

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

**ORIGINAL APPLICATION NO:-172 OF 2022**

**IN THE MATTER OF:**

Jaswinder Singh

.....Applicant

VERSUS

State of Uttarakhand

.....Respondent

**REPLY/WITTEN STATEMENT FILED BY PROJECT  
PROPONENT (ALOK DWIVEDI) AGAINST THE ORIGINAL  
APPLICATION FILED BY APPLICANT (JASWINDER  
SINGH) IN COMPLIANCE WITH ORDER DATED 07-07-2022  
PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI.**

**(For Index Please See Inside)**

**PLACE: NEW DELHI**

**FILED BY:**

**DATE: 19-09-2022**

  
**AJAY VEER PUNDIR  
(ADVOCATE)**

**Lawyers' Chamber No. 52,  
High Court of Uttarakhand at Nainital,  
Bar Council Reg. No. U.K. 76/2006  
Membership No. A-526;  
Contact No. 9719299744;  
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**INDEX**

Sl. No.	Particulars	Page No.
1.	Reply/Written Statement filed by project proponent (Alok Dwivedi).	<b>5-21</b>
2.	<b><u>Annexure R1:</u></b> True copy of the Uttarakhand River Training Policy, 2016.	<b>22-25</b>
3.	<b><u>Annexure R2:</u></b> True copy of application dated 03-08-2017 moved by the applicant (Jaswinder Singh) before District Magistrate Haridwar.	<b>26</b>
4.	<b><u>Annexure R3:</u></b> True copy of advertisement	<b>27-28</b>

	dated 09-06-2018 issued by Additional District Magistrate (Finance and Revenue).	—
5.	<b><u>Annexure R4:</u></b> True copy of office memorandum dated 13-06-2018.	<b>29-30</b>
6.	<b><u>Annexure R5:</u></b> True Copies of Khataunies pertaining to Khasra nos.1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज), 1890(झ) and 1890(ड).	<b>31-40</b>
7.	<b><u>Annexure R6:</u></b> True copy of No Objection Certificate/affidavit given by Jaswant Singh in favour of applicant (Jaswinder Singh).	<b>41-42</b>
8.	<b><u>Annexure R7:</u></b> True copy of order dated 14-10-2021 issued by the Secretary, Industrial Development (Mining) Section-1.	<b>43</b>
9.	<b><u>Annexure R8:</u></b> True copy of office memorandum dated 28-10-2021 issued by Additional Director, Geology and Mining Unit, Directorate of Industries,	<b>44</b>

	Uttarakhand.	
10.	<b><u>Annexure R9:</u></b> True copy of memo of writ petition no.2512 of 2021 (M/S), Jaswinder Singh v. State of Uttarakhand & others.	<b>45-67</b>
11.	<b><u>Annexure R10:</u></b> True copy of order dated 02-12-2021 passed by the Hon'ble High Court of Uttarakhand in WPMS No. 2512 of 2021 (M/S).	<b>68-71</b>
12.	<b><u>Annexure R11:</u></b> True copy of counter affidavit filed by District Magistrate Haridwar (Mr. Vinay Shankar Pandey) in WPMS No.2512 of 2021.	<b>72-83</b>
13.	<b><u>Annexure R12:</u></b> True copy of judgment & order dated 07-04-2022 passed by the Hon'ble High Court of Uttarakhand in WPMS No.2512 of 2021.	<b>84-85</b>
14.	<b><u>Annexure R13:</u></b> True copy of Bank statement of deponent pertaining to the relevant transaction.	<b>86</b>
15.	Postal Receipt/Proof of Service upon Applicant (Jaswinder Singh)	<b>87</b>

16.	Vakalatnama	88
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**High Court of Uttarakhand at Nainital,**  
**Bar Council Reg. No. U.K. 76/2006**  
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**IN THE MATTER OF:**

Jaswinder Singh

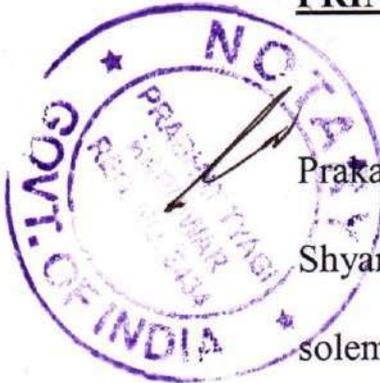
.....Applicant

VERSUS

State of Uttarakhand

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**REPLY/WITTEN STATEMENT FILED BY PROJECT  
PROPONENT (ALOK DWIVEDI) AGAINST THE ORIGINAL  
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PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI.**



I, Alok Dwivedi (Male) aged about 36 years S/o Sh. Chandra Prakash Dwivedi R/o Village and Post Rasulpur Bada, Nalowala, Shyampur, Rasulpur Mithi Beri, District Haridwar, do hereby solemnly affirm and declare on oath as under:-

1. That the deponent is the project proponent in matter in question of the aforesaid original application and as such he is fully acquainted with the facts of the case deposed below:

Alok

2. That I have read and understood the averments made by the applicant (Jaswinder Singh) in the application and also the order dated 07-07-2022 passed by the Hon'ble National Green Tribunal in the above captioned matter and filing this reply/written statement in its compliance thereof.
3. That the deponent craves liberty to raise additional submissions or file additional affidavit in case need arises during the course of arguments.

**BRIEF SUBMISSIONS**

**IT IS MOST RESPECTFULLY SHOWETH:**

4. That at the very outset the deponent respectfully submits that the applicant did not approach this Hon'ble Tribunal with clean hands. The above captioned original application has been filed by the applicant only to extort money from the deponent herein. All the allegations made by the applicant (Jaswinder Singh) in his application are false, misleading and not admitted to the deponent herein. Therefore, the original application filed by the applicant is liable to be dismissed with exemplary cost.
5. That the deponent respectfully submits that the applicant made false allegation that the deponent has carried out illegal mining, rather, the deponent do not carried out any illegal mining in



Deponent

Khasra no.1890 and removal/extraction of R.B.M. was done by the deponent in Khasra no. 1890(₹) measuring 8000 Sqr. Mtr. in view of Uttarakhand River Training Policy 2016 as well as Uttarakhand River Training Policy 2020. Moreover, firstly the applicant himself moved application before the District Magistrate Haridwar to permit him for removal of collected R.B.M. from Khasra no.1890 in pursuant to the Uttarakhand River Training Policy 2016.

6. That there is a River namely 'Ravasan' which is flowing adjacent to Village Rasoolpur Mithiberi, Tehsil and District Haridwar. During every rainy season due to overflow of aforesaid river the eminent threat to the lives of local residents arose. Therefore, considering this situation the Government of Uttarakhand for disposal/removal of excessive R.B.M. from the river to ensure safeguard against the loss of life and properties of local residents and in light of 'Disaster Management Act, 2005' framed the Uttarakhand River Training Policy, 2016. The main object of framing such River Training Policy was, to channelize the river to its mainstream, so that it may not resulted into flood and may not cause any harm to the lives and properties of local residents. Therefore, the averments made by the applicant in his application

13/07/20



Adal

are prima facie false to the effect that illegal mining is being carried out by use of heavy machinery in private reserved forest land situated in Village Rasulpur Meethiberi, District Haridwar. True copy of the Uttarakhand River Training Policy, 2016 is marked and annexed as **Annexure R1**.

7. That the applicant (Jaswinder Singh) on one hand alleged that illegal mining is being carried out by use of heavy machinery in private reserved forest land situated in Village Rasulpur Meethiberi, District Haridwar, but he deliberately concealed this material fact from the Hon'ble Tribunal that initially he himself moved an application on 03-08-2017 before District Magistrate Haridwar under the Uttarakhand River Training Policy, 2016 to procure the permit/license for disposal/extraction of 10,000 cubic meter R.B.M. from Khasra no.1890 situated at Village Rasoolpur Meethiberi, District Haridwar. True copy of application dated 03-08-2017 moved by the applicant (Jaswinder Singh) before District Magistrate Haridwar is marked and annexed as **Annexure R2**.

8. That thereafter a team was constituted by the order of District Magistrate Haridwar who submitted its report on 08-06-2018. Consequently, an advertisement being letter no.673/ खननसहा.



413

(नीलामी)-2018-19 dated 9<sup>th</sup> June 2018 was issued by the Additional District Magistrate (Finance and Revenue) calling for open auction for the area Khasra no.1890 admeasuring 8,000 Sqr. Mtr. to remove 8,000 cubic meter of R.B.M. True copy of advertisement dated 09-06-2018 issued by Additional District Magistrate (Finance and Revenue) is marked and annexed as **Annexure R3.**

9. That it is relevant to mention here that pursuant to the aforesaid advertisement dated 09-06-2018, the applicant (Jaswinder Singh) also participated in the open auction which was held on 12-06-2018.

43 0/2



10. That the deponent herein also participated in the aforesaid open auction and submitted highest bid of Rs.1,40,00,000/-. Resultantly, due to being highest bidder the deponent was given the work for disposal of aforesaid quantity of RBM in view of River Training Policy 2016. It is relevant to mention here that as per the terms and condition of advertisement, the deponent immediately deposited Rs.32,00,000 through Challan no.8501 in State Bank of India Roshnabad, Haridwar on 13-06-2018 and Rs.3,08,000 through bank draft no.008749 dated 12-08-2018 and accordingly deposited total sum of Rs.35,08,000/- with the

43/2

concerned department. Moreover, the aforesaid work order was issued in favour of deponent for the period 13-06-2018 to 30-06-2018. True copy of office memorandum dated 13-06-2018 is marked and annexed as **Annexure R4**.

11. That it is relevant to mention here that the work order for removal of RBM was given to the deponent herein with respect to the Khasra no. 1890(ड) which is recorded in the name of Jaswant Singh and others, but due to mistake it was mentioned only as Khasra no.1890. It is submitted that Khasra no.1890 situated in Village Rasoolpur Mithiberi, Tehsil and District Haridwar is a large number which is divided into sub-Khasra nos.1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज), 1890(झ) and 1890(ड). Out of these Khasra numbers only Khasra no.1890(झ) admeasuring 65.0780 hectare is recorded as reserved forest, except this all Khasra nos. 1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज) and 1890(ड) are the private tenure holdings of different people. True Copies of Khataunies pertaining to Khasra nos.1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज), 1890(झ) and 1890(ड) are marked and annexed as **Annexure R5**.



AGK

12. That firstly the applicant deliberately suppressed this material from this Hon'ble Tribunal that Khasra no.1890 situated in Village Rasoolpur Mithiberi, Tehsil and District Haridwar is a large number which divided into sub-Khasra nos.1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज), 1890(झ) and 1890(ड). Out of these Khasra numbers only Khasra no.1890(झ) admeasuring 65.0780 hectare is recorded as reserved forest, except this all Khasra nos.1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज) and 1890(ड) are the private tenure holdings of different people. Further, the applicant himself on 07-06-2018 obtained No Objection Certificate (NOC) from

18/06/18 Jaswinder Singh [i.e. the co-owner of 1890(ड)] for the purpose of obtaining license/permission for removal of RBM in view of Uttarakhand River Training Policy 2016, but in the NOC also Khasra number is mentioned as 1890. True copy of No Objection Certificate/affidavit given by Jaswant Singh in favour of applicant (Jaswinder Singh) is marked and annexed as **Annexure R6.**



13. That the deponent within stipulated period could not remove/extract the total R.B.M. i.e. 8,000 cubic meters. Therefore, the deponent suffered huge financial loss and due to

18/06/18

non removal of aforesaid R.B.M. from the project area there was eminent threat of being flooded during rainy season. Thus, after making repeated requests, the deponent on 12-06-2021 again requested the concerned department to grant one month time for removal/extraction of R.B.M. against the remaining deposited amount, as the deponent had only removed 1,597 cubic meter of R.B.M. out of total 8,000 cubic meter.

14. That in the meanwhile the Govt. of Uttarakhand framed 'the Uttarakhand River Training Policy 2020'. Moreover, during rainy season there was an eminent threat to the lives and properties of local residents, therefore, considering the emergent situation and in view of the provisions contained in Uttarakhand River Training Policy 2020, the Secretary, Industrial Development (Mining) Section-1 vide order dated 14-10-2021 granted further two months time to the deponent for removal of remaining R.B.M. out of total 8,000 cubic meters. Copy of order dated 14-10-2021 issued by the Secretary, Industrial Development (Mining) Section-1 is marked and annexed as **Annexure R7**.

01/50/20



15. That pursuant to the order dated 14-10-2021, the Additional Director, Geology and Mining Unit, Directorate of Industries, Uttarakhand issued an office memorandum and thereby permitted

Devi

the deponent to remove remaining R.B.M. from the project site within two months i.e. in between 28-10-2021 to 27-12-2021. Copy of office memorandum dated 28-10-2021 issued by Additional Director, Geology and Mining Unit, Directorate of Industries, Uttarakhand is marked and annexed as **Annexure R8**.

