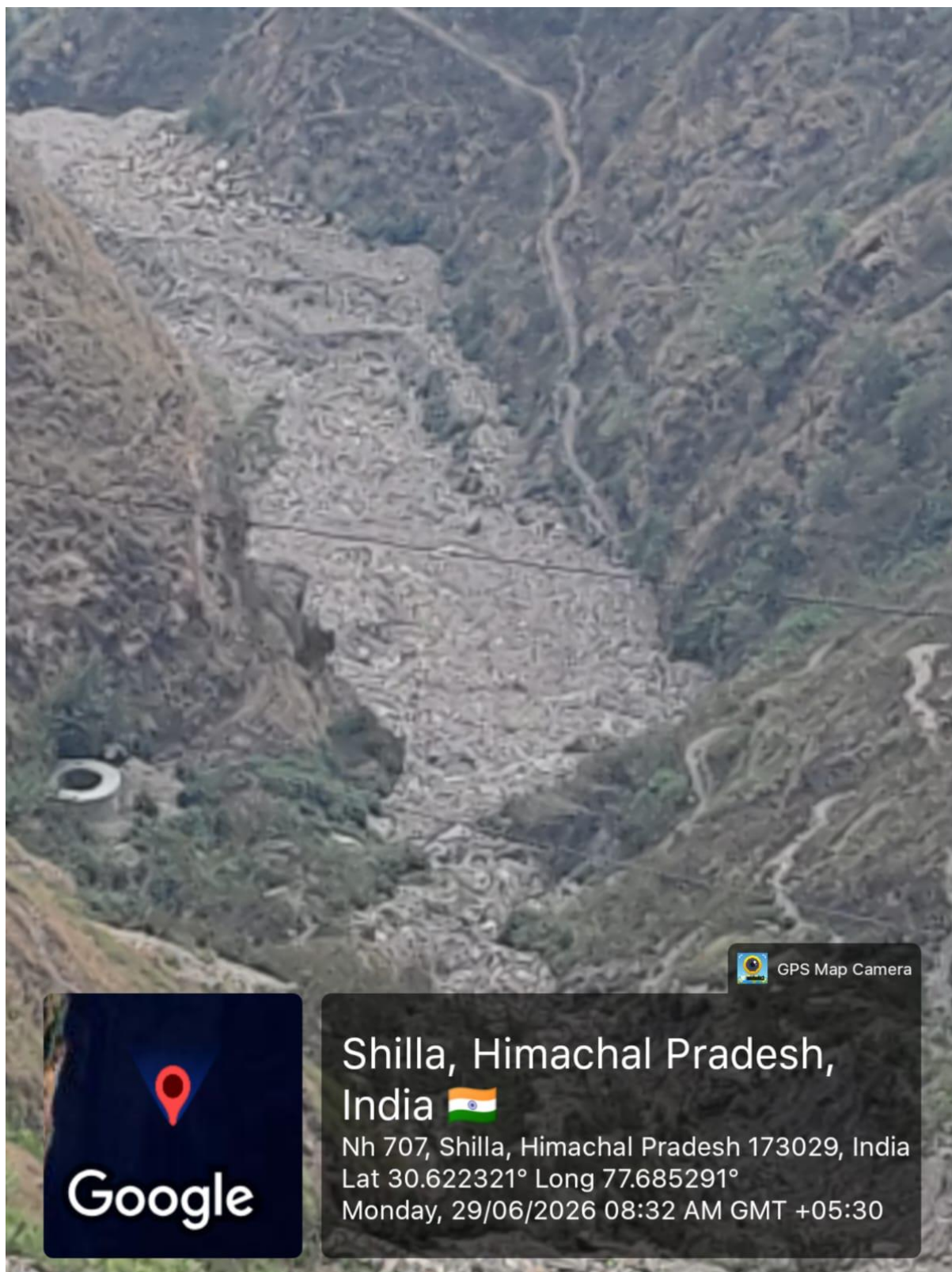
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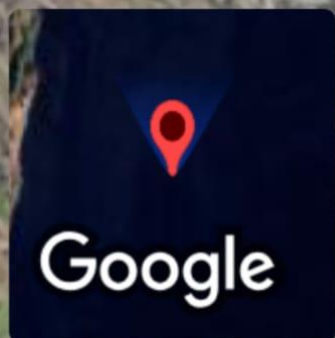
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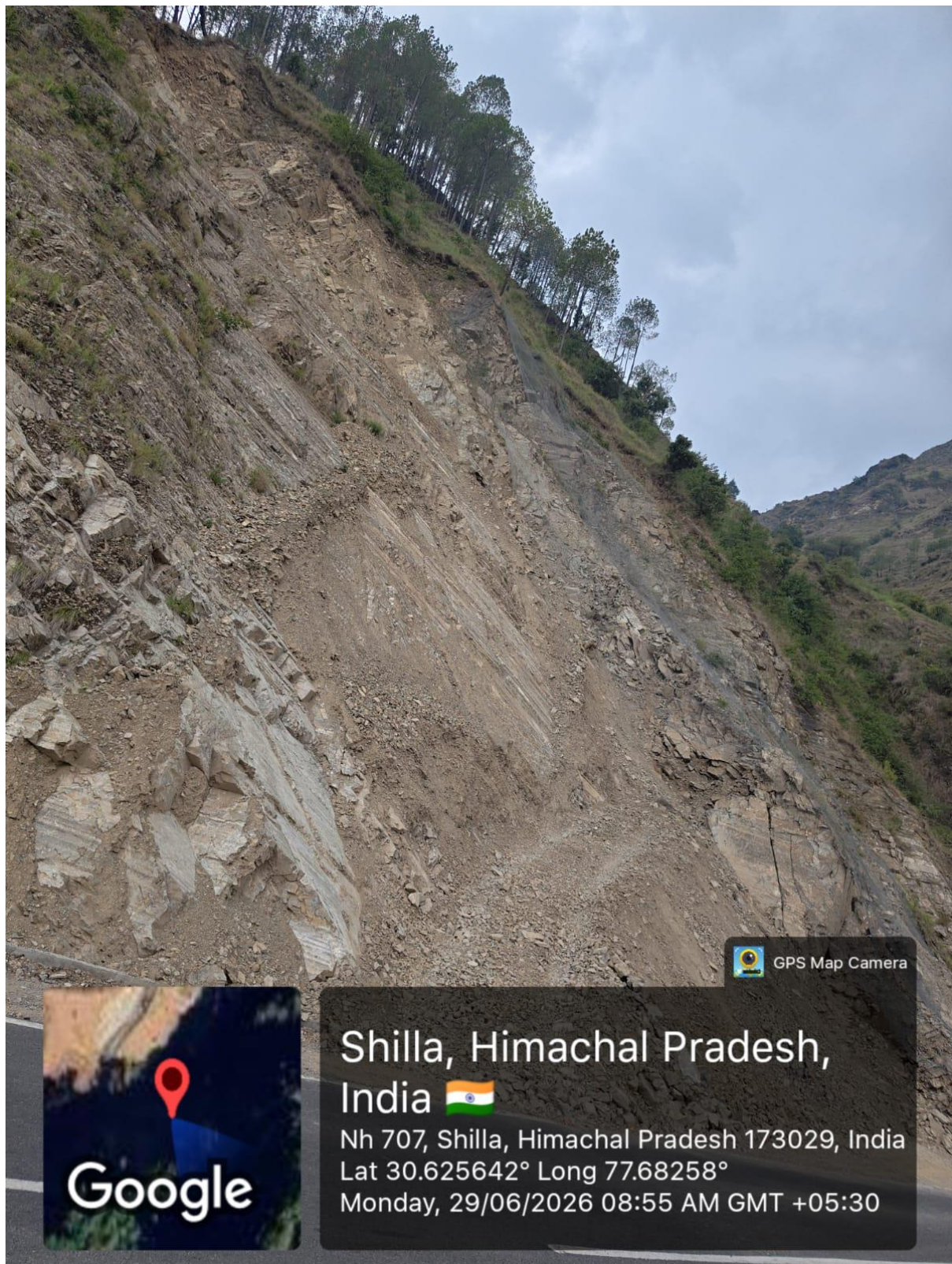
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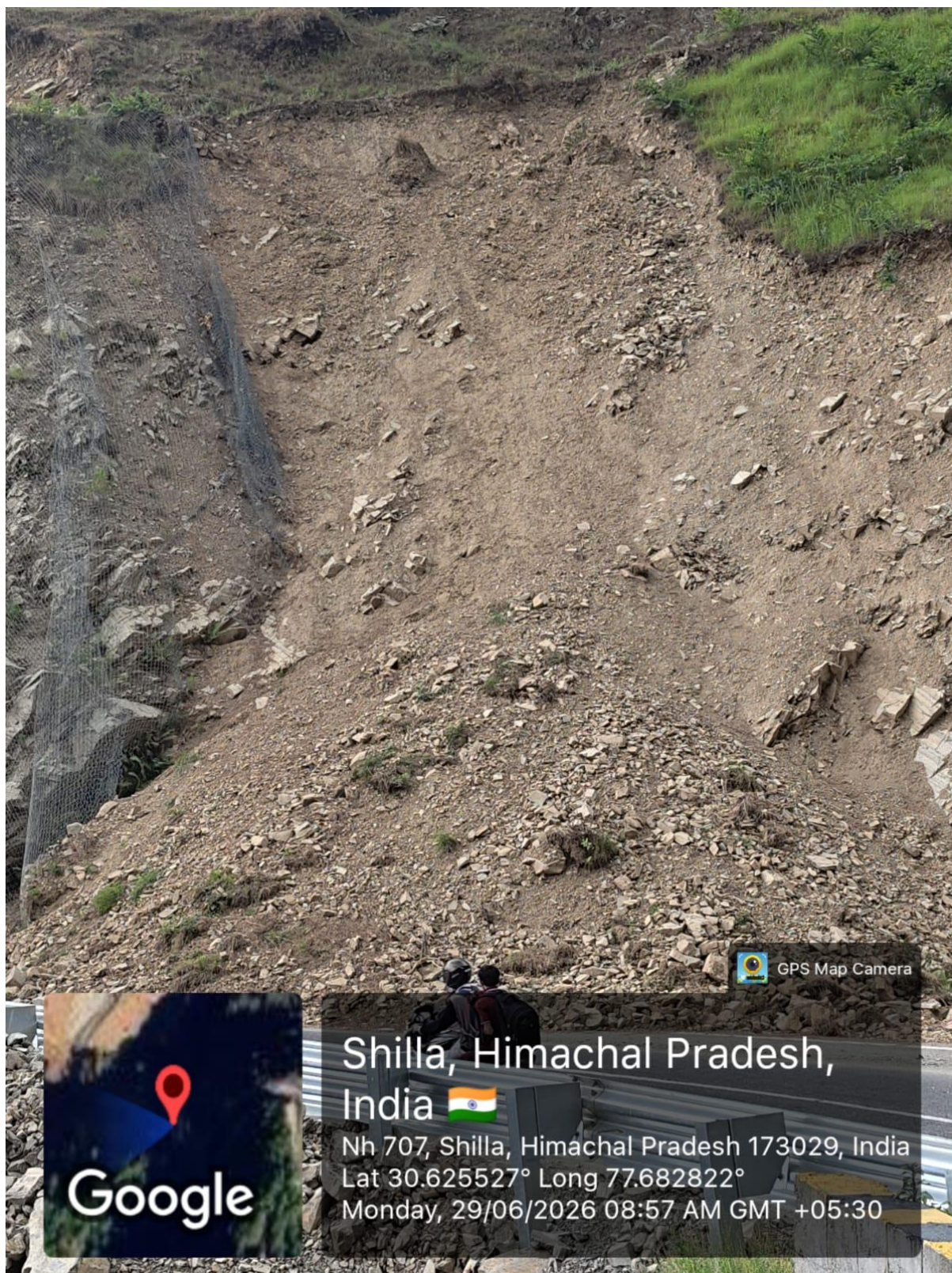
