

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

OA 238/2024

IN THE MATTER OF:

News Item titled "UP gives permission to
fell 1,12,000 trees for road along upper Ganga
Canal" appearing in Hindustan Times
Dated 01.02.2024"

...Applicant

Versus

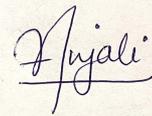
STATE OF UTTARAKHAND & ORS

... Respondents

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Through



Adv Anjali Rajput
Chamber no 136, M.C. Setalvad Block,
Supreme Court of India
New Delhi-110001
9811777369

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

OA 238/2024

IN THE MATTER OF:

News Item titled "UP gives permission to fell 1,12,000 trees for road along upper Ganga Canal" appearing in Hindustan Times Dated 01.02.2024



**REPLY ON BEHALF OF RESPONDENT NO 10, SECRETARY,
IRRIGATION DEPARTMENT, STATE OF UTTARAKHAND IN
COMPLIANCE OF THE ORDER DATED 21.02.2024 BY THIS
HON'BLE TRIBUNAL.**

Most respectfully showed:

I J.L. Sharma, Aged About 56 years, S/o Late Shri B.R. Sharma, presently posted as Joint Secretary, Irrigation Department, Government of Uttarakhand and he has been authorized to file this counter affidavit on behalf of respondent No. 10 do hereby solemnly affirm on oath and state as under:



1. That in my abovementioned official capacity, I am acquainted with the facts and circumstances of the present case, and I am fully competent to file present reply by way of affidavit.

2. That the above-mentioned case was listed on 20.05.2024 passed the following directions:

"9. Counsel for State of Uttarakhand has submitted that Irrigation Department of State be also impleaded. Hence, we implead the following as respondents in the matter:-

10. Principal Secretary, Irrigation Department, State of Uttarakhand;"

3. That the above-mentioned case was listed on 24.05.2024 and then again on 31.05.2024 wherein the answering respondent were given time to file their reply.
4. It is submitted that there is no ongoing project or any new proposed project for the construction of a Kavar Yatra Marg along ganga canal within the boundaries of the State of Uttarakhand.



That is also apprised to the Hon'ble Court that from the separation of state of Uttarakhand from the state of Uttar Pradesh the dispute regarding the assets and Liabilities. However, there is ongoing a pending settlement of land ownership upon the borders including Haridwar through which the river Ganga flows.

6. It is also submitted by the answering respondent that the upper Ganga Canal track is within the control and ownership of the Irrigation department, Uttar Pradesh and not with the answering respondent.
7. It is also submitted herein that no construction work pertaining to the track in question or any felling of trees were done nor by any permissions were sought from the answering department.
8. That the present affidavit on behalf of Secretary, Irrigation department State of Uttarakhand, in compliance of the directions passed by this Hon'ble tribunal.


Deponent



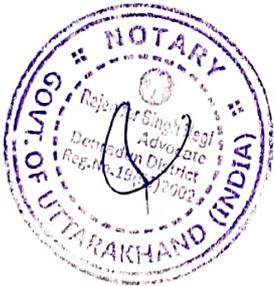
VERIFICATION

the deponent above named do hereby verify and say that the contents of my above reply by way of affidavit are true and correct to my knowledge based on record, no part of it is false and nothing material has been concealed there from. The legal submissions are further true as per legal advice received and believed to be true and correct.



Verified by me at.....*D. P. Sharma* on this *5*.....day of *July*
2024.

Deponent



3540/24
This affidavit is sworn before me by
Shri.....*J. L. Sharma*.....
who is identified by Shri.....
at Dehradun on.....

Rajender Singh Negi
(Rajender Singh Negi)
Advocate & Notary, Dehradun