16. That from perusal of office memorandum dated 13-06-2018 (Annexure R4) it is clearly evident that as per condition no.7 the removal of R.B.M. was to be carried out by the deponent from the project area in supervision of Revenue and Irrigation department. Further, the project area was handed over to the deponent after demarcation by the concerned department along with revenue department. Therefore, there is no occasion that the deponent could have carried out any illegal mining outside his project area. Further, the work performed by the deponent cannot be said the mining, rather, the same is river channelization in view of Uttarakhand River Training Policy, which is necessary to avoid the flood situation in the close vicinity.

17. That on the one hand the applicant alleging that illegal mining is being carried out by use of heavy machinery in private reserved forest land situated in Village Rasulpur Meethiberi, District Haridwar, but on the other hand he himself filed a writ petition

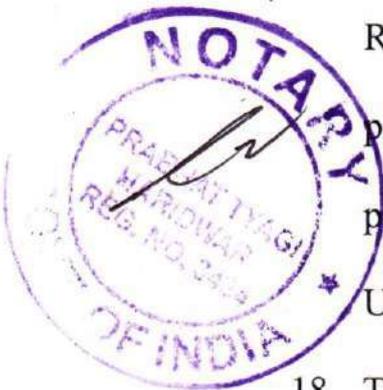


APC

no. 2512 of 2021 (M/S), Jaswinder Singh v. State of Uttarakhand & others before the Hon'ble High Court of Uttarakhand at Nainital, wherein the deponent herein was impleaded as respondent no.5. In the aforesaid writ petition the applicant (Jaswinder Singh) specifically prayed that "*Issue writ, order or direction in the nature of mandamus commanding the respondents to hold a fresh auction for river training in respect of Khasra No. 1890 situated in Village Rasoolpur Meethiberi, Tehsil and District Haridwar, admeasuring 8,000 square meter*".

Therefore, the applicant is estopped to say that illegal mining is being carried in private reserved forest land situated in Village Rasoolpur Meethiberi, District Haridwar, while he himself is praying for fresh auction for river training. Copy of memo of writ petition no.2512 of 2021 (M/S), Jaswinder Singh v. State of Uttarakhand & others is marked and annexed as **Annexure R9**.

18. That the deponent in pursuance to the work order issued in his favour only could remove the R.B.M. for one month and immediately after filing of writ petition by the applicant (Jaswinder Singh) before the Hon'ble High Court of Uttarakhand, the deponent was stopped by the District Administration of Haridwar to perform his work project. Thereafter, the Hon'ble



430720

High Court of Uttarakhand vide its order dated 02-12-2021 was pleased to stay the effect and operation of the orders dated 14-10-2021 & 28-10-2021 till the next date of listing. It is relevant to mention here that the deponent deposited a sum of Rs.50,00,000/- with the competent authority, in addition to the sum of Rs.61,68,500/- deposited earlier i.e. total Rs.1,11,68,500/- (One Crore Elevent Lakhs Sixty Eight Thousand and Five Hundred Rupees). Thus, it is evident on the face of record that the deponent paid huge revenue to the State Govt. of Uttarakhand in lieu of river training. Copy of order dated 02-12-2021 passed by the Hon'ble High Court of Uttarakhand in WPMS No. 2512 of 2021 (M/S) is marked and annexed as **Annexure R10**.

130/2

19. That the deponent was permitted to remove/extract R.B.M. from his project area before 02-12-2021 and thereafter on 20-12-2021 the District Magistrate Haridwar (Mr. Vinay Shankar Pandey) filed counter affidavit along with stay vacation application in the aforesaid writ petition. In his counter affidavit the District Magistrate Haridwar (Mr. Vinay Shankar Pandey) nowhere stated that the deponent has carried out any illegal mining in his project area. Moreover, the District Magistrate Haridwar specifically denied the averments made by applicant in his writ petition. Copy



130/2

of counter affidavit filed by District Magistrate Haridwar (Mr. Vinay Shankar Pandey) in WPMS No.2512 of 2021 is marked and annexed as **Annexure R11**.

20. That thereafter the Hon'ble High Court of Uttarakhand vide judgment & order dated 07-04-2022 finally disposed of the aforesaid writ petition with a direction to the respondent of aforesaid writ petition to hold a fresh auction for the grant of mining lease, qua Khasra number mentioned in relief no.4, as per law. Therefore, it is matter of record that this is the applicant (Jaswinder Singh) who sought relief for mining lease in at the Khasra in question, but when he could not succeed in open auction for river training work, then he only to extort money and

4/3/22 to harass the deponent has filed the present applicant before this Hon'ble Tribunal, while the applicant has no cause of action to file the present original application. Therefore, the original application is liable to be rejected with exemplary upon the applicant (Jaswinder Singh). Copy of judgment & order dated 07-04-2022 passed by the Hon'ble High Court of Uttarakhand in WPMS No.2512 of 2021 is marked and annexed as **Annexure R12**.



*Devi*

21. That it is also pertinent to mention here that the deponent got information under RTI Act 2005 that from November, 2021 to January, 2022 the Govt. of Uttarakhand issued mining lease in favour of different people with respect to Khasra nos.1845, 1882, 1885, 1888 and 1889 of Village Rasoolpur Mithi Beri, and the mining lease area of those people is adjacent to Khasra no. 1890(क), 1890(ख), 1890(ग), 1890(घ), 1890(च), 1890(छ), 1890(ज), 1890(झ) and 1890(ड). But the applicant and local Administration Authorities without any proof are stating that deponent had carried out illegal mining in Khasra no.1890, while there is most probability that the project proponents of the mining lease granted in between November, 2021 to January, 2022 have carried out such illegal mining. Further, there is no illegal mining or any excessive removal of RBM from Khasra no.1890(ड), which was the actual project area of the deponent and this fact can be ascertained through physical verification in presence of the deponent herein.

21/01/22



22. That it is also pertinent to mention here that the present applicant is a blackmailer who on different occasions threatened the deponent and also extorted money from the deponent. Moreover, due to these threats the deponent gave a cheque bearing

21/01/22

no.142518 amounting Rs.56,666/- to the applicant and the same was encashed by the applicant on 18-10-2021, which is evident from the bank statement of the deponent. It is also relevant to mention here that the deponent is pursuing legal action against the applicant in Haridwar Court for the offence of extortion of money. Copy of Bank statement of deponent pertaining to the relevant transaction is marked and annexed as **Annexure R13**.

23. That it is also relevant to mentioned here that the applicant himself has pursued case before the Hon'ble High Court of Uttarakhand for grant of work for removal of RBM from Khasra no.1890 under Uttarakhand River Training Policy. Therefore, he cannot blow hot and cold at once, because if the applicant has participated in the auction proceeding, then he is estopped to say anything about the grant of work in favour of deponent herein.

4301/2

24. That from the face of record it is prima facie established that the applicant has filed the present original application only to harass the deponent. Further, there is no evidence on record which establish that the deponent has indulged in any kind of illegal mining. The original application filed by the applicant is mere an abuse of process of law, which is liable to be rejected with exemplary cost.

OK

25. That it is matter of record that the deponent was permitted to remove/extract R.B.M. from his project area before 02-12-2021 and thereafter on 20-12-2021 the District Magistrate Haridwar (Mr. Vinay Shankar Pandey) filed counter affidavit along with stay vacation application in the writ petition no.2512 of 2021 before the Hon'ble High Court of Uttarakhand, wherein the District Magistrate Haridwar (Mr. Vinay Shankar Pandey) nowhere stated that the deponent has carried out any illegal mining in his project area. But it is surprising that now the District Administration is saying that the deponent has carried out illegal mining beyond his project area, while the extraction of RBM was done by the deponent in supervision of Revenue and Irrigation Department. Further, assuming without admitting if the deponent has carried out illegal mining beyond his project area, then what action has been taken by the District Administration against the concerned government employees who were supervising the removal of RBM by the deponent. The District Administration only to implicate the deponent under pressure of applicant giving misleading information before this Hon'ble Tribunal.

4/3/22



D.K.

26. That the applicant suppressed material facts from this Hon'ble Tribunal and also tried to mislead this Hon'ble Tribunal by stating misleading facts. Therefore, he is not entitled to get any relief from this Hon'ble Tribunal and his application is liable to be rejected.

27. That it is matter of record that the deponent, his employees or any vehicle related to the deponent has never been caught doing illegal mining. Further, the project area of deponent i.e. Khasra no.1890 (३) is still in normal position and the deponent removed RBM from the project area upto the limit for which he was given permission and this fact can be verified from the revenue records by physical verification in presence of deponent herein. But the Authorities concerned have never conducted any spot inspection

१३०/२६ with regard to illegal mining in presence of deponent, so that actual physical position of the project site may be point out.

In view of the above submissions, it is established on the face of record that the deponent has not caused any loss to the Environment, rather, the deponent has performed his work in view of Uttarakhand River Training Policy which is necessary for channelization of rivers and the same cannot be treated as illegal



*Adl*

mining. Therefore, the present original application is liable to be rejected with cost.

*[Signature]*  
DEPONENT

VERIFICATION

Verified on this 18<sup>th</sup> day of September, 2022. That the contents of the above reply affidavit/written statement are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

*[Signature]*  
DEPONENT

423/0/22



THROUGH:

PLACE: NEW DELHI  
DATE:- -09-2022

*[Signature]*  
(AJAY VEER PUNDIR)  
(Advocate)



**ATTESTED**  
*[Signature]*  
PRABHATH TYAGI  
ADVOCATE  
Term Expire on 18-5-2026  
NOTARY GOVT. OF INDIA  
HARIDWAR

**ANNEXURE R1**

क्रम संख्या-13 (क)

पंजीकरण संख्या-यू0ए0 / डी0ओ0 / डी0डी0एन0 / 30 / 2018-2020

**सरकारी गजट, उत्तराखण्ड**

उत्तराखण्ड सरकार द्वारा प्रकाशित

**असाधारण**

विधायी परिशिष्ट

भाग-4, खण्ड (ख)

(परिनियत आदेश)

देहरादून, शुक्रवार, 31 जनवरी, 2020 ई0

माघ 11, 1941 शक सम्वत्

उत्तराखण्ड शासन

औद्योगिक विकास (खनन) अनुभाग-1

संख्या 137 / VII-A-1 / 2020 / 90ख / 16

देहरादून, 31 जनवरी, 2020

प0 आ0-01

उत्तराखण्ड रिवर ट्रेनिंग नीति, 2020

राज्यपाल, राज्य के नदी तल क्षेत्रान्तर्गत ऐसे स्थल जो चुगान हेतु चिन्हित नहीं है तथा जहां वर्षा ऋतु के उपरान्त अत्यधिक मात्रा में आर०बी०एम० जमा होने से नदी के तट कटाव एवं जान-माल एवं आबादी को क्षति होने की सम्भावना रहती है, से आर०बी०एम० को हटाये/निस्तारित किये जाने हेतु तथा इस विषय पर विद्यमान समस्त नीतियों, शासनादेश व आदेशों का अधिक्रमण करते हुए नदी/जलाशय/नहरों के द्वारा अत्यधिक मात्रा में निक्षेपित/जमा किये गये सिल्ट/उपखनिज आर०बी०एम०, जिससे भू-कटाव एवं जान-माल का खतरा होने की संभावना है, से सिल्ट/उपखनिज आर०बी०एम० हटाये/निस्तारित किये जाने हेतु उत्तराखण्ड रिवर ट्रेनिंग नीति, 2020 प्रख्यापित किये जाने की सहर्ष स्वीकृति प्रदान करते हैं :-

- संक्षिप्त नाम और प्रारम्भ
1. (1) इस नीति का संक्षिप्त नाम उत्तराखण्ड रिवर ट्रेनिंग नीति, 2020 है।
  - (2) यह तुरन्त प्रवृत्त होगी।

- परिभाषाएं 2.(1) इस नीति में जब तक इस सन्दर्भ से अन्यथा अपेक्षित न हो-
- (क) "राज्यपाल" से उत्तराखण्ड का राज्यपाल अभिप्रेत है;
- (ख) "सरकार" से उत्तराखण्ड राज्य सरकार अभिप्रेत है;
- (ग) "आयुक्त" से किसी मण्डल के राजस्व प्रशासन का मुख्य भारसाधक अधिकारी अभिप्रेत है;
- (घ) "कलेक्टर" से किसी जिले के राजस्व प्रशासन का मुख्य भारसाधक अधिकारी/अध्यक्ष जिला आपदा प्रबन्धन प्राधिकरण अभिप्रेत है;
- (ङ) "निदेशक" से निदेशक, भूतत्व एवं खनिकर्म इकाई, उत्तराखण्ड अभिप्रेत है;
- (च) "निदेशक द्वारा प्राधिकृत अधिकारी" से जिला स्तर पर तैनात सहायक भूवैज्ञानिक/खान अधिकारी, उप निदेशक/भूवैज्ञानिक, उप निदेशक/ज्येष्ठ खान अधिकारी अभिप्रेत है;
- (छ) "स्थानीय अधिकारी" से नगर पंचायत, नगर पालिका, नगर निगम और जिला बोर्ड का निकाय या अन्य प्राधिकारी जो क्रमशः नगर पंचायत, नगर पालिका, नगर निगम और जिला पंचायत के नियंत्रण या प्रबन्ध का सरकार द्वारा न्यस्त कार्य करता है, अभिप्रेत है;
- (ज) "व्यक्ति" के अन्तर्गत कोई कम्पनी या संगम या व्यक्ति निकाय, चाहे निगमित हो या नहीं सम्मिलित है;
- (झ) "रिवर ट्रेनिंग" से नदी के जल प्रवाह को यथा सम्भव प्राकृतिक रूप में नदी/जलाशय/नहर के मध्य में केन्द्रित करने सम्बन्धी कार्य अभिप्रेत है;
- (ट) "सिल्ट/उपखनिज आर०बी०एम० निस्तारण" से नदी के जल प्रवाह को नदी के मध्य में केन्द्रित करने हेतु नदी द्वारा नदी/जलाशय/नहर में निक्षेपित सिल्ट/उपखनिज की सफाई/हटाना अभिप्रेत है;

- (2) "शब्द और पद" जो परिभाषित नहीं है परन्तु साधारण खण्ड अधिनियम, 1897 में परिभाषित है, के वही अर्थ होंगे जो उनके लिए उक्त अधिनियम में दिये गये हैं;

रिवर ट्रेनिंग क्षेत्रों का चिन्हीकरण, सत्यापन एवं मूल्यांकन 3.