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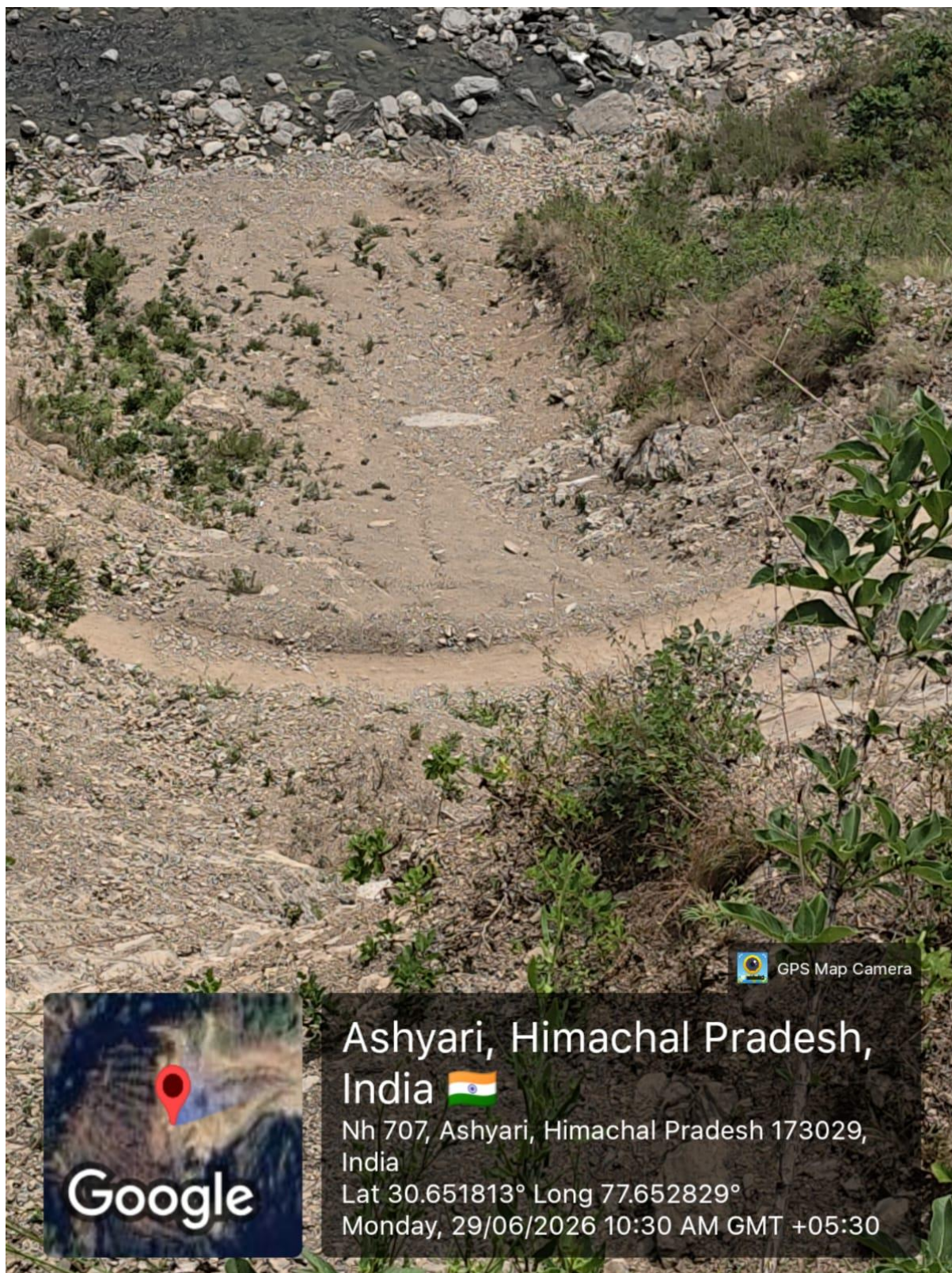
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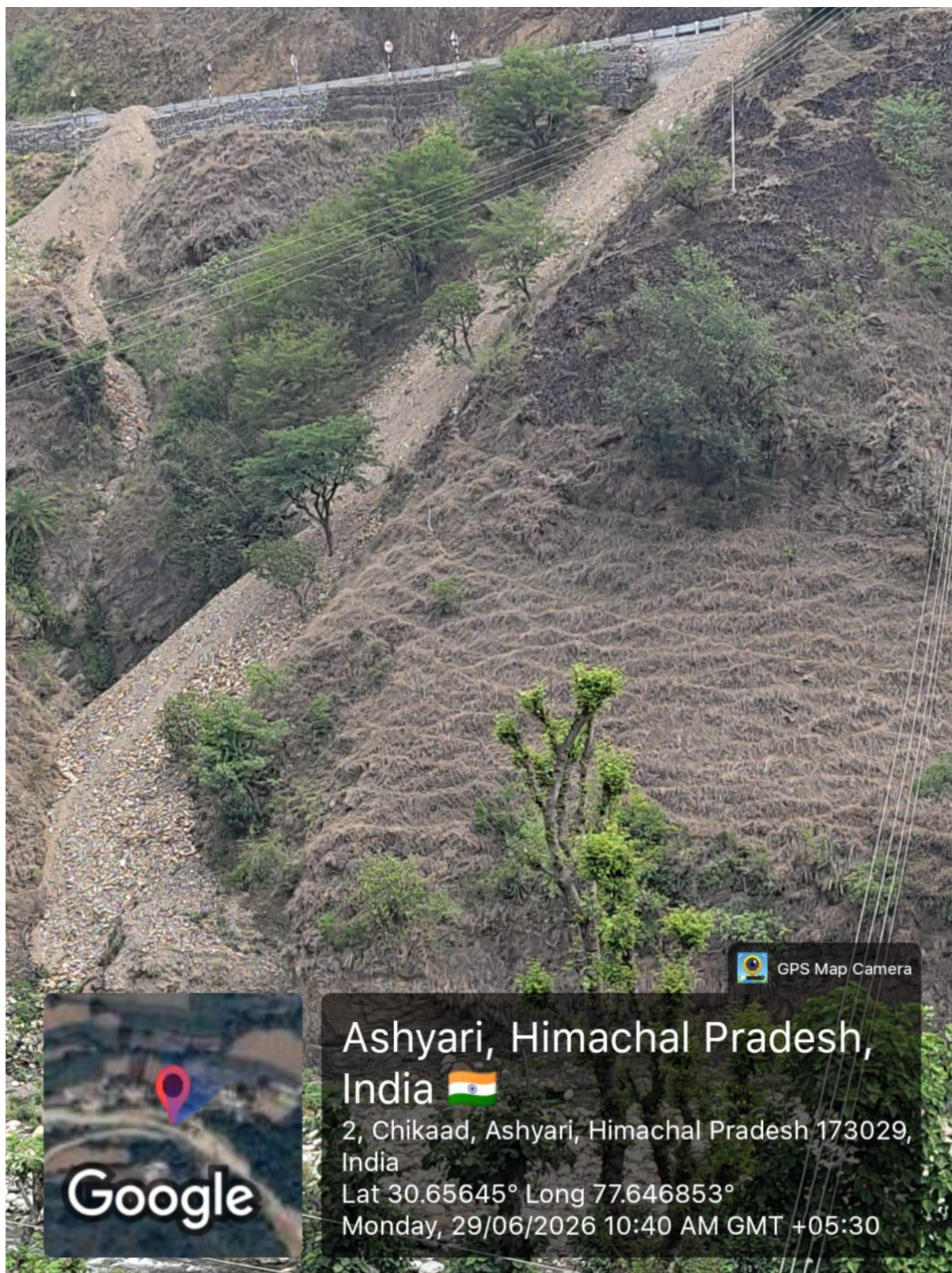
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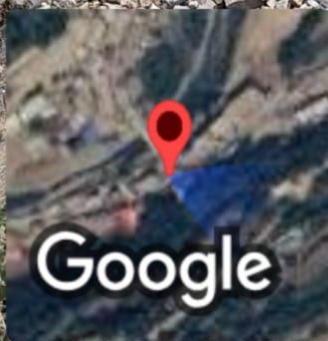