ऐसे क्षेत्र जहां नदी/जलाशय/नहर के द्वारा सिल्ट/उपखनिज आर०बी०एम० अत्यधिक मात्रा में निक्षेपित/जमा किया गया है तथा जिसके जमा होने से भू-कटाव एवं जान-माल का खतरा होने की सम्भावना है, का चिन्हीकरण, स्थल का सत्यापन व जमा सिल्ट/आर०बी०एम० की मात्रा का आंकलन किये जाने हेतु जिलाधिकारी द्वारा सम्बन्धित क्षेत्र के उपजिलाधिकारी की अध्यक्षता में निम्नानुसार समिति गठित की जायेगी:-

- |                                     |           |
|-------------------------------------|-----------|
| (क) उपजिलाधिकारी                    | - अध्यक्ष |
| (ख) प्रभागीय वनाधिकारी के प्रतिनिधि | - सदस्य   |
| (ग) सिंचाई विभाग के सहायक अभियन्ता  | - सदस्य   |
| (घ) भू-वैज्ञानिक/खान अधिकारी        | - सदस्य   |
| (ङ) अन्य विभाग, जो आवश्यक समझा जाय। |           |

चिन्हित स्थलों में जमा मलवा/आर०बी०एम०/सिल्ट हटाये जाने की प्रक्रिया 4.

समिति द्वारा चिन्हित क्षेत्रों में निक्षेपित/जमा मलवा/सिल्ट आदि जो उपखनिज आर०बी०एम० प्रकृति का है तथा जिसका उपयोग विभिन्न कार्यों में किया जा सकता है, चिन्हित क्षेत्रों से मलवा उठाने/सफाई करने हेतु जनपद/तहसील स्तर से इच्छुक व्यक्तियों/संस्थाओं से आवेदन प्राप्त करने हेतु विज्ञापित जारी की जायेगी।

- मलवे को उठाने/सफाई के लिये खुली नीलामी (Open Auction) में प्रतिभाग करने हेतु आवेदक के पास निम्न अभिलेख होने अनिवार्य हैं :-
1. मूल निवास प्रमाण पत्र।
  2. अद्यतन खनन अदेयता प्रमाण पत्र (जिला खान अधिकारी द्वारा निर्गत)
  3. जी०एस०टी० नं०।
  4. ब्लैक लिस्ट में न होने सम्बन्धी शपथ पत्र।
  5. मूल्यांकित रॉयल्टी के 25 प्रतिशत का बैंक ड्राफ्ट।
- रिवर ट्रेनिंग हेतु अनुज्ञा की स्वीकृति एवं आर०बी०एम०/सिल्ट निस्तारित किये जाने हेतु अनुज्ञा अवधि
5. उप जिलाधिकारी की अध्यक्षता में गठित समिति की संस्तुति के उपरान्त आपदा प्रबन्धन अधिनियम, 2005 में प्रदत्त अधिकारों के अन्तर्गत समस्त जिलाधिकारी द्वारा सिल्ट/उपखनिज आर०बी०एम० निस्तारित किये जाने हेतु अल्प अवधि का अनुज्ञा यथा प्रक्रिया स्वीकृत किया जायेगा। आर०बी०एम०/सिल्ट के निस्तारण/उठान किये जाने की अनुज्ञा अधिकतम 04 माह अथवा मलवे/उपखनिज/सिल्ट की अनुज्ञा मात्रा हटाने की अवधि, जो भी पूर्व घटित हो, के लिए स्वीकृत की जायेगी।
- आर०बी०एम० निस्तारित किये जाने हेतु अनुमत गहराई
6. उपखनिज आर०बी०एम० को हटाने/निस्तारित किये जाने हेतु नदी के जल स्तर तक अनुमति दी जायेगी।
- आर०बी०एम०/सिल्ट निस्तारित किये जाने की विधि एवं पद्धति
7. सिल्ट/उपखनिज आर०बी०एम० का निस्तारण सफाई के कार्य हेतु चिन्हित क्षेत्रों की भौगोलिक स्थिति, पत्थरों/बोल्डर्स के आकार की प्रकृति एवं नदी/नहर के चैनेलाईजेशन को वास्तविक रूप देने तथा आपदा के दृष्टिगत त्वरित गति से कार्य के निस्तारण के उद्देश्य से नदी/नहर के दोनों किनारों से एक चौथाई भाग छोड़ते हुए गठित समिति की संस्तुति पर अपस्ट्रीम में 100 मीटर (यदि आवश्यक न हो तो पुल की सुरक्षा के दृष्टिगत) के आधार पर आवश्यकतानुसार मशीनों यथा जे०सी०बी०, पोकलैण्ड आदि का उपयोग अनुमन्य होगा।
- मलवा/आर०बी०एम०/सिल्ट का निस्तारण
8. (1) सिल्ट/आर०बी०एम० का निस्तारण उत्तराखण्ड उपखनिज परिहार नियमावली, 2001 (समय-समय पर यथासंशोधित) व सुसंगत विधिक प्रावधानों के अनुसार किया जायेगा तथा हटाये गये सिल्ट/आर०बी०एम० पर रॉयल्टी के अतिरिक्त राज्य सरकार द्वारा समय-समय पर निर्धारित शुल्क/टैक्स लिया जायेगा। (सिल्ट/आर०बी०एम० निस्तारण हेतु रायल्टी के अतिरिक्त स्टाम्प शुल्क, जिला खनिज फाउन्डेशन में अंशदान तथा क्षतिपूर्ति हेतु निर्धारित शुल्क अनिवार्य रूप से देय होगा।
- विविध
9. (1) ऐसे चिन्हित क्षेत्र, जो ई-निविदा सह ई-नीलामी प्रक्रिया के अन्तर्गत आशय पत्र धारित क्षेत्रों को छोड़कर जहां प्रति वर्ष सिल्ट/उपखनिज निक्षेपित/जमा होने से आबादी व कृषि भूमि प्रभावित हो रही हो, को चिन्हित कर सिल्ट/उपखनिज की सफाई उक्त प्रक्रिया के अन्तर्गत की जायेगी।

- (2) रिवर ट्रेनिंग कार्य हेतु ऐसे चिन्हित क्षेत्र जहां बिन्दु सं० 4 के अन्तर्गत खुली नीलामी की कार्यवाही किये जाने के उपरान्त उपखनिज को उठाने/सफाई में रुचि न ली गयी हो तो ऐसे चिन्हित क्षेत्रों को राष्ट्रीय महत्व की केन्द्र/राज्य सरकार की परियोजनाओं के लिए सम्बन्धित एजेन्सी द्वारा आवेदन करने पर गठित समिति की आख्या के आधार पर एवं सभी देयकों का भुगतान किये जाने के उपरान्त जिलाधिकारी के द्वारा सिल्ट/आर०बी०एम० निस्तारण/उठान किये जाने की अनुज्ञा इस शर्त के साथ प्रदान की जायेगी कि वे निकाले गये सिल्ट/आर०बी०एम० का व्यावसायिक उपयोग नहीं करेंगे।

2- यह आदेश वित्त अनुभाग-2, उत्तराखण्ड शासन के अर्द्धशासकीय पत्र संख्या-800/XVII(2)/2018, दिनांक 20 जनवरी, 2020 में प्राप्त उनकी सहमति से निर्गत जा रहा है।

आज्ञा से,

ओम प्रकाश,  
अपर मुख्य सचिव।

ANNEXURE R2

हंद में,

श्रीमान् जिलाधिकारी, महोदय,

जनपद हरिद्वार

विषय : उत्तराखण्ड रिवर ट्रेनिंग नीति-2016 के अंतर्गत रवासन नदी से जमा आर0बी0एम0 हटायें जाने के संदर्भ में।

महोदय,

निवेदन है कि जनपद हरिद्वार के रसूलपुर मीठीबेरी क्षेत्र के अंतर्गत स्थित रवासन नदी में खसरा नं0 1890 में अधिक मात्रा में आर0बी0एम0 जमा होने के कारण गांव में बरसात में बाढ़ आने का खतरा बढ़ गया है। जिसे उत्तराखण्ड रिवर ट्रेनिंग नीति-2016 के अंतर्गत जमा आर0बी0एम0 हटायें जाने से बाढ़ आने का खतरा समाप्त हो सकता है।

अतः महोदय से सविनम्र निवेदन है कि प्रार्थी को उत्तराखण्ड रिवर ट्रेनिंग नीति-2016 के अंतर्गत उक्त खसरा नं0 1890 से लगभग 10,000 घनमीटर आर0बी0एम0 निकासी की अनुमति प्रदान करने की कृपा करें। प्रार्थी इसकी सॉयल्टी जमा करने को तैयार है। आपकी अतिकृपा होगी।

दिनांक : 03.08.2017

प्रार्थी



जसविन्दर सिंह पुत्र लक्खा सिंह, निवासी  
ग्राम समसपुर कटेवड़, पो0 लालढांग,  
जनपद हरिद्वार (उत्तराखण्ड)

**ANNEXURE R3**

संख्या :- 673 / खननसहा0(नीलामी)-2018-19

कार्यालय जिलाधिकारी, हरिद्वार।

दिनांक:- 9 जून, 2018

**अति-अल्पकालीन सार्वजनिक नीलाम सूचना**

सर्वसाधारण को सूचित किया जाता है कि तत्काल शासन के पत्र संख्या 944/2018/90ख/16, दिनांक 13 अप्रैल, 2018 के अनुसार राम रतनपुर भीठीवेरी परगना नजीबाबाद गहरील व जिला हरिद्वार में तटबन्ध के समीपवर्ती गांव की बाड़ से एवं जान मात की सुरक्षा (आपदा रोकथाम) हेतु गणरूप के दृष्टिगत जनपद की तहसील हरिद्वार के ग्राम रतनपुर भीठीवेरी को खसरा संख्या-1890 रकबा 200 X 40 वर्गमीटर में गिर ट्रेनिंग, 2016 के अनुसार आपदा प्रबन्धन अधिनियम, 2005 में प्रदत्त अधिकारों को अन्तर्गत जनपद के स्थानीय व्यक्तियों/संस्थाओं से निम्न लॉट की सार्वजनिक नीलामी दिनांक 12.06.2018 को अपराह्नक 2.00 बजे न्यायालय कक्ष अपर जिलाधिकारी(विप/एच) हरिद्वार स्थित रोशनाबाद में होगी।

(निजी भूमि)

क्र. सं.	लॉट संख्या	लॉट का नाम	खण्ड	एकमा टैर	विस्तार किये जाने वाली उपखनिज की मात्रा घनमीटर में	रायल्टी मूल्यांकन ₹ 180.18 प्रति घनमीटर (₹)	रायल्टी का 25 % DMFT में अंशदान अतिरिक्त रूप से देय होगा (₹)
1	01	रतनपुर भीठीवेरी	1890	8000 वर्ग मी	8000	1441000.00	360250.00

नीलामी की शर्त:-

- 1-नीलामी के समय बोलीदाता को उपखनिज के अनुमानित मूल्य राशि का 25 प्रतिशत धनराशि का बैंक ड्राफ्ट जिलाधिकारी, हरिद्वार के नाम बराना धनराशि के रूप में जमा करना होगा।
- 2-नीलाम प्राप्तकर्ता को उपरोक्त उपखनिज की नीलामी की धनराशि का 1/4 भाग उसी दिन एवं अदरेश धनराशि को नीलाम स्वीकृति से 03 कार्यदिवसों के अन्दर निर्धारित लेखाशीर्षक के अन्तर्गत जमा किया जाएगा।
- 3-सांख्यिक बोलीदाता को छोड़कर अन्य बोलीदाताओं के जमा बैंक ड्राफ्ट जिलाधिकारी महोदय द्वारा नीलाम स्वीकृति के उपरान्त वापिस कर दिये जायेंगे।
- 4-उपरोक्त उपखनिज की नीलामी से प्राप्त राजस्व पर राजकीय कर का नीलामी प्राप्तकर्ता द्वारा पृथक से सन्वन्धित विभाग को भुगतान किया जायेगा।
- 5-नीलाम प्राप्तकर्ता को बोली सर्वाधिक बोली (रायल्टी) की धनराशि का 25 प्रतिशत धनराशि अतिरिक्त रूप से "जिला खनिज फाउण्डेशन न्याय हरिद्वार" कोष में जमा कराना होगा।
- 6-नीलामी प्राप्तकर्ता उपखनिज जो है, जहाँ है, जैसा है की स्थिति में नियमानुसार स्वयं निस्तारित करेगा।