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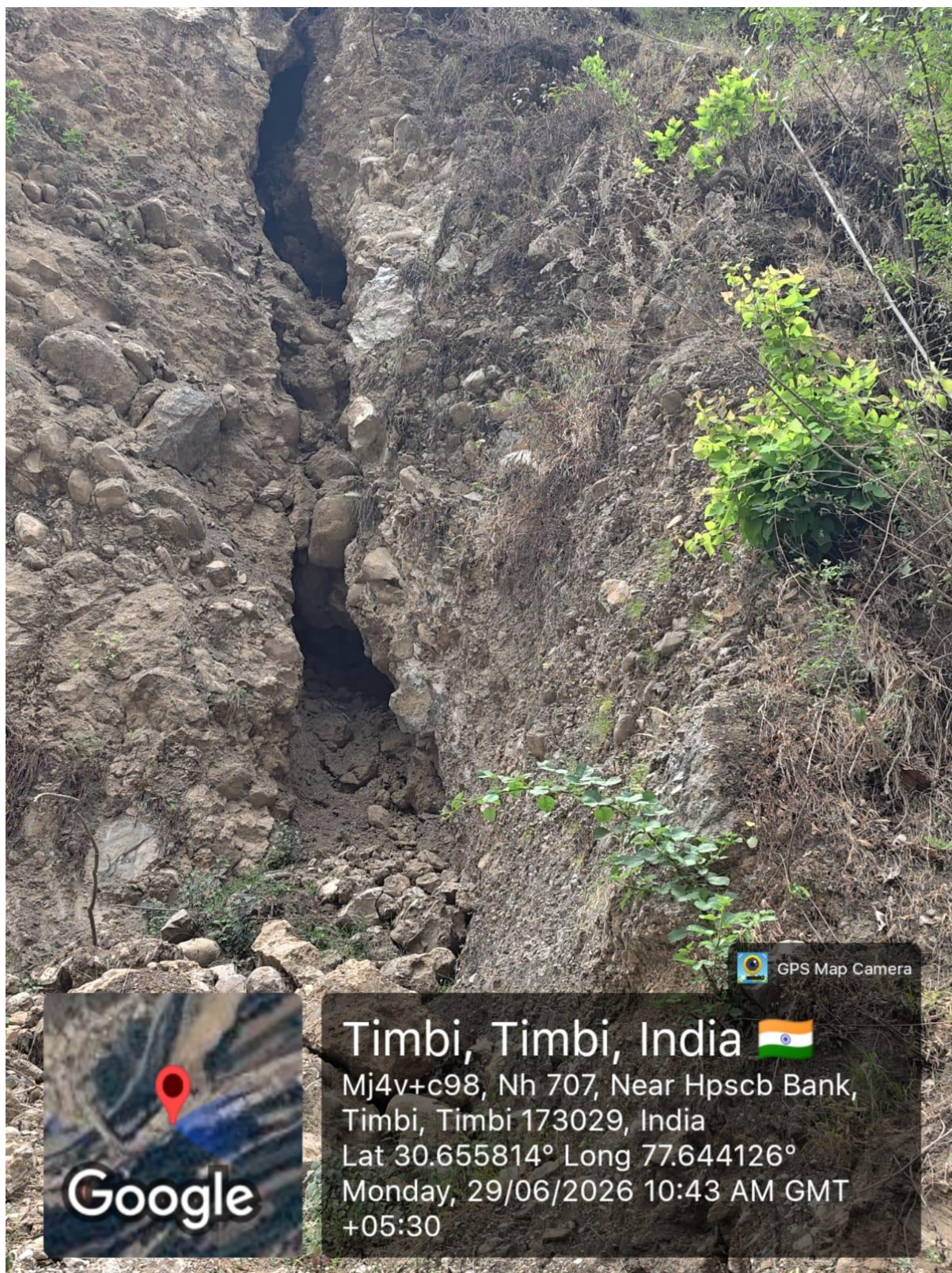
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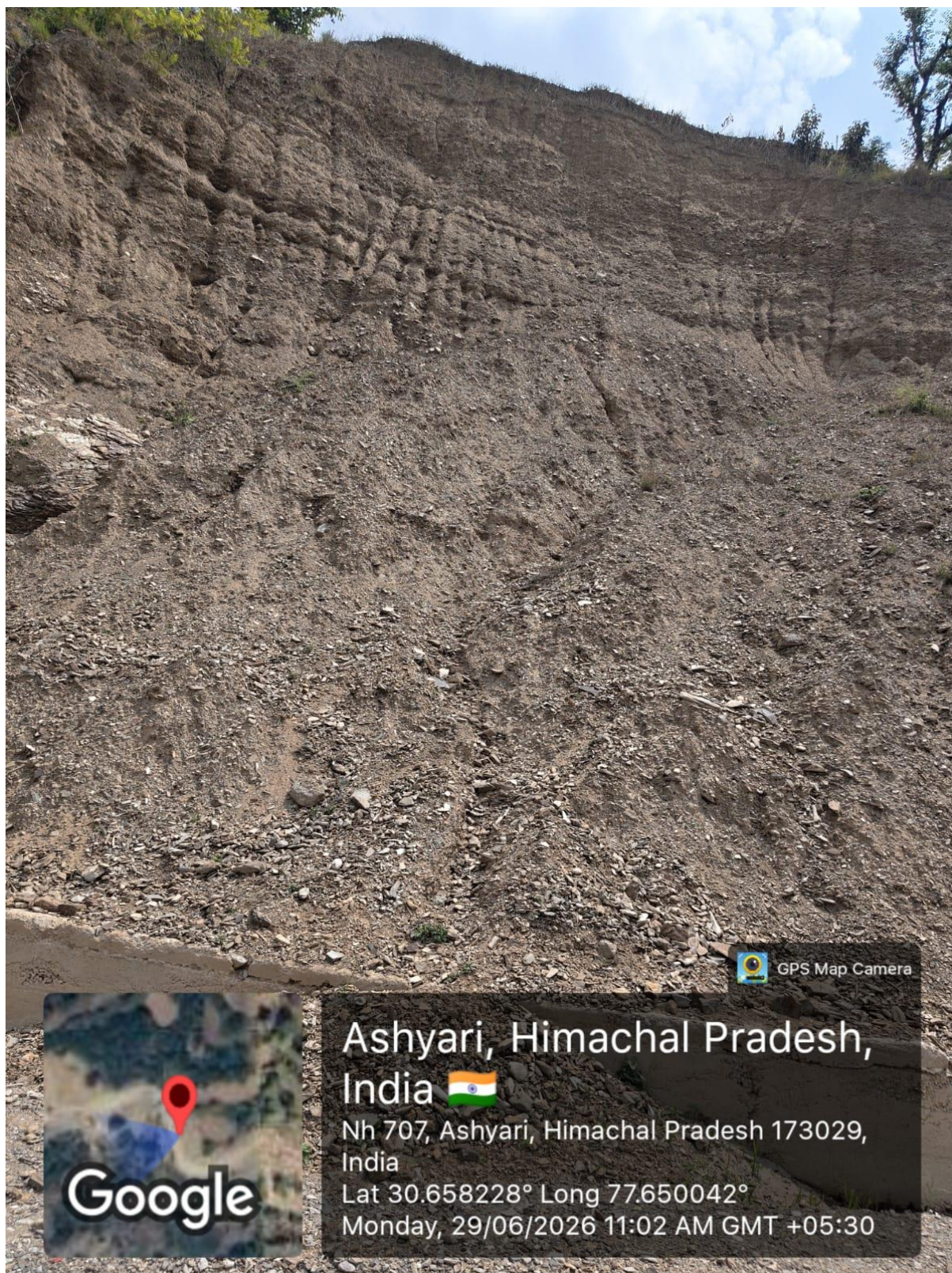
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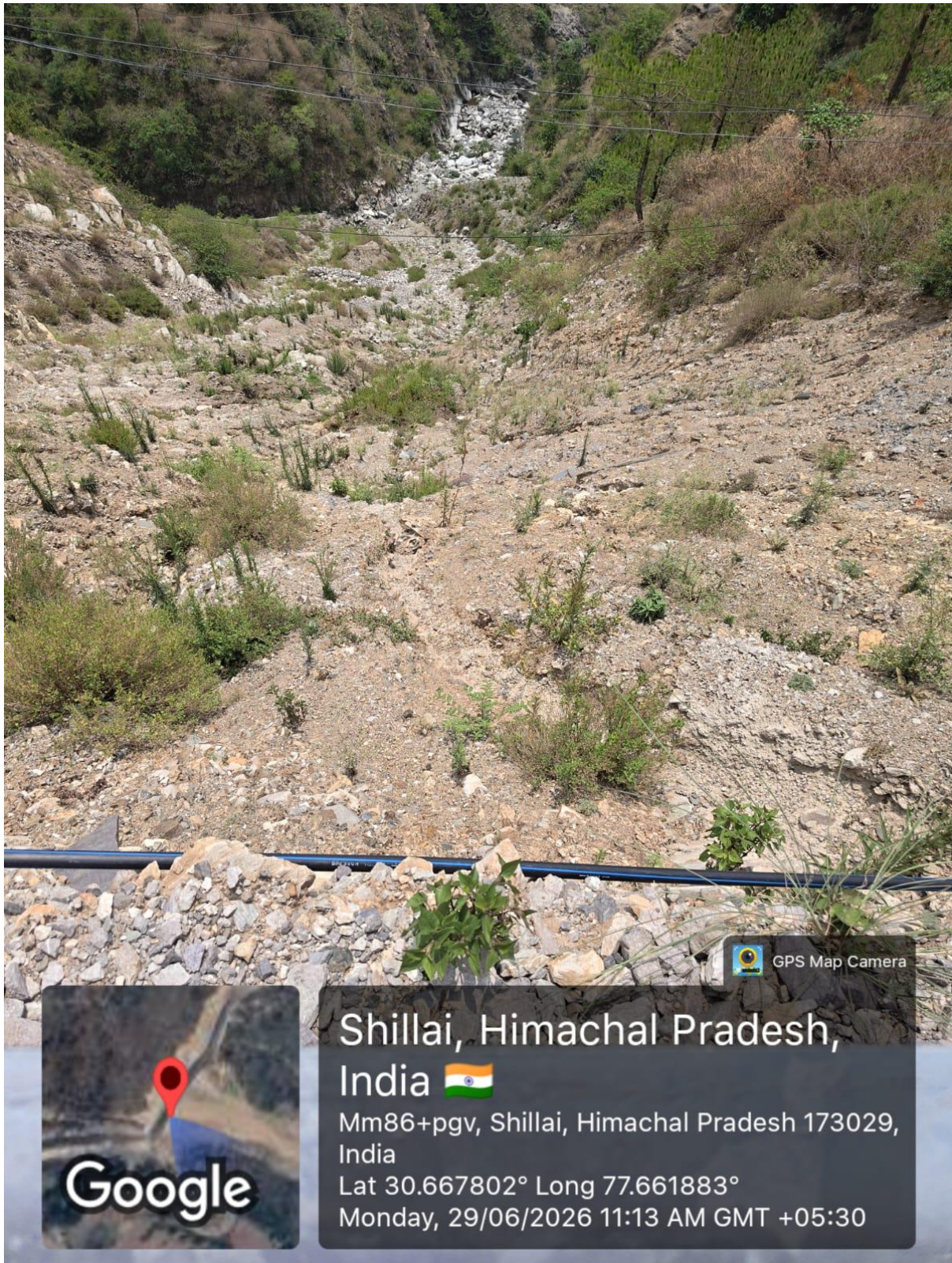
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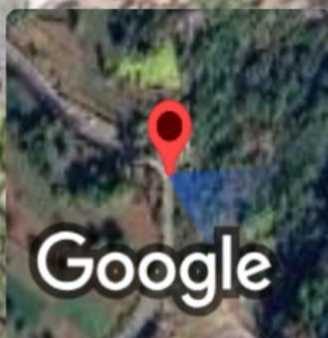