- 7-नीलाम स्वीकृति की दिनांक से जिला कार्यालय द्वारा तर्काल के दौरान खनन बन्दी की घोषणा तक की अवधि के भीतर उपखनिज की निकासी कार्यालय तप निदेशक(खनन/ज्येष्ठ खनन अधिकारी, भूतत्व एवं खनिकर्मा इकाई, कलेक्ट्रेट परिसर रोशनाबाद, हरिद्वार से प्राप्त ई-रखसो (एम0एम10-11) के आधार पर की जायेगी।
- 8-नीलामी प्रक्रिया के बाद उपखनिज की थोड़ी एवं शुद्ध होने के लिए प्रशासन जिम्मेवार होगा।

- 9-नीलामी प्राप्तकर्ता राजस्व एवं सिंचाई विभाग की निगरानी में उपखनिज को निकासी का कार्य करेगा।

- 10-यदि उपखनिज निकासी करते समय उपखनिज एकत्रित स्थल, गंगा नदी तटबन्ध, सार्वजनिक मार्ग एवं पुल आदि को कोई क्षति पहुँचती है तब उसकी क्षति पूर्ति नीलाम प्राप्तकर्ता द्वारा की जायेगी।

- 11-उपखनिज की निकासी करते समय इस बात का ध्यान रखा जायेगा कि सार्वजनिक मार्ग अवरुद्ध न हो एवं जन सामान्य को असुविधा न हो।
- 12-अन्य शर्तें यदि कोई होंगी तब उन्हें नीलामी स्थल पर नीलामी की दिनांक को यथाया जायेगा।
- 13-मा0 हरित न्यायाधिकरण(एन0जी0टी0) एवं पर्यावरण नियंत्रण इकाई के मानकों का पालन करना होगा।
- 14-नीलाम प्राप्तकर्ता द्वारा उपखनिज की निकासी सूर्य उदय एवं सूर्यास्त तक ही की जायेगी।
- 15-जिलाधिकारी, हरिद्वार को निर्णय अन्तिम होगा।
- 16-किसी भी विवाद का क्षेत्राधिकार जिला न्यायालय हरिद्वार को होगा।

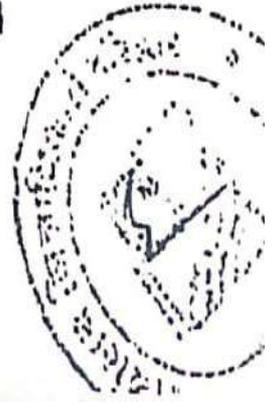
(डा0 ललित नारायण मिश्र),  
अपर जिलाधिकारी(वित्त एवं राजस्व)/  
अध्यक्ष, नीलामी समिति,  
हरिद्वार।

संख्या एवं दिनांक उपरोक्तानुसार।

- प्रतिलिपि-1-जिला सूचना एवं विज्ञान अधिकारी, हरिद्वार को इस आशय से प्रेषित की उपरोक्त नीलामी सूचना को वेबसाईट पर अपलोड करने का कष्ट करें।
- 2-उपजिलाधिकारी-हरिद्वार/रुड़की/लक्सर/भगवानपुर/उपनिदेशक(खनन/ज्येष्ठ खान अधिकारी, मृतत्व एवं खनिकर्म इकाई, कलेक्ट्रेट परिसर रोशनाबाद, हरिद्वार/नाजिर सदर,कलेक्ट्रेट, हरिद्वार को व्यापक प्रचार प्रसार हेतु कार्यालय नोटिस बोर्ड पर घसपा किये जाने हेतु।
- 3-सम्पादक, दैनिक समाचार पत्र अमर उजाला एवं दैनिक जागरण को इस आशय से कि इस विज्ञापित को शासकीय दर पर प्रकाशित कराते हुए एक प्रति उक्त समाचार पत्र की एवं विल इस कार्यालय को उपलब्ध कराने का कष्ट करें।

अपर जिलाधिकारी(वित्त एवं राजस्व)/  
अध्यक्ष, नीलामी समिति,  
हरिद्वार।

Prasanna Kamatak (Advocate)  
Oath Commissioner  
High Court Of Uttarakhand  
At Nanda  
Reg. No. UK210/2017  
Sl. No. 31116  
Date 21/11/2021



1

**ANNEXURE R4**

कार्यालय जिलाधिकारी, हरिद्वार।

संख्या :- 684 / खनन सहा(नीलामी)-2018

दिनांक:-13 जून,2018

**कार्यालय-ज्ञाप**

श्री जसविन्द्र सिंह पुत्र श्री लक्खा सिंह निवासी समसपुर कटेयड तहसील व जिला हरिद्वार द्वारा रिवर ट्रेनिंग नीति के अन्तर्गत प्रस्तुत प्रार्थना पत्र पर महोदय के आदेश दिनांक 06.06.2018 के अनुपालन में रिवर ट्रेनिंग नीति-2016 एवं उत्तराखण्ड शासन के पत्र संख्या-944/2018/90ख/16 दिनांक 13.04.2018 के अनुसार गठित समिति की आख्या दिनांक 08.06.2018 के आधार पर समीपवर्ती गांव की बाढ़ से एवं जान माल की सुरक्षा (आपदा रोकथाम) हेतु मानसून के दृष्टिगत जनपद की तहसील हरिद्वार के ग्राम रसूलपुर मीठीबेरी में उत्तराखण्ड रिवर ट्रेनिंग नीति, 2016 के अनुसार आपदा प्रबन्धन अधिनियम, 2005 में प्रदत्त अधिकारों के अन्तर्गत जिलाधिकारी महोदय के आदेश दिनांक 12.06.2018 के अन्तर्गत दिनांक 12.06.2018 को सम्पन्न हुई सार्वजनिक नीलामी की स्वीकृति कालम संख्या-7 में अंकित सर्वाधिक बोलीदाता के पक्ष में प्रदान करते हुए कार्यविश निर्गत किये जाने की अनुमति प्रदान की गई है। नीलाम प्राप्तकर्ता द्वारा अधिकतम बोली रू० 1,40,00,000.00 की 25 प्रतिशत धनराशि रू० 32,00,000.00 चालान सं० 8501 दिनांक 13.06.2018 द्वारा एस०बी०आई० रोशनाबाद हरिद्वार में जमा की गई है तथा रू० 3,08,000-00 का बैंक ड्राफ्ट संख्या 008749 दिनांक 12.06.2018 द्वारा जमा किया गया है। इस प्रकार कुल 35,08,000-00 रुपये जमा किये गये हैं।

क्र० सं०	लॉट संख्या	लॉट का नाम	खसरा संख्या	रूबा हे०	नीलामी प्राप्तकर्ता का नाम व पता	चिह्नित किये जाने वाली उपखनिज की मात्रा घनमीटर में	रायल्टी मूल्यांकन रू० 180.18 प्रति घनमीटर	रायल्टी का 25 % DMFT में अंशदान अतिरिक्त रूप से देय होगा
1	2	3	4	5	6	7	8	9
1	01	ग्राम रसूलपुर मीठीबेरी	1890	8000वर्गमीटर	श्री आलोक द्विवेदी पुत्र श्री चन्द्रप्रकाश निवासी रसूलपुर बड़ा नलोवाला तहसील व जिला हरिद्वार	8000 घ०मी०	14,41,000.00	308000.00

शर्त:-

- 1- उपरोक्त उपखनिज की नीलामी से प्राप्त राजस्व पर राजकीय कर का नीलामी प्राप्तकर्ता द्वारा पृथक से सम्बन्धित विभाग को भुगतान किया जायेगा।
- 2- नीलाम प्राप्तकर्ता को उपखनिज की नीलामी की धनराशि का 1/4भाग आदेश प्राप्ति के दिन एवं अवशेष धनराशि को नीलामी स्वीकृति के 3 कार्यदिवसों के अन्दर निर्धारित लेखाशीर्षक के अन्दर जमा किया जायेगा।
- 3- नीलामी प्राप्तकर्ता उपखनिज जो है, जहां है, जैसा है की स्थिति में नियमानुसार स्वयं निस्तारित करेगा।
- 4- निर्धारित अवधि के अन्दर उपखनिज की निकासी कार्यालय उपनिदेशक(खनन/ज्येष्ठ खान अधिकारी, भूतत्व एवं खनिकर्म इकाई) कलेक्ट्रेट परिसर हरिद्वार से प्राप्त ई खन्ना(एम०एम०-11) के आधार पर की जायेगी।
- 5- नीलामी स्वीकृति के बाद उपखनिज चोरी एवं खुरबुर्द होने के लिए प्रशासन जिम्मेदार नहीं होगा।
- 6- नीलामी प्राप्तकर्ता उपखनिज की निकासी सूर्योदय एवं सूर्यास्त तक ही की जायेगी।
- 7- नीलामी प्राप्तकर्ता राजस्व एवं सिंचाई विभाग की निगरानी में उपखनिज की निकासी का कार्य करेगा।
- 8- उपखनिज की निकासी करते समय इस बात का ध्यान रखा जायेगा कि सार्वजनिक मार्ग अवरुद्ध न हो एवं जनसामान्य को असुविधा न हो।
- 9- नीलाम प्राप्तकर्ता द्वारा सम्पूर्ण उपखनिज मात्रा के उठान के पश्चात इस कार्यालय को सूचित किया जायेगा।
- 10- यदि उपखनिज निकासी करते समय उपखनिज एकत्रित स्थल, गंगानदी तटबन्ध, सार्वजनिक मार्ग एवं पुल आदि को कोई क्षति पहुंचती है तब उसकी क्षति पूर्ति नीलाम प्राप्तकर्ता द्वारा की जायेगी।
- 11- उक्त कार्य की अवधि दिनांक 30जून, 2018 तक मान्य होगी।
- 12- चूंकि कार्य की अवधि कम है इस दृष्टि से नीलाम प्राप्तकर्ता के प्रार्थना पत्र दिनांक 12.06.2018 के आधार पर उक्त कार्य हेतु मशीन का प्रयोग करने, व रात्री में लोडिंग-अनलोडिंग व परिवहन की अनुमति प्रदान की जाती है।

-2-

- 13- नीलामकर्ता द्वारा उत्तराखण्ड रिवर ट्रेनिंग नीति, 2016 के अनुसार नदी के जलस्तर से 01 मीटर की गहराई तक चुगान किया जायेगा।
- 14- मा0 हरित न्यायाधिकरण(एन0जी0टी0) एवं पर्यावरण नियंत्रण इकाई के मानकों का पालन होगा।
- 15- किसी भी विवाद का क्षेत्राधिकार जिला न्यायालय हरिद्वार को होगा।

  
अपर जिलाधिकारी(वित्त एवं राजस्व)  
हरिद्वार।

संख्या एवं दिनांक उपरोक्तानुसार।

- 1- जिलाधिकारी महोदय हरिद्वार को सूचनार्थ प्रेषित।
- 2- वरिष्ठ पुलिस अधीक्षक, हरिद्वार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 3- उप जिलाधिकारी, हरिद्वार को इस आशय से प्रेषित कि यह सुनिश्चित करें कि नीलामी प्राप्तकर्ता नीलाम उपखनिज का ही उठान करे अवैध खनन न हो।
- 4- उप उपनिदेशक(खनन/ज्येष्ठ खान अधिकारी, भूतत्व एवं खनिकर्म इकाई) कलेक्ट्रेट परिसर हरिद्वार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 5- अधिशासी अभियन्ता, सिंचाई विभाग, हरिद्वार।
- 6- सहायक राज्य कर आयुक्त, हरिद्वार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 7- श्री आलोक द्विवेदी पुत्र श्री चन्द्रप्रकाश निवासी रसूलपुर बड़ा नलोवाला तहसील व जिला हरिद्वार को अनुपालनार्थ।