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GPS Map Camera



Ashyari, Himachal Pradesh,
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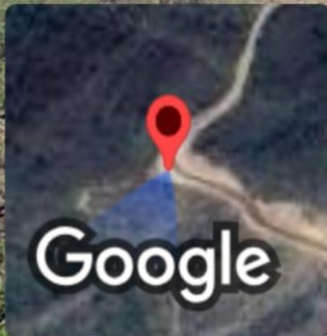
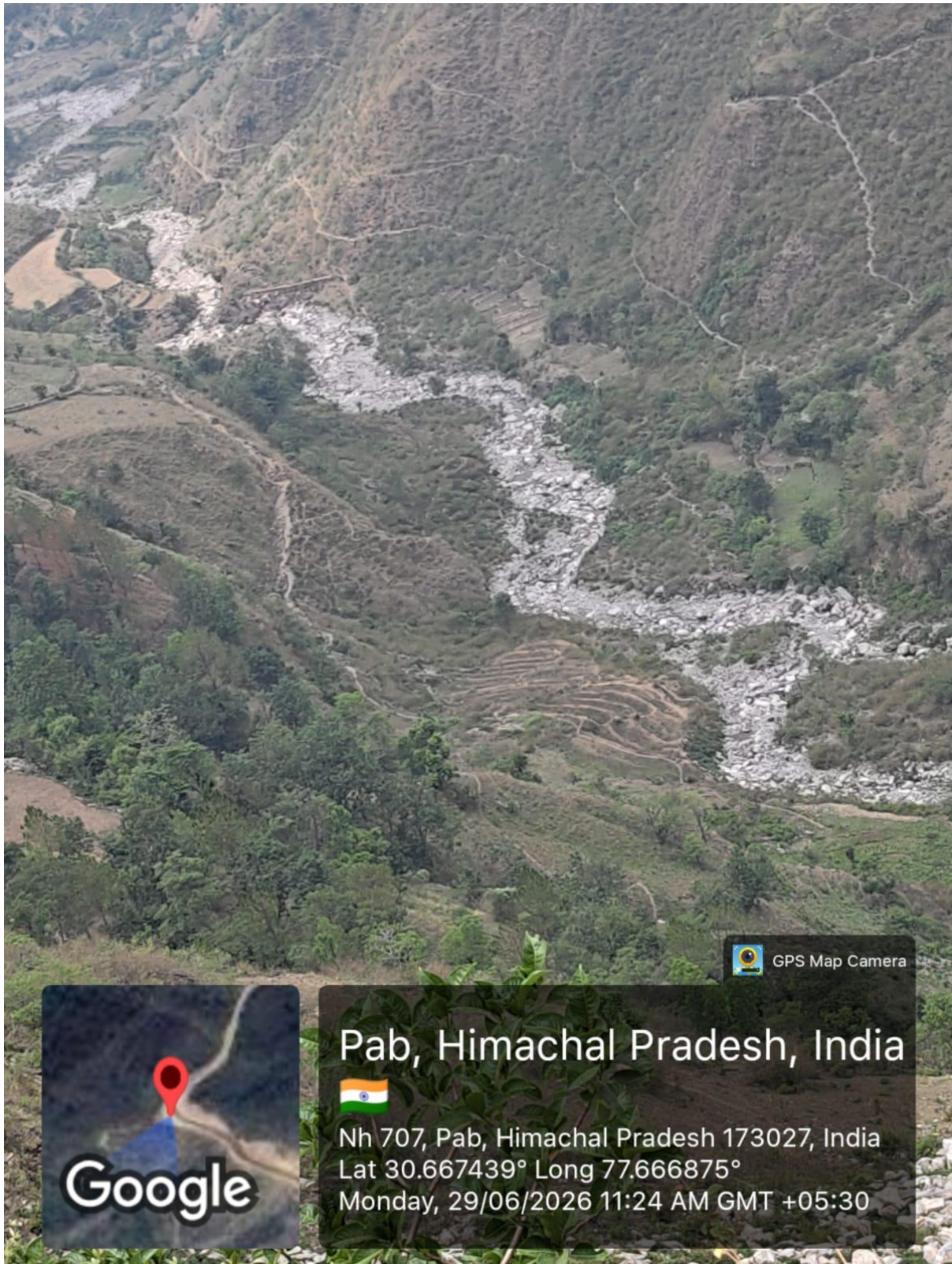
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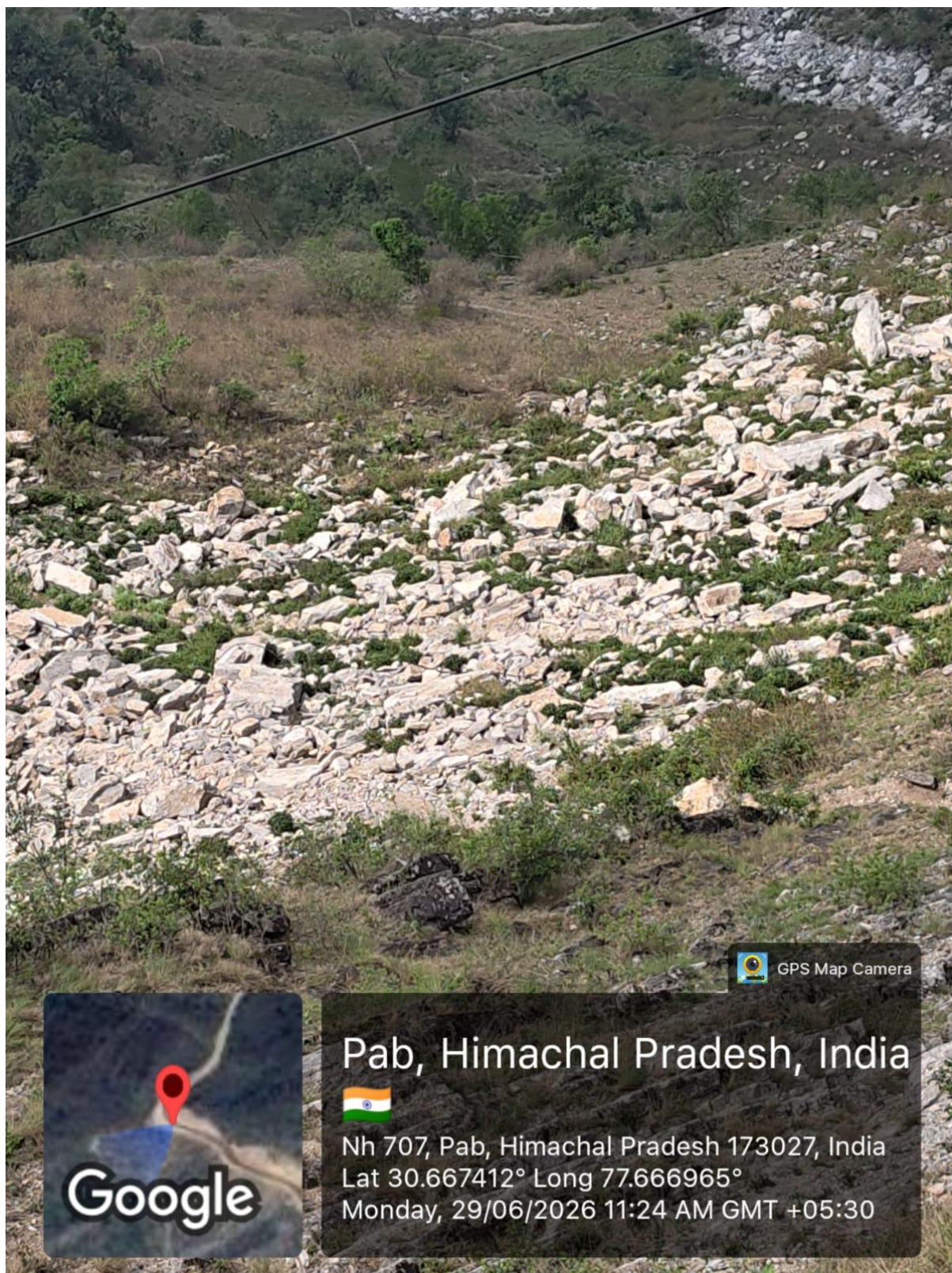