  
अपर जिलाधिकारी(वित्त एवं राजस्व)  
हरिद्वार।

**ANNEXURE R5****खता विवरण (अप्रमाणित प्रति)****NOTE : खता उपलब्ध ना होने**

ग्राम का नाम : रसलपुर मंडीवेरी	परगना : (नबीनगर)	तहसील : हरिद्वार	जमदद : हरिद्वार	फसली वर्ष : 1428-1433	भाग : 1	खता संख्या : 01053	टिप्पणी
खतेश्वर का नाम / पिता पति संस्कार का नाम / निवास स्थान	श्रीमिक अधिकार का वर्ष	खसरा संख्या	क्षेत्रफल (हे)	अदेश			
<b>श्रेणी : 3 / भूमि के असाधियों के अन्वयगत या अधिकार में हो</b>  श्रीधराम / रामस्वरूप / मि. इन्डियानगरला श्रीमती इरानी / बेबा चन्द सिंह / मि. इन्डियानगरला भगीरी / रामस्वरूप / मि. इन्डियानगरला ललित कुमार / प्रकाश / इन्डियानगरला दलीप कुमार (.12 वर्ष) / प्रकाश (स. पत्निया मता) / इन्डियानगरला पत्निया देवी / बि0 प्रकाश / इन्डियानगरला	1405क से	1890क	0.5060				
<b>योग</b>		<b>1</b>	<b>0.5060</b>				

**Disclaimer:** उक्त ऑनलाई मात्र अनसोनिनाथ है, तहसील कम्प्यूटर केन्द्र से उद्घरण की प्रमाणित प्रति प्राप्त की जा सकती है ।

**Data Updated Upto:** Sat Sep 17 13:04:06 IST 2022

**Technical Support By:** National Informatics Center, Uttarakhand State Unit, Dehradun.

**Contents owned by Board of Revenue(Uttarakhand)**

BHULEKH  
Uttarakhand

## खाता विवरण (अप्रमाणित प्रति)

**NOTE :** डाटा उपलब्ध ना होने पर डिजिटल हस्ताक्षरित होने तक प्रतीक्षा करें

ग्राम का नाम : रसूलपुर महीबेरी	परतना : (नवीबजार)	तहसील : हरिद्वार	जमदद : हरिद्वार	फसली बर्ष : 1428-1433	भाग : 1	खाता संख्या : 00181
खेतदार का नाम / पिता पति संसक्त का नाम / निवास स्थान	भौतिक अधिकार का वर्ग	खसरा संख्या	क्षेत्रफल (हे.)	अहेरा	टिप्पणी	
<b>श्रेणी :</b> 1-क / भूमि जो सख्तमणीय अधिकार वाले भूमिधारों के अधिकारमें है।						
चन्द्रपाल / इन्दर / नि. मीठीबेरी	पु. 1396फ पु. 1396फ	1592 1890ख	0.5950 0.0890			
योग		2	0.6840			

Disclaimer: उक्त ऑनलाइन मात्र अवलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से व्युत्पन्न की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Upto: Sat Sep 17 12:59:03 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

Contents owned by Board of Revenue(Uttarakhand)





### खाता विवरण (अप्रमाणित प्रति)

**NOTE :** डाटा उपलब्ध ना होने पर डिजिटल हस्त

ग्राम का नाम : रस्तसुर भीठिबे	परगना : (तलीबाबाद)	तहसील : रसिदुर	जनपद : रसिदुर	फरली बर्ष : 1428-1433	भाग : 1	खाता संख्या : 00528
खातेदार का नाम / मिला प्रति संश्लक का नाम / निवात स्थान	श्रीमिक अधिकार का बर्ष	खसरा संख्या	क्षेत्रफल (हे.)	अद्वेष	टिप्पणी	
<p><b>श्रेणी :</b> 1-क / भीम जो सवमणीय अधिकार वाले प्रतिधारो के अधिकारमे हो</p>						
भाबना देसी / मति दीवान सिंह / ति-बन्ध-33 शिवालिक नगर. सी0रब0ई0रब0	1418फ से	1890ग	0.5060			
योग		1	0.5060			

**Disclaimer:** उक्त आँकड़े मात्र अवलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से उद्घरण की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Up to: Sat Sep 17 13:01:05 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

Contents owned by Board of Revenue(Uttarakhand)





**BHULEKH**  
Uttarakhand



### खता विवरण (अप्रमाणित प्रति)

ग्राम का नाम : सरदार पीठीवकी	परगना : (स्वभावानुसार)	तहसील : हरिद्वार	जनपद : हरिद्वार	फसली वर्ष : 1428-1433	भाग : 1	खता संख्या : 01027	
खतियार का नाम / पति संरक्षक का नाम / निवाह स्थान		शैक्षिक अधिकार का वर्ष	खसरा संख्या	क्षेत्रफल (हे.)	आदेश	टिप्पणी	
श्रेणी : 2 / भूमि जो असक्रमणित अधिन्यास वाले भूमिधरो के अधिन्यास में हो							
जबराम / खतनाम / नि. ग्राम		₹. 1396फ	1882र	0.4050			
		₹. 1396फ	1889	0.3290			
		₹. 1396फ	1890ख	0.2910			
योग			3	1.0250			

**Disclaimer:** उक्त ऑनलाइन मान अवलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से उद्योग की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Up to: Sat Sep 17 13:02:37 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

Contents owned by Board of Revenue(Uttarakhand)



**BHULEKH**  
Uttarakhand**खाता विवरण (अप्रमाणित प्रति)****NOTE : डाटा उपलब्ध ना होने पर डिजिटल हस्ताक्षरित रं**

ग्राम का नाम : सखारु मीरबिकी	परगना : (जमीनबान्त)	तहसील : हरिद्वार	जनपद : हरिद्वार	फसली वर्ष : 1428-1433	भाग : 1	खाता संख्या : 00418	
खालदार का नाम / सिता प्रति साक्षक का नाम / निवास स्थान		भौतिक अधिकार का वर्ष	खसरा संख्या	क्षेत्रफल (हि.)	आदेश	टिप्पणी	
<b>श्रेणी : 1 क / ५गि जो सरकारीय अधिकार वाले भूमिधारो के अधिकारो हो</b>							
फसल / सुसई / नि-ग्राम गाजीवाली		1419फ0 से	1890च	0.9480			
योग			1	0.9480			

Disclaimer: उक्त ऑफकडे मात्र अवलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से उद्घरण की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Upto: Sat Sep 17 13:00:35 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

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### खाता विवरण (अप्रमाणित प्रति)

**NOTE :**

ग्राम का नाम : सरसपुर मीठीबेरी	परामा : (स्वीभावद)	तहसील : रंगिद्वार	जनपद : रंगिद्वार	फसली बर्ष : 1428-1433	भाग : 1	खाता संख्या : 00947	टिप्पणी
खातेदार का नाम / पिता पति संरक्षक का नाम / नियम स्थान	भौमिक अधिकार का वर्ग	खसरा संख्या	क्षेत्रफल (हे.)	अंश			
<b>श्रेणी : 1-क / यूपी जो सड़कमार्गीय अधिकार वाले यूपीधारो के अधिकारमे हो</b>							
सैरन्द कुमार / पी0आर0 मोषा / नि- गतिनागर ऋषिकेशा	प्ल.1396फ	1890छ	0.9480				
बृषराम सिंह / अमर सिंह / नि.ग्राम							
गोपीचन्द / अमर सिंह / नि.ग्राम							
वीरन्द सिंह / अमर सिंह / नि.ग्राम							
सोने कुमार / अमर सिंह / नि.ग्राम							
<b>योग</b>		<b>1</b>	<b>0.9480</b>				

**Disclaimer:** उक्त ऑनकडे मात्र अवलोकनार्थ है, तहसील कार्यालय केन्द्र से सत्यापन की प्रमाणित प्रति प्राप्त की जा सकती है।

**Data Updated Upk:** Sat Sep 17 13:01:44 IST 2022

**Technical Support By:** National Informatics Center, Uttarakhand State Unit, Dehradun.

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**BHULEKH**  
Uttarakhand**खता विवरण (अप्रमाणित प्रति)****NOTE : डाटा अपलब्ध ना होने पर डिजिटल हस्ताक्षरित होने तक प्रतीक्षा करें।**

<b>ग्राम का नाम :</b> रस्तपुर भीड़िबेरी	<b>परगना :</b> (नवीबाबाद)	<b>तहसील :</b> हरिद्वार	<b>जनपद :</b> हरिद्वार	<b>फसली वर्ष :</b> 1428-1433	<b>भाग :</b> 1	<b>खता संख्या :</b> 01038
<b>खतेदार का नाम / मिया परी संशुद्ध का नाम / निवास स्थान</b>	<b>भूमिक अधिकार का वर्ष</b>	<b>खसरा संख्या</b>	<b>क्षेत्रफल (हे.)</b>	<b>आदेश</b>	<b>टिप्पणी</b>	
<b>श्रेणी : 2 / भूमि जो अचलमाली अधिकार वाले भूमिधारों के अधिकार में हो</b>						
माली / पत्नी निरामम / मि- दूधला दयालवाला मुनी / पत्नी यमलाल / मि- दूधला दयालवाला अरर सिंह / खिदराम / मि- खादरी खडकनाक ऋषिकेश धर्मपाल सिंह / फूल सिंह / मि- मोहनपुरी लालदांग	पू. 1396फ	1890ब	1.2780	1429फ0 न्यायालय श्रीमम सिविल जज (जे0डी0), हरिद्वार मुलाबद संख्या 43/2022 श्री नरर हसन अंसारी बनाम अरर सिंह आदि में दिनांक 12.03.2022 को आदेश हुआ कि खता सं0 1038 गट्टे की खसरा सं0 1890ब रकबई 1.2780 हे0 में से विभक्षी संख्या 1 द्वारा 4 बीघा खाम तथा विभक्षी संख्या 2 द्वारा 1.6 बीघा खाम भूमि स्थित ग्राम रस्तपुर मंडिकिरी परगना नवीबाबाद तहसील व जिला हरिद्वार 1 के स्थान पर कैला श्री नरर हसन अंसारी पुर शखाबत हुसैन निवासी- ग्राम लालदांग परगना नवीबाबाद तहसील व जिला हरिद्वार मालिक स्वामी घोषित किया गया है। सं0:0फ0/26.05.2022		
<b>योग</b>		<b>1</b>	<b>1.2780</b>			

Disclaimer: उक्त ऑफरिडे मात्र अवलोकनाय है, तहसील कम्प्यूटर बैनद से उदुण की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Up to: Sat Sep 17 13:03:29 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

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### खता विवरण (अप्रमाणित प्रति)

**NOTE :** डाटा उपलब्ध ना होने पर डिजिटल हस्ताक्षरित होने तक'

ग्राम का नाम : सूरतपुर मीठीबेरी	परचाना : (तबीबानास)	तहसील : हरिद्वार	ब्लॉक अधिकार का वर्ष	बनसद : हरिद्वार	फसली वर्ष : 1428-1433	भाग : 1	खता संख्या : 01058	दिप्पनी
खतेदार का नाम / शिवा परी संसक का नाम / निवास स्थान				खसरा संख्या	क्षेत्रफल (हे.)	आदिया		

श्रेणी : 5-3-ख / ऐसे वन जिसमें अन्य प्रकार के वृक्ष, झाड़ियाँ केन्द्राड, झाड़ियाँ इत्यादि हों।

अप्रक्षित वन (गांव सभाओं में / * / * निलाल) / * / *								
	1	3.0220						
	2	1.4420						
	3क	43.9590						
	22क	59.4340						
	45	0.3410						
	285८	5.0840						
	780	0.2280						
	782	0.1170						
	786ख	0.0890						
	790	0.1200						
	793	0.7590						
	794	0.0160						
	795	2.9970						
	796	0.3040						
	797क	28.3840						

Disclaimer: उत्तर ऑफ़ाई माल अखलाकनाराई है, तहसील कांप्यूटर केन्द्र से उदरुण की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Up to: Sat Sep 17 13:04:33 ST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

Contents owned by Board of Revenue(Uttarakhand)



		<b>खाला विवरण (अप्रमाणित प्रति)</b>		<b>NOTE : डाटा उपलब्ध ना होने पर डिजिटल हस्ताक्षरित होने तक</b>		
ग्राम का नाम : सखार मीठीबेरी	परगना : (तस्वीलवार)	तहसील : हरिद्वार	जमाद : हरिद्वार	फसली वर्ष : 1428-1433	श्राग : 1	खाला संख्या : 01058
			800	0.0380		
			851	0.0030		
			788ख	0.0250		
			1113	77.7380		
			1114घ	0.0890		
			1639घ	106.9040		
			1781	0.0510		
			1783	0.0380		
			1890फ	65.0780		
			1891	42.9980		
			1896ख	0.1260		
			1939ख	2.5540		
			1944ख	11.1160		
<b>योग</b>			<b>28</b>	<b>453.0540</b>		

**Disclaimer:** उक्त ऑफ़कडे मात अवलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से उद्घरण की प्रमाणित प्रति प्राप्त की जा सकती है।

**Data Updated Up to:** Sat Sep 17 13:04:33 IST 2022

**Technical Support By:** National Informatics Center, Uttarakhand State Unit, Dehradun.

**Contents owned by Board of Revenue(Uttarakhand)**



**BHULEKH**  
Uttarakhand**खाता विवरण (अप्रमाणित प्रति)**  
**NOTE : डाटा अपरलब्ध ना होने पर डिजिटल हस्ताक्षरित होने तक प्रतीक्षा करें।**

ग्राम का नाम : रसूलपुर मीदीबेरी	परगना : (मन्डीबाबद)	तहसील : हरिद्वार	जनपद : हरिद्वार	फसली वर्ष : 1428-1433	भाग : 1	खाता संख्या : 00262
खेतदार का नाम / भिता प्रति संरक्षक का नाम / निवास स्थान	मौजिक अधिकार का वर्ष	खसरा संख्या	क्षेत्रफल (हे.)	अदेश	टिप्पणी	
जसवन्त सिंह / बाबुराम / नि० ग्राम बलविन्दर / जगगाम / नि० ग्राम ढंढियानवाला धर्मपाल सिंह / फूल सिंह / नि० ग्राम मोल्दापुरी जोगेन्द्र सिंह / शादीलाल / नि० ग्राम मोल्दापुरी छोटे / शादीलाल / नि० ग्राम मोल्दापुरी	₹. 1396फ	1890ड	0.9360			
योग		1	0.9360			

**Disclaimer:** उक्त ऑफ़कॉडे मात्र अखलोकनार्थ है, तहसील कम्प्यूटर केन्द्र से उद्घरण की प्रमाणित प्रति प्राप्त की जा सकती है।

Data Updated Upto: Sat Sep 17 12:59:55 IST 2022

Technical Support By: National Informatics Center, Uttarakhand State Unit, Dehradun.