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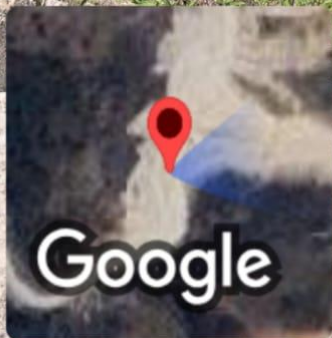
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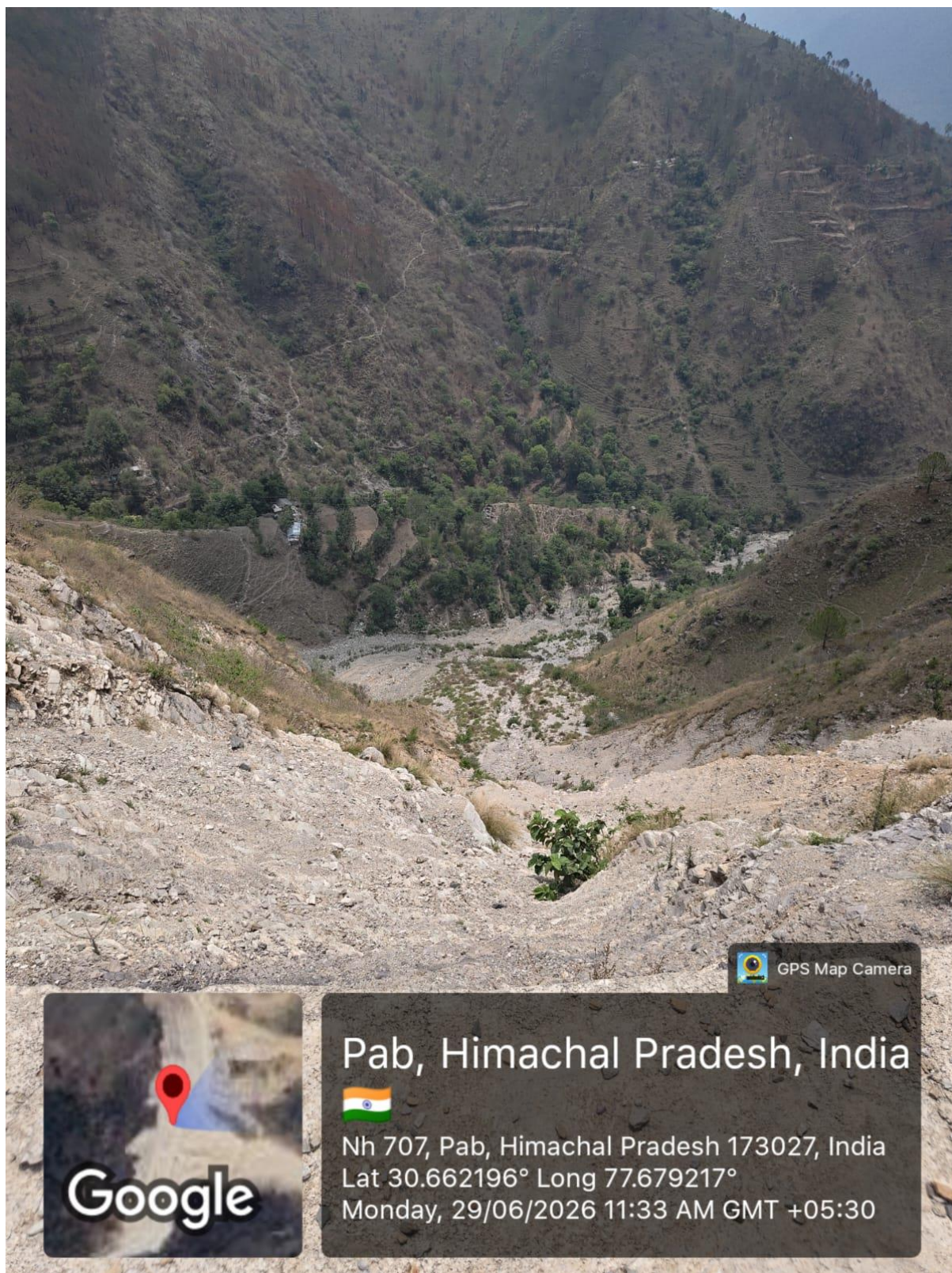


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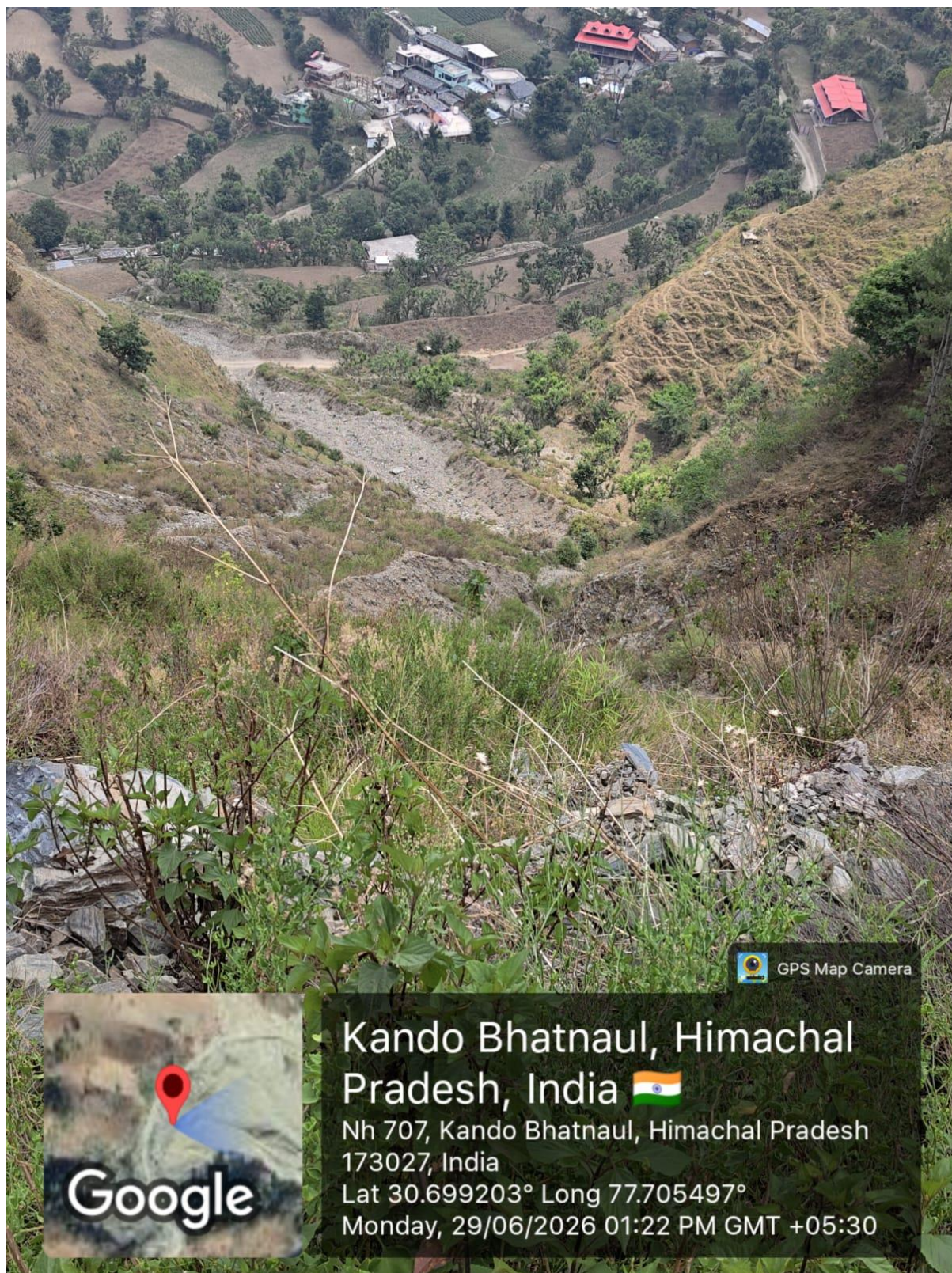
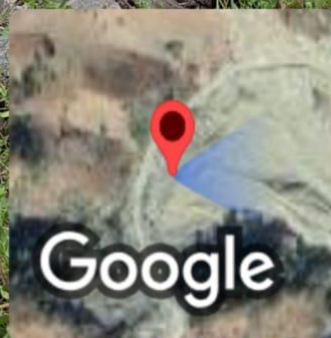
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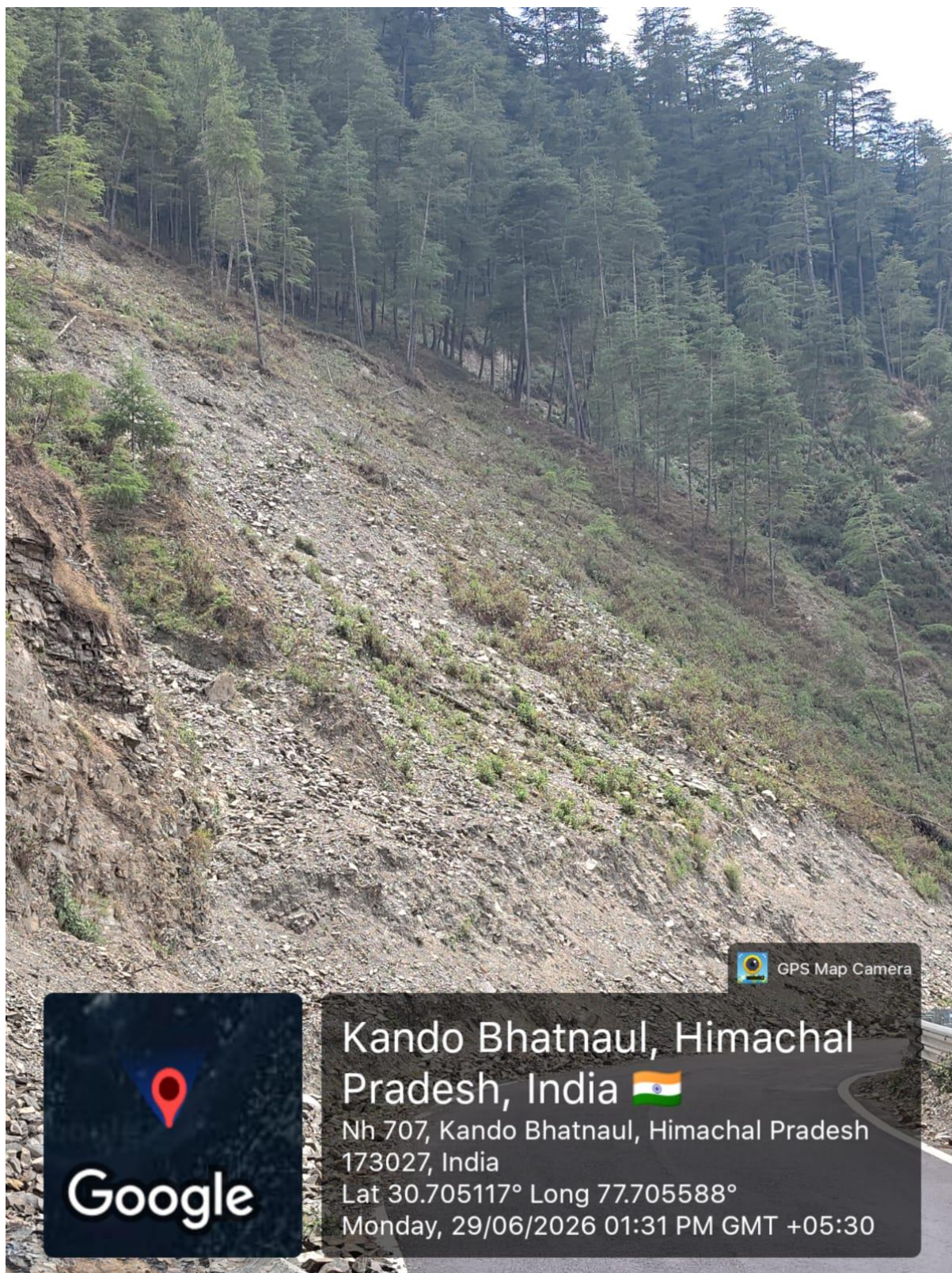
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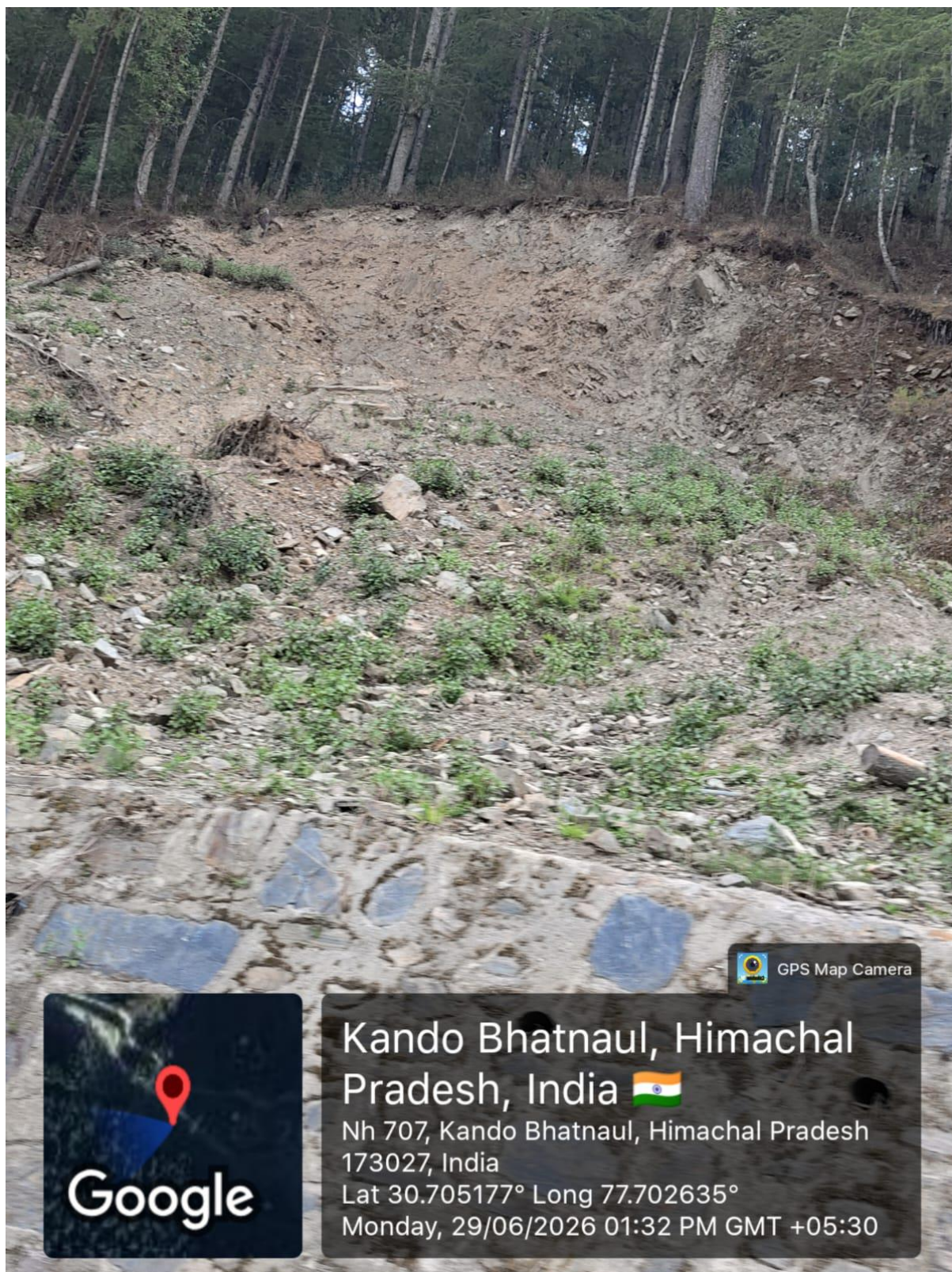
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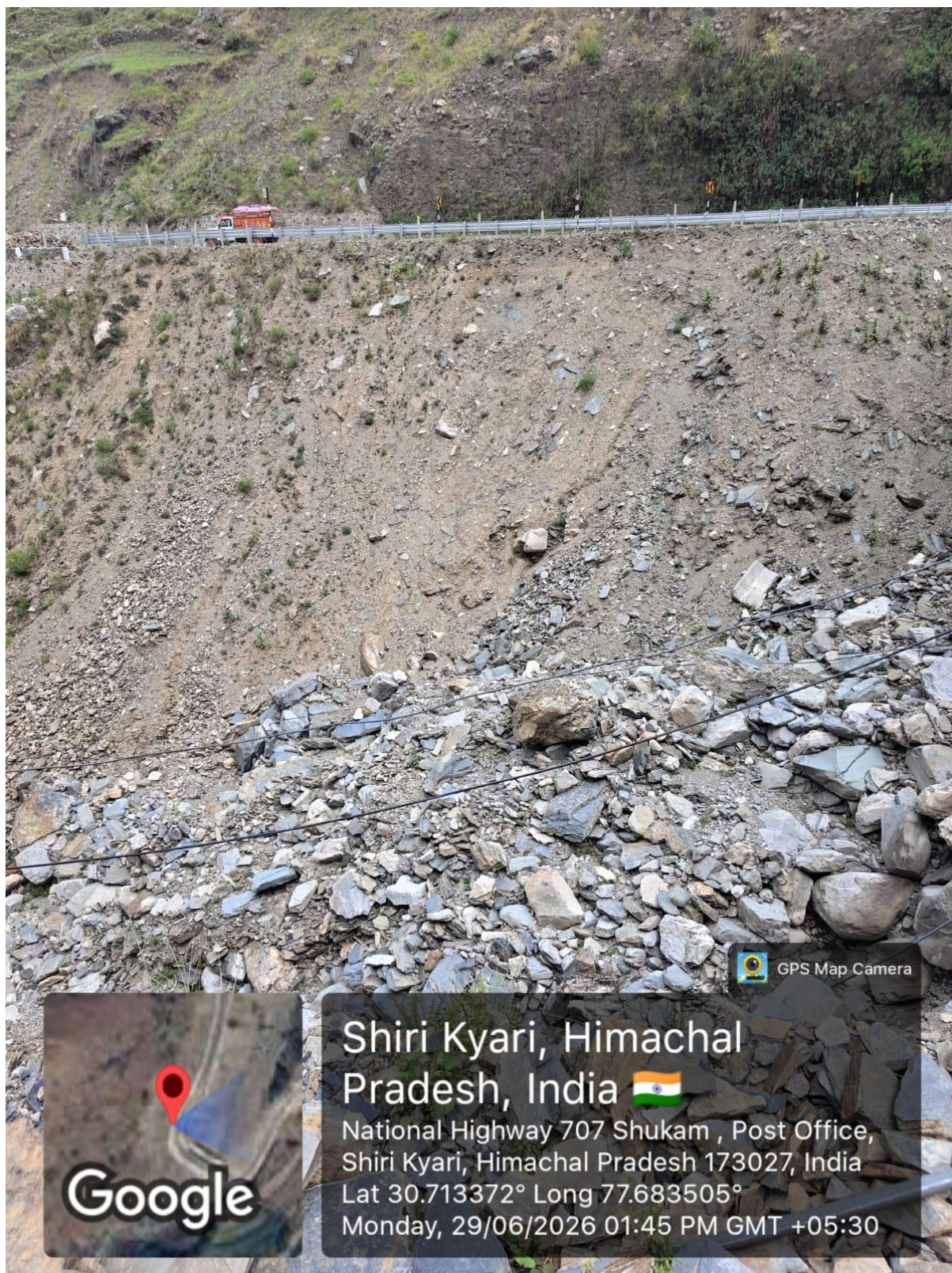