Contents owned by Board of Revenue(Uttarakhand)



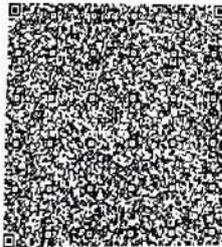
**ANNEXURE R6**

सत्यमेव जयते

**INDIA NON JUDICIAL**  
**Government of Uttarakhand**

e-Stamp

Certificate No.	: IN-UK69234952024306Q
Certificate Issued Date	: 07-Jun-2018 12:05 PM
Account Reference	: NONACC (SV)/ uk1206704/ HARIDWAR/ UK-HD
Unique Doc. Reference	: SUBIN-UKUK120670439609938582488G
Purchased by	: JASWANT SINGH SON OF LATE BABU RAM
Description of Document	: Article 4 Affidavit
Property Description	: -
Consideration Price (Rs.)	: 0 (Zero)
First Party	: JASWANT SINGH SON OF LATE BABU RAM
Second Party	: NA
Stamp Duty Paid By	: JASWANT SINGH SON OF LATE BABU RAM
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)


**SUNIL KUMAR SHARMA**  
 E-Stamp Vendor  
 HARIDWAR, U.P. No. 1996

199

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अनापत्ति पत्र

समक्ष:-श्रीमान सहाय/सम्बन्धित अधिकारी महोदय-  
 शापथपत्र निम्नानिव:- जतवन्त सिंह पुत्र स्व० श्री बाबुराम निवासी- ग्राम मिट्ठीघेरी  
 रसूलपुर हरिद्वार-जनपद हरिद्वार उत्तराखण्ड

मैशापथापूर्वक निम्नीलिखित कथान करता हूँ :-

01- यह कि शापथकर्ता का उपरोक्त नाम व पता सत्य व सही है।

2पर

Statutory Alert:

Certificate should be verified at www.shilestamp.com. Any discrepancy...

02

02- यह कि शपथकर्ता ने अपनी भूमि स्थित ग्राम रसूलपुर मिट्टीचिरी हरिद्वार जनपद हरिद्वार को हर प्रकार का कार्य करने हेतु जसविन्दर सिंह पत्र श्री लख्ठा सिंह निवासी-ग्राम रामस्तपुर ज्येष्ठ पोस्ट तातदांग जनपद हरिद्वार को दे रखी है। एवं उपरोक्त जसविन्दर सिंह द्वारा दी गई भूमि में प्रत्येक भौतिक कार्य किये जाने पर मुझशपथकर्ता को किसी प्रकार की कोई आपत्ति आदि नहीं है बल्कि पूर्ण सहमति



उपरोक्त दी गई भूमि में उपरोक्त जसविन्दर सिंह के अतिरिक्त व अन्य कोई दीगर कार्य नहीं कर सकता है। व दी गई भूमि का खासरा नम्बर- 1890 है।

शपथपत्र का पैरा नम्बर 1 ता 3 मेरे निजी ज्ञान व विश्वास में सबसे सच व सही है कुछ भी झूठ नहीं है सत्यता के लिये ईश्वर साक्षी है।

दि०-07-06-2018

जसविन्दर सिंह  
शपथकर्ता :-

जसविन्दर सिंह

**ATTESTED**  
Rajendra Prasad  
Advocate  
Notary (Govt. of Uttarakhand)  
Regd. No.-35/05/2005  
HARIDWAR.

**IDENTIFIED BY**  
S

ANNEXURE R7

संख्या- 1702 / VII-A-1 / 2021-90(ख) / 2016टी.सी.-III

प्रेषक,

आर०मीनाक्षी सुन्दरम्,  
सचिव,  
उत्तराखण्ड शासन।

सेवा में,

जिलाधिकारी,  
हरिद्वार।

औद्योगिक विकास (खनन) अनुभाग-1

देहरादून, दिनांक: 14 अक्टूबर, 2021

विषय: रिवर ट्रेनिंग नीति 2020 के अन्तर्गत श्री आलोक द्विवेदी पुत्र श्री चन्द्रप्रकाश निवासी रसूलपुर बड़ा नलोवाला तहसील व जनपद हरिद्वार के पक्ष में जनपद हरिद्वार की तहसील हरिद्वार के ग्राम रसूलपुर मीठीबेरी क्षेत्रान्तर्गत खसरा संख्या-1890 क्षेत्रफल 8000 वर्गमीटर क्षेत्र में 8000 घनमीटर जमा आर.बी.एम. को हटाकर नदी को मध्य क्षेत्रों में केन्द्रित करने लिए चैनेलाईजेशन कार्य हेतु स्वीकृत अनुज्ञा में समयावधि प्रदान किये जाने विषयक।

महोदय,

उपर्युक्त विषयक आपके पत्र संख्या-1668/ खनन सहायक-2021(रिवर ट्रेनिंग)/श्री आलोक द्विवेदी, दिनांक 25-09-2021 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा श्री आलोक द्विवेदी पुत्र श्री चन्द्रप्रकाश निवासी रसूलपुर बड़ा नलोवाला तहसील व जनपद हरिद्वार के पक्ष में जनपद हरिद्वार की तहसील हरिद्वार के ग्राम रसूलपुर मीठीबेरी क्षेत्रान्तर्गत खसरा संख्या-1890 क्षेत्रफल 8000 वर्गमीटर क्षेत्र में 8000 घनमीटर जमा आर.बी.एम. को हटाकर नदी को मध्य क्षेत्रों में केन्द्रित करने लिए चैनेलाईजेशन कार्य हेतु स्वीकृत अनुज्ञा में आर.बी.एम. निस्तारण हेतु अतिरिक्त समयावधि बढ़ाये जाने हेतु दिशा-निर्देश प्रदान किये जाने का अनुरोध किया गया है।

2- उल्लेखनीय है कि उत्तराखण्ड रिवर ट्रेनिंग नीति-2020 के प्रस्तर-5 में यह प्राविधानित है कि सिल्ट/उपखनिज आर०बी०एम० निस्तारित किये जाने हेतु अनुज्ञा अवधि अधिकतम 04 माह अथवा मलवे/उपखनिज/सिल्ट की अनुज्ञात मात्रा हटाने की अवधि, जो भी पूर्व घटित हो, के लिये स्वीकृत की जायेगी।

3- अतः उक्त के सम्बन्ध में आप द्वारा किये गये अनुरोध एवं राजस्व हित में मुझे यह कहने का निदेश हुआ है कि उत्तराखण्ड रिवर ट्रेनिंग नीति-2020 के अन्तर्गत उक्तानुसार किये गये प्राविधान के क्रम में श्री आलोक द्विवेदी पुत्र श्री चन्द्रप्रकाश निवासी रसूलपुर बड़ा नलोवाला तहसील-व जनपद हरिद्वार के पक्ष में जनपद हरिद्वार की तहसील हरिद्वार के ग्राम रसूलपुर मीठीबेरी क्षेत्रान्तर्गत खसरा संख्या-1890 क्षेत्रफल 8000 वर्गमीटर क्षेत्र में 8000 घनमीटर भूमि से अवशेष आर०बी०एम०/मलवा निस्तारण किये जाने हेतु 02 माह की अवधि अथवा अनुज्ञात मात्रा हटाने की अवधि, जो भी पूर्व घटित हो, की अनुमति प्रदान की जाती है। उक्त अनुमति विषम परिस्थिति में प्रदान की जा रही है।

भवदीय,  
( आर० मीनाक्षी सुन्दरम् )  
सचिव

ANNEXURE R8

भूतत्व एवं खनिकर्म इकाई, उद्योग निदेशालय, चत्ताराखण्ड,  
भोपालपानी, देहरादून।

/खनन/भूखनि0ई0/पोर्टल/2021-22.

दिनांक 28 अक्टूबर, 2021

कार्यालय ज्ञाप

सहायक भूवैज्ञानिक, भूतत्व एवं खनिकर्म इकाई, जनपद हरिद्वार के पत्र संख्या 387/भूखनि0ई0-हरि0/रिवर ट्रेनिंग/2021, दिनांक 28 अक्टूबर, 2021 के अनुसार शासन के पत्र संख्या 1702/VII-A-1/2021-90(ख)/2016TC-III, दिनांक 14.10.2021 के क्रम में जिलाधिकारी कार्यालय, हरिद्वार के कार्यालय ज्ञाप संख्या 2019/खनन सहा0(नीलामी)-2021, दिनांक 25 अक्टूबर, 2021 के द्वारा रिवर ट्रेनिंग अनुज्ञाधारक श्री आलोक द्विवेदी पुत्र श्री चन्द्र प्रकाश, निवासी-रसूलपुर, बडा नरोवाला, तहसील व जनपद हरिद्वार को ग्राम रसूलपुर मीठीवेरी क्षेत्रान्तर्गत खसरा संख्या 1890, क्षेत्रफल 8000 वर्ग मी0 क्षेत्र में अवशेष 6402.18 घ0मी0 उपखनिज की निकासी हेतु 02 माह की अवधि अथवा अनुज्ञात मात्रा हटाने की अवधि, जो भी शेष हो, अनुमति पूर्व निर्धारित शर्तों एवं कतिपय प्रतिबन्धों के अधीन प्रदान की गयी है। उपरोक्त वर्णित पत्र के द्वारा रिवर ट्रेनिंग अनुज्ञाधारक श्री आलोक द्विवेदी पुत्र श्री चन्द्र प्रकाश, निवासी-रसूलपुर, बडा नरोवाला, तहसील व जनपद हरिद्वार के ई-रवन्ना पोर्टल आई0डी0 MO68011625 में 02 माह की अतिरिक्त समयावृद्धि प्रदान किये जाने हेतु पत्र इस कार्यालय को प्रेषित किया गया है।

2- शासन के पत्र संख्या 1702/VII-A-1/2021-90(ख)/2016TC-III, दिनांक 14.10.2021 के द्वारा-श्री आलोक द्विवेदी पुत्र श्री चन्द्र प्रकाश, निवासी-रसूलपुर, बडा नरोवाला, तहसील व जनपद हरिद्वार के पक्ष में जनपद व तहसील हरिद्वार के ग्राम रसूलपुर मीठीवेरी क्षेत्रान्तर्गत खसरा संख्या 1890, क्षेत्रफल 8000 वर्ग मी0 क्षेत्र में अवशेष 6402.18 घन0मी0 आर0बी0एम0/मलवा निस्तारण किये जाने हेतु 02 माह की अवधि अथवा अनुज्ञात मात्रा हटाने की अवधि, जो भी शेष हो, अनुमति पूर्व निर्धारित शर्तों एवं कतिपय प्रतिबन्धों के अधीन प्रदान की गयी है, के क्रम में जिलाधिकारी कार्यालय, हरिद्वार के कार्यालय ज्ञाप संख्या 2019/खनन सहा0 (नीलामी)-2021, दिनांक 25 अक्टूबर, 2021 के द्वारा अवशेष आर0बी0एम0/मलवा निस्तारण किये जाने हेतु 02 माह की अवधि अथवा अनुज्ञात मात्रा हटाने की अवधि, जो भी पूर्व घटित हो, अनुमति प्रदान की गयी है।

3- शासन के पत्र संख्या 1702/VII-A-1/2021-90(ख)/2016TC-III, दिनांक 14 अक्टूबर, 2021, जिलाधिकारी, हरिद्वार के कार्यालय ज्ञाप संख्या 2019/खनन सहा0 (नीलामी)-2021, दिनांक 25 अक्टूबर, 2021 एवं सहायक भूवैज्ञानिक, भूतत्व एवं खनिकर्म इकाई, जनपद हरिद्वार के पत्र संख्या 387/भूखनि0ई0-हरि0/रिवर ट्रेनिंग/2021, दिनांक 28 अक्टूबर, 2021 के क्रम में रिवर ट्रेनिंग अनुज्ञाधारक श्री आलोक द्विवेदी पुत्र श्री चन्द्र प्रकाश, निवासी-रसूलपुर, बडा नरोवाला, तहसील व जनपद हरिद्वार के ई-रवन्ना पोर्टल आई0डी0 MO68011625 में निम्नवत् अपडेट/संशोधन किये जाने की अनुमति प्रदान की जाती है:-

क्र0 सं0	अनुज्ञाधारक का नाम	ई-रवन्ना पोर्टल संख्या	ई-रवन्ना के अनुसार अवधि	प्रस्तावित अपडेट/संशोधन
1	श्री आलोक द्विवेदी पुत्र श्री चन्द्र प्रकाश, निवासी-रसूलपुर, बडा नरोवाला, तहसील व जनपद हरिद्वार।	MO68011625	दि0 01.10.2018 से 07.10.2018 तक	1. जिलाधिकारी कार्यालय, हरिद्वार के कार्यालय ज्ञाप संख्या 2019/खनन सहा0 (नीलामी)-2021, दिनांक 25 अक्टूबर, 2021 के क्रम में 02 माह की अवधि अर्थात् दिनांक 28.10.2021 से 27.12.2021 तक।

संख्या: 2736 /खनन/भूखनि0ई0/पोर्टल/2021-22.