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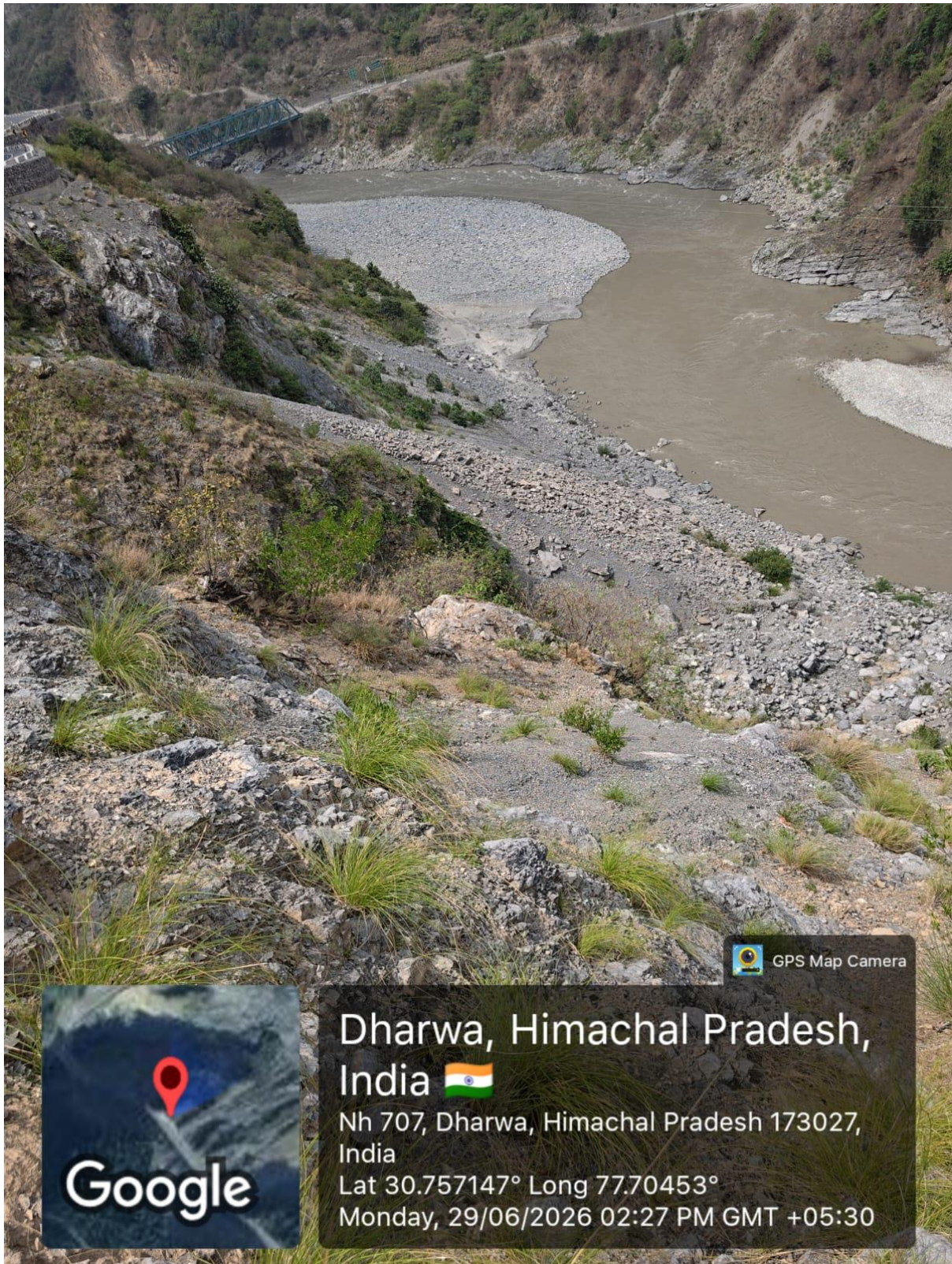
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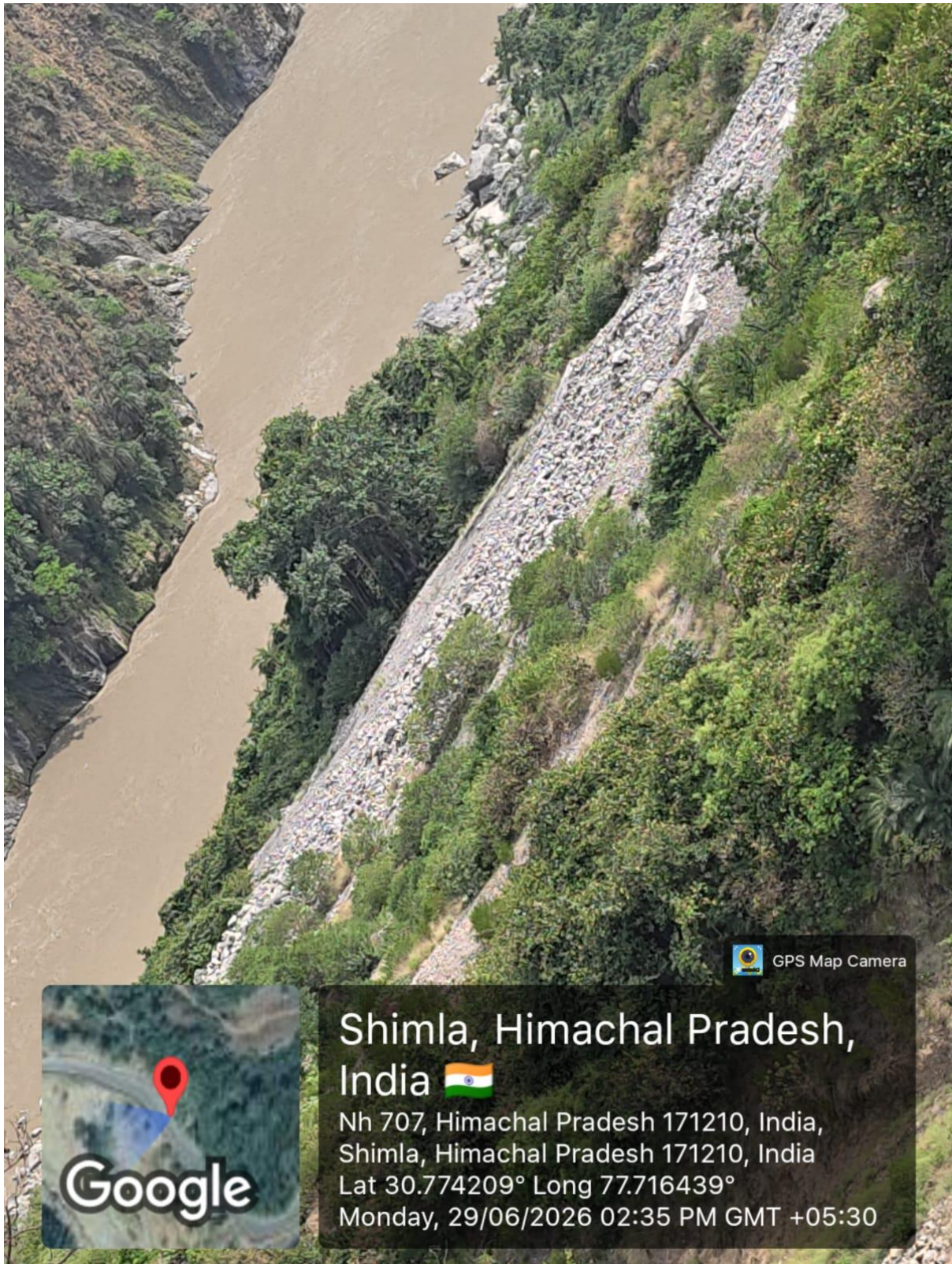
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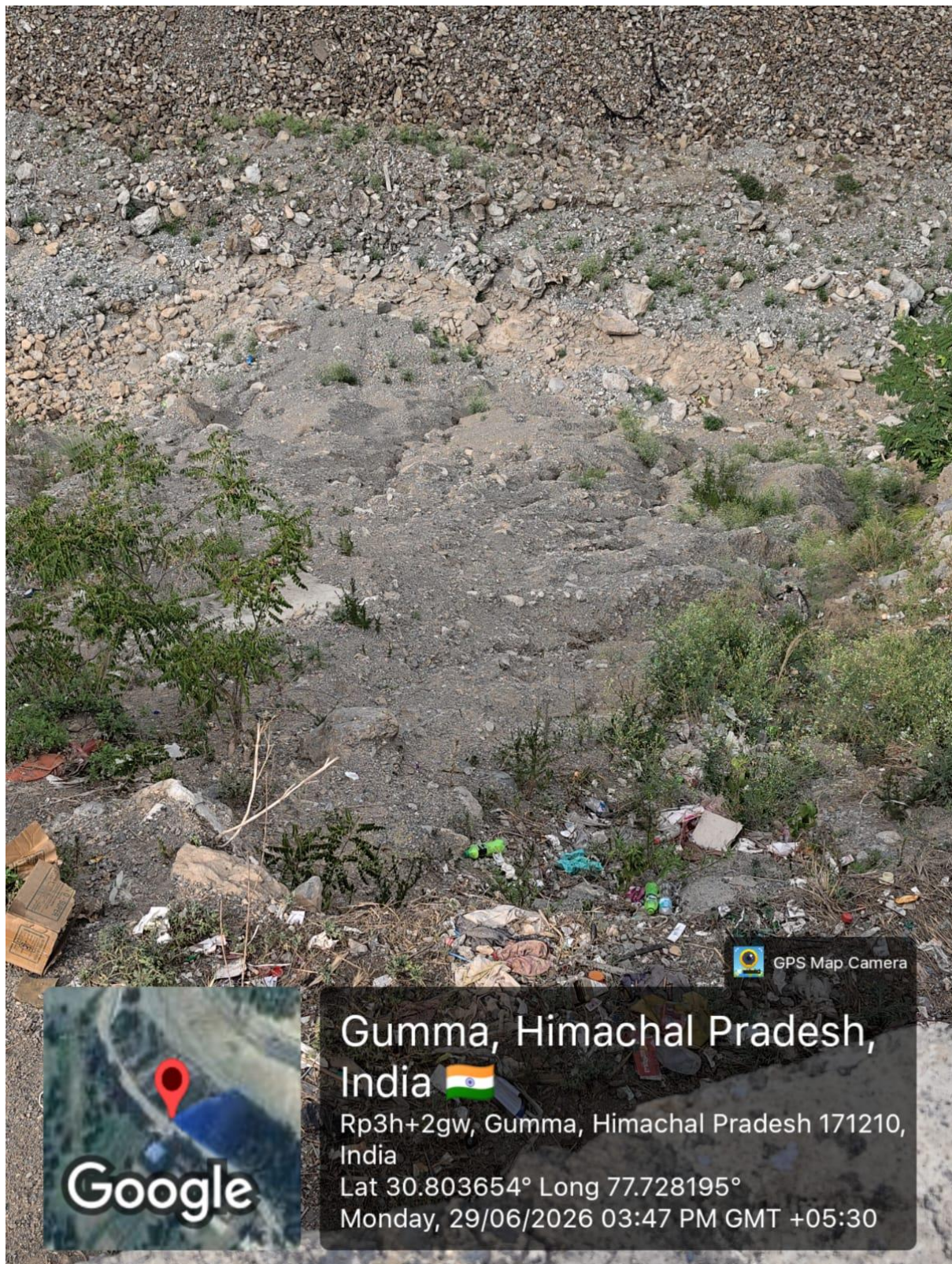