तददिनांकित।

(एस0एल0 पैट्रिक)  
अपर निदेशक

**ANNEXURE R9**

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT  
NAINITAL

WRIT PETITION NO. 2512 OF (M/S) 2021

(District: Haridwar)

Jasvinder Singh, aged about 40 years, Son of Shri Lakha Singh,  
Resident of Samaspur, Katarbarh, Haridwar, Uttarakhand - 246763

.....Petitioner

Versus

1. State of Uttarakhand through Secretary, Geology and Mining Unit,  
Government of Uttarakhand, Civil Secretariat, Dehradun,  
Uttarakhand.
2. Additional Director, Geology and Mining Unit, Directorate of  
Industries, Government of Uttarakhand, Dehradun, Uttarakhand.
3. District Magistrate, Haridwar, Uttarakhand.
4. Additional District Magistrate (Finance/Revenue), Haridwar,  
Uttarakhand.
5. Shri Alok Dwivedi, Son of Shri Chandra Prakash, Resident of  
Rasoolpur Bada Nalowala, Tehsil and District Haridwar.

.....Respondents

**WRIT PETITION UNDER ARTICLE 226 OF THE**  
**CONSTITUTION OF INDIA**



To,

The Hon'ble the Chief Justice and his other companion (9)  
Judges of the aforesaid court.

The humble petition of the above named petitioner most respectfully showeth as under:

1. That by means the present writ petition the petitioner is seeking a writ, order or direction in the nature of certiorari quashing the order dated 28.10.2021 issued by respondent no. 2 vide which the extension of 2 months by means of a work order has been granted to respondent no. 5 for the disposal/extraction of remaining 6402.16 cubic meter of R.B.M. in respect of Khasra No. 1890 situate in Village Rasoolpur, Tehsil and District Haridwar, admeasuring 8,000 square meter. True copy of the work order dated 28.10.2021 is filed herewith as Annexure No. 1.
2. That this is the first writ petition being preferred by the petitioner against the present cause of action no writ petition on the same subject matter has been filed before this Hon'ble Court.
3. That the State Government of Uttarakhand for the disposal/removal of the excessive R.B.M./debris post monsoon from the river to ensure safeguard against the loss of life and property framed the Uttarakhand River Training Policy, 2016. True copy of the Uttarakhand River Training Policy, 2016 is filed herewith as Annexure No. 2.

*[Handwritten signature]*

4. That the petitioner preferred an application dated 03.08.2017 before respondent no. 3 under the Uttarakhand River Training Policy 2016 to procure the permit for disposal/extraction of 10,000 cubic meter R.B.M. at Khasra No. 1890 situate at Village Rasoolpur, Tehsil and District Haridwar. True copy of the application dated 03.08.2017 is filed herewith as Annexure No. 3.
5. That a team was constituted by the order of respondent no. 3 and as per Clause 6 of the Uttarakhand River Training Policy 2016 and the Letter of the State Government of Uttarakhand bearing No. 944/2018/90Kha/16 dated 13.04.2018 for the area situate at Village Rasoolpur Meethiberi, Tehsil and District Uttarakhand and the report of the inspection carried out by the inspection team was submitted on 08.06.2018.
6. That an advertisement bearing Letter No. 673/KhananSaha. (Nilami)-2018-19 dated 09.06.2018 was issued for open auction by respondent no. 4 for the area at Khasra No. 1890 situate at Village Rasoolpur Meethiberi, Tehsil and District Uttarakhand, admeasuring 8,000 square meter with quantity of 8,000 cubic meter of R.B.M. for two months. True copy of the advertisement dated 09.06.2018 is filed herewith as Annexure No. 4.

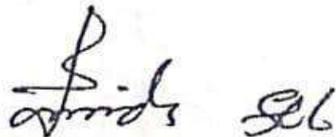
*[Handwritten signature]*

7. That the petitioner also participated in the open auction and thereafter the open auction was concluded on 12.06.2018 by the order dated 12.06.2018 passed by respondent no. 3.
8. That the respondent no. 5 i.e. Shri Alok Dwivedi, Son of Shri Chandra Prakash, Resident of Rasoolpur Bada Nalowala, Tehsil and District Haridwar who also participated in the aforesaid open auction, submitted the highest bid of Rs. 1,40,00,000/- (Rupees One Crore and Forty Lacs) and thereafter was given the permit for the disposal of R.B.M. for the aforesaid area vide Letter No. 684/Khanan Sah. (Nilami) – 2018 dated 13.06.2018. True copy of the Letter No. 684/Khanan Sah. (Nilami) – 2018 dated 13.06.2018 is filed herewith as Annexure No. 5.
9. That the respondent no. 5 was granted time from 13.06.2018 to 30.06.2018 to excavate/remove the R.B.M. vide order bearing Letter No. 684/Khanan Sahayak Nilami 2018 passed by respondent no. 3 (Annexure No. 5 to the writ petition).
10. That the respondent no. 5 deposited Rs. 32,00,000/- (Rupees Thirty Two Lacs) against the total auction amount of Rs. 1,40,00,000/- (Rupees One Crore and Forty Lacs) and e-pass was issued for 1,828 cubic meter of R.B.M but the respondent no. 5 was unable to remove the R.B.M from the aforesaid area within the allotted time as per the order dated 13.06.2018.



*Arind* sel

11. That the respondent no. 5 filed a Writ Petition (M/S) No. 1874 of 2018 (Alok Dwivedi v. State of Uttarakhand and others) before the Hon'ble High Court Nainital for extension of time to remove/dispose the R.B.M. from the aforesaid site but the same was rejected vide order dated 10.07.2018 passed by the Hon'ble High Court Nainital on the ground that the temporary stoppage of work of extraction of RBM material the responsibility of it was to be absolutely shouldered by the respondent no. 5 himself. True copy of the order dated 10.07.2018 passed by the Hon'ble High Court Nainital is file herewith as Annexure No. 6.
12. That the respondent no. 5 being aggrieved by the order dated 10.07.2018 passed by the Hon'ble High Court filed a Special Appeal No. 540 of 2018 before the Division Bench of this Hon'ble Court. The Division Bench of this Hon'ble Court, vide order dated 06.09.2018 allowed the Special Appeal and granted only seven days' time w.e.f. 01.10.2018 to 07.10.2018 for the removal/disposal of remaining R.B.M. True copy of the order dated 06.09.2018 passed in the Special Appeal is filed herewith as Annexure No. 7.
13. That the respondent no. 5 could not lift the R.B.M. despite the extension of seven days which was granted vide order dated 06.09.2018 and thus, filed yet another Writ Petition No. 206 (M/S)



of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another*) before this Hon'ble Court for enforcement of his rights for extracting riverbed material under Uttarakhand River Training Policy 2016.

14. That the respondent no. 5 vide application dated 15.01.2020 has requested for extension of time to extract/remove R.B.M. from the aforesaid area. In respect of the application dated 15.01.2020 submitted by the respondent no. 5 the Deputy Director, Geology and Mining Unit, Haridwar vide its Report No. 642/Bhu.KhaNi.E/Hari./2018-19 dated 22.02.2020 has held that there is no provision for extension of time under Uttarakhand Minor Mineral Rules, 2001 and Uttarakhand River Training Policy 2020.
15. That the Hon'ble High Court Nainital in Writ Petition No. 206 (M/S) of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another*) vide order dated 28.01.2021 held "*For the reason being that it would amount to be an invocation of a writ petition, consecutively by filing a second writ petition, for the same cause of action, which already stood adjudicated earlier by the learned Single judge and later on by the Division bench too. The reference to the report which has been made by the learned Senior Counsel for the petitioner dated 22.02.2020 and I am, yet again constrained*



*Handwritten signature*

to not to accept the argument in relation thereto, for the reasons being that it was a privileged communication between the office of the District Magistrate, which was submitted by way of a report and that too way back on 20.02.2020. This report was not for the purposes of consumption or creation of right, for petitioner to establish his case for filing a subsequent writ petition." The Hon'ble High Court dismissed the writ petition on the grounds that the rights have already been determined and crystallized, by the earlier Division Bench's judgment. True copy of the order dated 28.01.2021 passed by the Hon'ble High Court Nainital is filed herewith as **Annexure No. 8.**

16. That once again the respondent no. 5 vide application dated 12.06.2021 requested to grant one month for removal/extraction of R.B.M. against the remaining deposited amount, as the respondent no. 5 has only removed 1,597 cubic meter of R.B.M. out of the total 8,000 cubic meter.
17. That despite the order dated 28.01.2021 vide which the Hon'ble High Court has rejected the petition of the respondent no. 5 for extension of time for removal of R.B.M., it has come to the knowledge of the petitioner that the respondent no. 1 vide Letter No. 1702/VIII-A-1/2021-90(kha)/2016T.C.-III dated 14.10.2021 has given consent to the respondent no. 3 to provide extension of 2

*Arindam*

months to respondent no. 5 for removal of R.B.M, which order is right in the teeth of the orders passed by this Hon'ble Court. True copy of the Letter No. 1702/VIII-A-1/2021-90(kha)/2016T.C.-III dated 14.10.2021 is filed herewith as Annexure No. 9.

18. That the respondent no. 1 in its letter dated 14.10.2021 has relied on clause 5 of the Uttarkhand River Training Policy 2020 which provides the tenure for removal/extraction of the R.B.M./Silt/Mineral Accumulated but the respondent no. 5 has been issued the permit under Uttarakhand River Training Policy 2016, therefore, the reference of clause 5 of the Uttarakhand River Training Policy 2020 cannot be admitted in the case of the respondent no. 5.
19. That in pursuance of the Letter dated 14.10.2021, the respondent no. 2 vide Order No. 2736/Khanan/Bhu.KhaNi.E./Portal/2021-22 dated 28.10.2021 has granted extension of 2 months to respondent no. 5 for removal of R.B.M. from 28.10.2021 to 27.12.2021, and thus, has been given an extension, which ought not have been given.
20. That it is pertinent to mention here that the respondent no. 5 had already been granted an extension of seven days vide order dated 06.09.2018 passed by the Hon'ble High Court Nainital and still could not complete the disposal/removal of R.B.M. and now in



*Amish S1*

pursuance of the letter dated 14.10.2021 issued by the respondent no. 1, the respondent no. 2 vide order dated 28.10.2021 has further granted an extension of 2 months from 28.10.2021 to 27.12.2021, under the garb of earlier auction, despite the fact that this Hon'ble High Court vide order dated 28.01.2021 has rejected the plea of the respondent no. 5 in Writ Petition No. 206 (M/S) of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another.*)

Further, it is germane to state here that there is no provision in the Uttarakhand River Training Policy 2016 which provides extension of time for disposal/removal of R.B.M/Silt/accumulated mineral. The respondent no. 5 was granted permission to remove the R.B.M. from the aforesaid area under Uttarakhand River Training Policy 2016 and therefore the extension of 2 months granted by the respondent no. 2 vide order dated 28.10.2021 is illegal, wrong and arbitrary.

21. That despite the Letter dated 19.06.2020 of the Deputy Conservator of Forest, Haridwar, Forest Division and the report dated 17.06.2021 submitted from the office of respondent no. 2, the respondent no. 1 vide its letter dated 14.10.2021 has granted permission for extension of 2 months to remove/extract R.B.M. from the aforesaid area, in pursuance of which respondent no. 3



*Handwritten signature*  
S. K. Singh

vide order dated 28.10.2021 has permitted the extension of time for extraction of R.B.M. to respondent no. 5.