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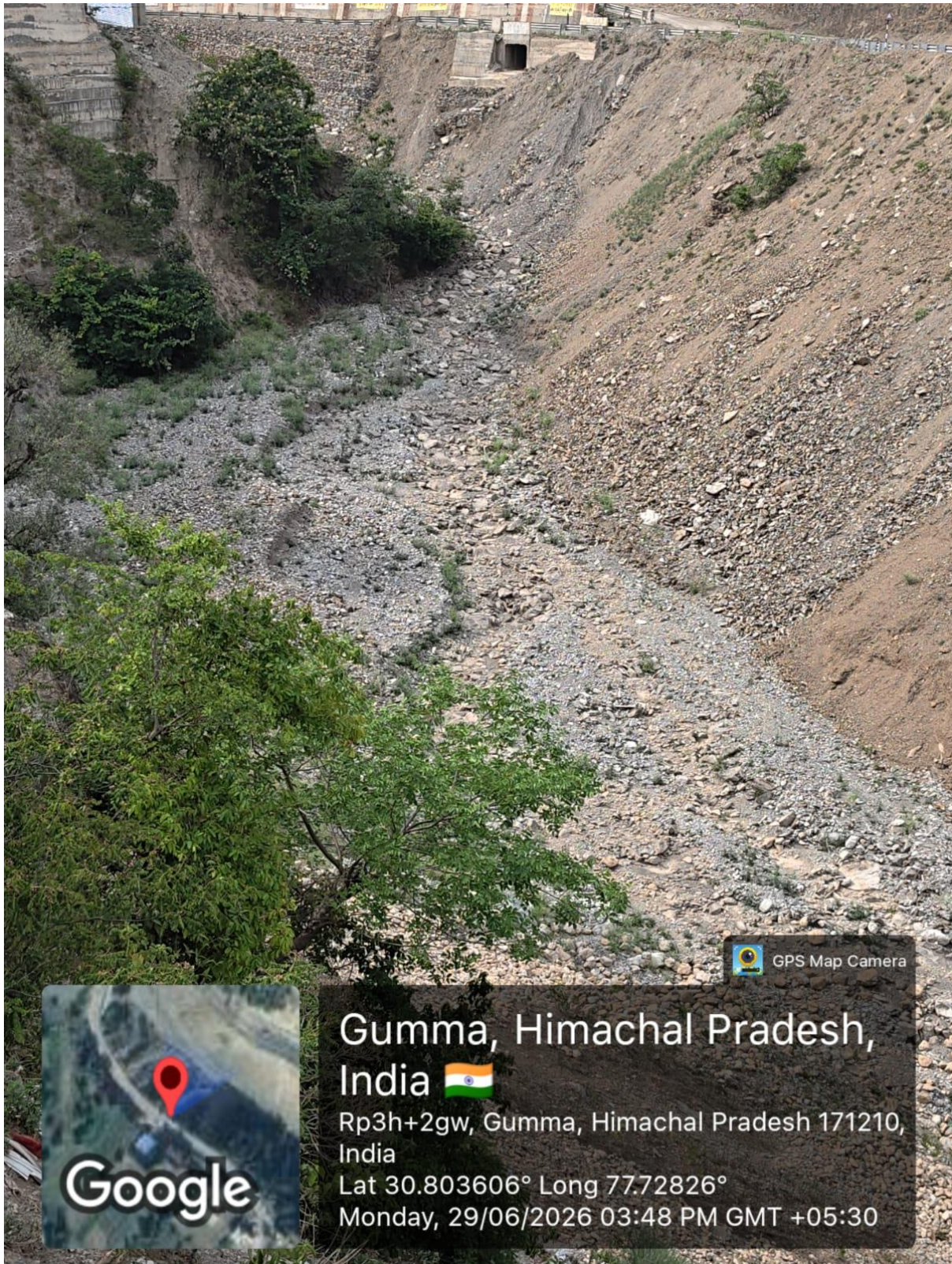
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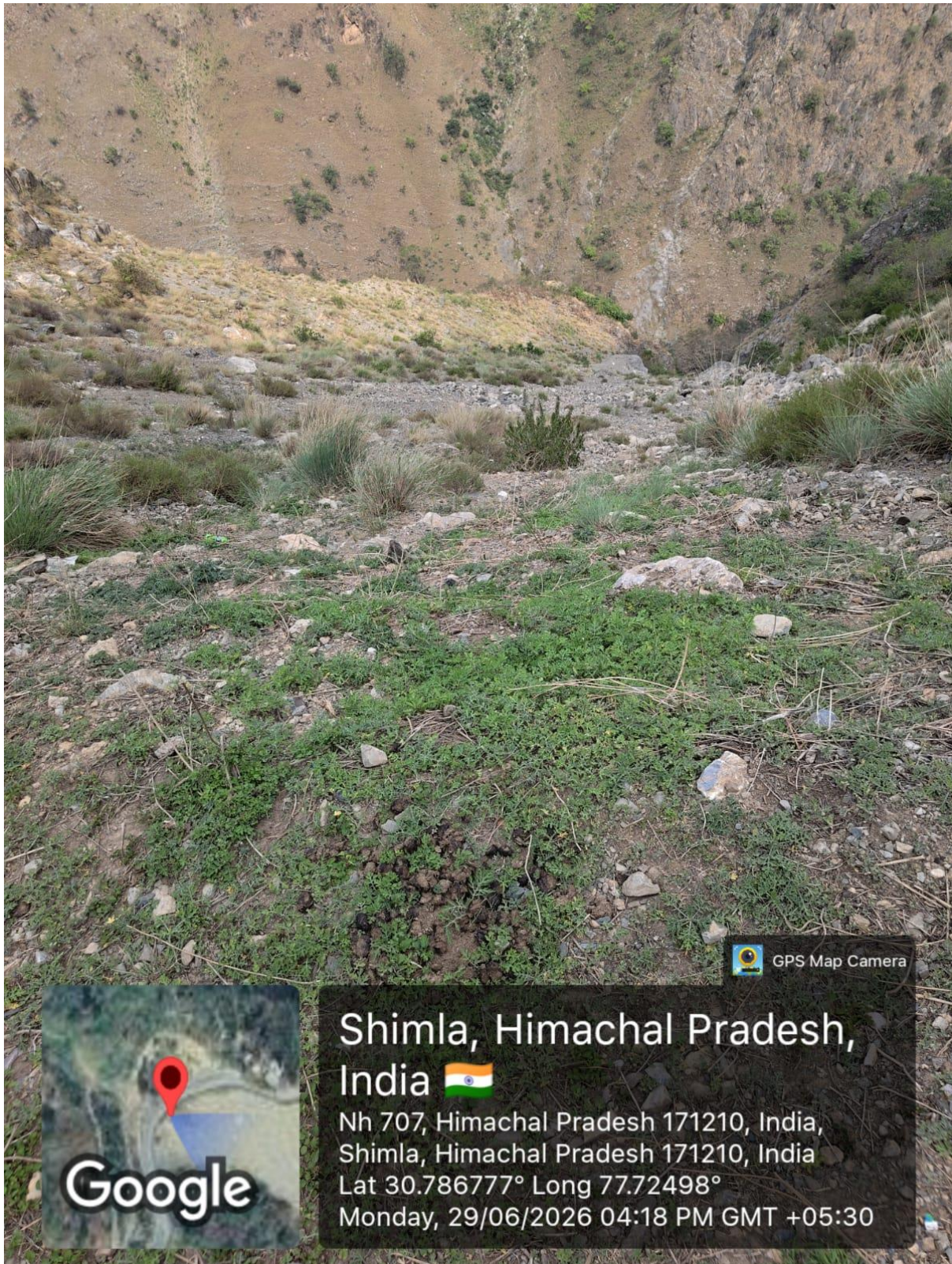
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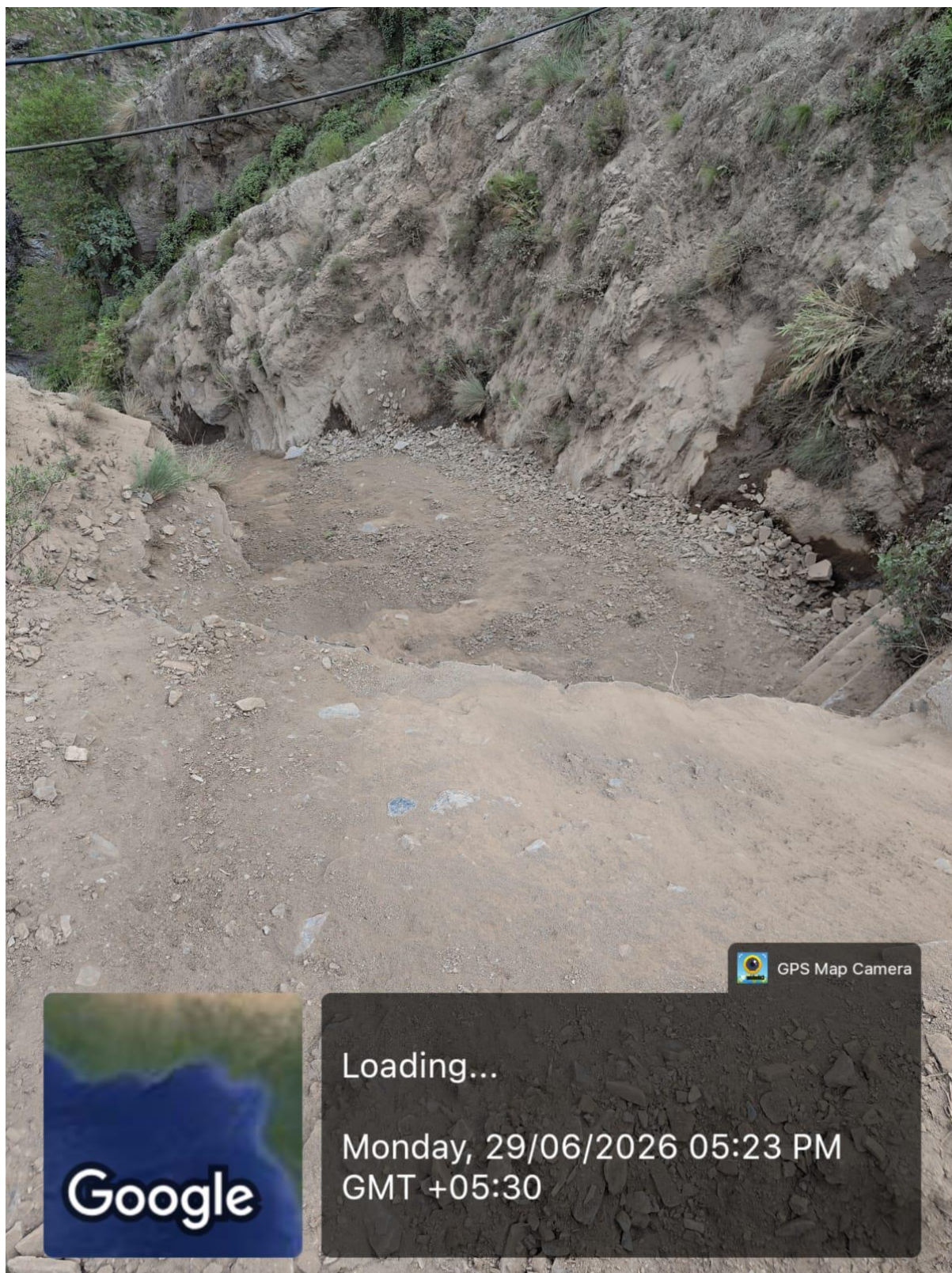
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