22. That till date the respondent no. 5 is carrying out mining in the aforesaid area using mechanized machines without Form e-mm-11. True copy of the photographs showing mining in the aforesaid area is filed herewith as Annexure No. 10.
23. That it is pertinent to mention here that the respondent no. 1 should have issued a fresh advertisement for river training in respect of Khasra No. 1890 situate at Village Rasoolpur Meethiberi, Tehsil and District Uttarakhand, instead the respondent no. 5 has been granted the extension for extraction/disposal of the remaining R.B.M. vide impugned order dated 28.10.2021 under the grab of which illegal mining is being carried out.
24. That the extension of time granted to respondent no. 5 for extraction/removal of R.B.M. from the aforesaid area is in violation of the Uttarakhand River Training Policy 2016, as there is no provision in the Uttarakhand River Training Policy 2016, for extension of time to extract the R.B.M./Silt/Accumulated Mineral.
25. That the respondent no. 2 vide order dated 28.10.2021 has infringed the rights of the petitioner as the extension to extract/remove the remaining R.B.M. has been illegally granted to the respondent no. 5. Had there been a fresh auction then the Petitioner could have also participated in the same and could have

*Handwritten signature*

even submitted the highest bid and as such the rights of the petitioner and like people have been infringed by the respondents, who have acted handed in glove with the respondent no.5.

26. That when the permission for river training has to be granted after putting the same on auction then the government cannot give the largesse in its arbitrary discretion or according to its sweet-will. It is a well settled law that distribution of State largesse should not be marred by any arbitrariness and public interest should be paramount in the matter of award of contracts. The State should invited public at large in an auction/ tender process as larger participation will invite more attractive bids. Here is the case of giving an undue benefit to a chosen person for the reasons best known to the respondents.
27. That the Mines and Minerals Regulation and Development Act does not provide any concessions contrary to the rules, which has been done in the present case in hand as despite the expiry of the lease period the respondent no. 5 has been given extension, which has not been provided under the provisions of law and as such the act of the respondents is arbitrary and in contravention of Article 14 of the Constitution of India.
28. That the action of the respondents is per se illegal as the period of contract was extended without adoption of any fair competition or by following normal procedure as prescribed by law.



*Prakash S.P.*

29. That further it is pertinent to mention here that the respondent no. 5 was issued the permit for extraction/removal of R.B.M. under Uttarakhand River Training Policy 2016 in 2018, thereafter in January 2020, the State Government of Uttarakhand vide Letter No. 137/VII-A-1/2020/90kha/16 dated 31.01.2020 adopted Uttarakhand River Training Policy, 2020. The respondent no. 5 has never been issued any permit under the Uttarakhand River Training Policy, 2020 whereas in the Letter dated 14.01.2021 issued by respondent no. 1, reliance for time duration for extraction/removal of R.B.M./Mineral/Silt has been made on Clause 5 of the Uttarakhand River Training Policy, 2020.
30. That the respondent no. 2 vide order dated 28.10.2021 has illegally issued the permission for extension of 2 months for extraction/removal of R.B.M as there is no provision in both Uttarakhand River Training Policy, 2016 and Uttarakhand River Training Policy, 2020 and therefore has infringed the right of the petitioner to participate in the process of open auction under the Uttarakhand River Training Policy 2020.
31. That the order dated 28.10.2021 passed by respondent no. 2 is illegal, wrong and arbitrary and therefore cannot be sustained.
32. That the order dated 28.10.2021 passed by the respondent no. 2 is in the teeth of the directions of this Hon'ble High Court passed in the order dated 28.01.2021.

*Amish Sel*

GROUNDS

- A. Because the respondent no. 5 was granted time from 13.06.2018 to 30.06.2018 to excavate/remove the R.B.M. vide order bearing Letter No. 684/Khanan Sahayak Nilami 2018 passed by respondent no. 3.
- B. Because the respondent no. 5 was unable to remove the R.B.M from the aforesaid area within the allotted time.
- C. Because the respondent no. 5 filed a Writ Petition (M/S) No. 1874 of 2018 (Alok Dwivedi v. State of Uttarakhand and others) before the Hon'ble High Court Nainital for extension of time to remove/dispose the R.B.M. from the aforesaid site but the same was rejected vide order dated 10.07.2018 passed by the Hon'ble High Court Nainital on the ground that that temporary stoppage of work of extraction of RBM material the responsibility of it was to be absolutely shouldered by the respondent no. 5 himself.
- D. Because the respondent no. 5 being aggrieved by the order dated 10.07.2018 passed by the Hon'ble High Court filed a Special Appeal No. 540 of 2018 before the Division Bench. The Division Bench vide order dated 06.09.2018 allowed the Special Appeal and granted seven days' time w.e.f. 01.10.2018 to 07.10.2018 for the removal/disposal of remaining R.B.M.



*[Handwritten signature]*

- E. Because the respondent no. 5 could not lift the R.B.M. despite the extension of seven days which was granted vide order dated 06.09.2018 passed by the Hon'ble High Court Nainital and filed a Writ Petition No. 206 (M/S) of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another*) before the Hon'ble High Court Nainital for enforcement of his rights for extracting riverbed material under Uttarakhand River Training Policy 2016.
- F. Because the Hon'ble High Court Nainital in Writ Petition No. 206 (M/S) of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another*) vide order dated 28.01.2021 held "*For the reason being that it would amount to be an invocation of a writ petition, consecutively by filing a second writ petition, for the same cause of action, which already stood adjudicated earlier by the learned Single judge and later on by the Division bench too. The reference to the report which has been made by the learned Senior Counsel for the petitioner dated 22.02.2020 and I am, yet again constrained to not to accept the argument in relation thereto, for the reasons being that it was a privileged communication between the office of the District Magistrate, which was submitted by way of a report and that too way back on 20..02.2020. This report was not for the purposes of consumption or creation of right, for petitioner to establish his case for filing a subsequent writ petition.*" The Hon'ble High Court dismissed the writ petition on the grounds that

*Arind Sel*

the rights have already been determined and crystallized, by the earlier Division Bench's judgment.

- G. Because the respondent no. 5 vide application dated 15.01.2020 has requested for extension of time to extract/remove R.B.M. from the aforesaid area. In respect of the application dated 15.01.2020 submitted by the respondent no. 5 the Deputy Director, Geology and Mining Unit, Haridwar vide its Report No. 642/Bhu.KhaNi.E/Hari./2018-19 dated 22.02.2020 has held that there is no provision for extension of time under Uttarakhand Minor Mineral Rules, 2001 and Uttarakhand River Training Policy 2020.
- H. Because despite the order dated 28.01.2021 vide which the Hon'ble High Court has rejected the petition of the respondent no. 5 for extension of time for removal of R.B.M., it has come to the knowledge of the petitioner that the respondent no. 1 vide Letter No. 1702/VIII-A-1/2021-90(kha)/2016T.C.-III dated 14.10.2021 has given consent to the respondent no. 3 to provide extension of 2 months to respondent no. 5 for removal of R.B.M.
- I. Because the respondent no. 1 in its letter dated 14.10.2021 has relied on the clause 5 of the Uttarakhand River Training Policy 2020 which provides the tenure for removal/extraction of the R.B.M./Silt/Mineral Accumulated but the respondent no. 5 has been issued the permit under Uttarakhand River Training Policy



*[Handwritten signature]*

2016 therefore the reference of clause 5 of the Uttarakhand River Training Policy 2020 cannot be admitted in the case of the respondent no. 5.

J. Because the respondent no. 5 has already been granted an extension of seven days vide order dated 06.09.2018 passed by the Hon'ble high Court Nainital and still couldn't complete the disposal/removal of R.B.M. and now in pursuance of the letter dated 14.10.2021 issued by the respondent no. 1, the respondent no. 2 vide order dated 28.10.2021 has further granted an extension of 2 months from 28.10.2021 to 27.12.2021, despite the fact that this Hon'ble High Court vide order dated 28.01.2021 has rejected the plea of the respondent no. 5 in Writ Petition No. 206 (M/S) of 2021 (*Alok Dwivedi vs. District Magistrate, Haridwar and another.*)

K. Because there is no provision in the Uttarakhand River Training Policy 2016 which provides extension of time for disposal/removal of R.B.M/Silt/accumulated mineral. The respondent no. 5 was granted permission to remove the R.B.M. from the aforesaid area under Uttarakhand River Training Policy 2016 and therefore the extension of 2 months granted by the respondent no. 2 vide order dated 28.10.2021 is illegal, wrong and arbitrary.

L. Because despite the Letter dated 19.06.2020 of the Deputy Conservator of Forest, Haridwar, Forest Division and the report

*Rich Gill*

dated 17.06.2021 submitted from the office of respondent no. 2, the respondent no. 1 vide its letter dated 14.10.2021 has granted permission for extension of 2 months to remove/extract R.B.M. from the aforesaid area, in pursuance of which respondent no. 3 vide order dated 28.10.2021 has permitted the extension of time for extraction of R.B.M. to respondent no. 5.

M. Because till date the respondent no. 5 is carrying out mining in the aforesaid area using mechanized machines without Form e-mm-11. till date the respondent no. 5 is carrying out mining in the aforesaid area using mechanized machines without Form e-mm-11.

N. Because the respondent no. 1 should have issued a fresh advertisement for the area at Khasra No. 1890 situate at Village Rasoolpur Meethiberi, Tehsil and District Uttarakhand, instead the respondent no. 5 has been granted the extension for extraction/disposal of the remaining R.B.M. vide impugned order dated 28.10.2021.

O. Because the extension of time granted to respondent no. 5 for extraction/removal of R.B.M. from the aforesaid area is in violation to the Uttarakhand River Training Policy 2016, as there is no provision in the Uttarakhand River Training Policy 2016, for extension of time to extract the R.B.M./Silt/Accumulated Mineral.

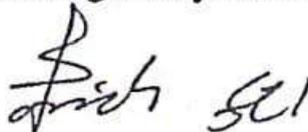
P. Because the respondent no. 2 vide order dated 28.10.2021 has infringed the rights of the petitioner as the extension to



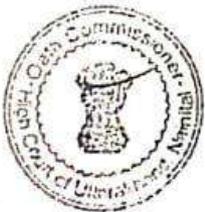
extract/remove the remaining R.B.M. has been illegally granted to the respondent no. 5. the respondent no. 2 vide order dated 28.10.2021 has infringed the rights of the petitioner as the extension to extract/remove the remaining R.B.M. has been illegally granted to the respondent no. 5.

Q. Because the respondent no. 5 was issued the permit for extraction/removal of R.B.M. under Uttarakhand River Training Policy 2016 in 2018, thereafter in January 2020, the State Government of Uttarakhand vide Letter No. 137/VII-A-1/2020/90kha/16 dated 31.01.2020 adopted Uttarakhand River Training Policy, 2020. The respondent no. 5 has never been issued any permit under the Uttarakhand River training Policy, 2020 whereas in the Letter dated 14.01.2021 issued by respondent no. 1, reliance for time duration for extraction/removal of R.B.M./Mineral/Silt has been made on Clause 5 of the Uttarakhand River Training Policy, 2020.

R. Because the respondent no. 2 vide order dated 28.10.2021 has illegally issued the permission for extension of 2 months for extraction/removal of R.B.M as there is no provision in both Uttarakhand River Training Policy, 2016 and Uttarakhand River Training Policy, 2020 and therefore has infringed the right of the petitioner to participate in the process of open auction under the Uttarakhand River Training Policy 2020.

Handwritten signature and initials, possibly 'Sri S.C.I.'

- S. Because the order dated 28.10.2021 passed by respondent no. 2 is illegal, wrong and arbitrary and therefore cannot sustain. the order dated 28.10.2021 passed by respondent no. 2 is illegal, wrong and arbitrary and therefore cannot sustain.
- T. Because the order dated 28.10.2021 passed by the respondent no. 2 is in the teeth of the directions of this Hon'ble High Court passed in the order dated 28.01.2021.
- U. Because had there been a fresh auction then the Petitioner could have also participated in the same and could have even submitted the highest bid and as such the rights of the petitioner and like people have been infringed by the respondents, who have acted handed in glove with the respondent no.5.
- V. Because when the permission for river training has to be granted after putting the same on auction then the government cannot give the largesse in its arbitrary discretion or according to its sweet-will. It is a well settled law that distribution of State largesse should not be marred by any arbitrariness and public interest should be paramount in the matter of award of contracts. The State should invited public at large in an auction/ tender process as larger participation will invite more attractive bids. Here is the case of giving an undue benefit to a chosen person for the reasons best known to the respondents.



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W. Because the Mines and Minerals Regulation and Development Act does not provide any concessions contrary to the rules, which has been done in the present case in hand as despite the expiry of the lease period the respondent no. 5 has been given extension, which has not been provided under the provisions of law and as such the act of the respondents is arbitrary and in contravention of Article 14 of the Constitution of India.

X. Because the action of the respondents is per se illegal as the period of contract was extended without adoption of any fair competition or by following normal procedure as prescribed by law.

**PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

- (I) Issue a writ, order or direction in the nature of certiorari quashing the Order No. 2736/Khanan/Bhu.KhaNi.E./Portal/2021-22 dated 28.10.2021, vide which the extension of 2 months has been granted to respondent no.5 to extract/remove the R.B.M. as contained in Annexure No.1 to the writ petition after summoning the same in original from the Geology and Mining Unit, Directorate of Industries, Government of Uttarakhand, Dehradun.

*Arish SAI*

- (II) Issue a writ, order or direction in the nature of certiorari quashing the letter/order dated 14.10.2021 issued by respondent no.1 as contained in Annexure no. 9 to the writ petition after summoning the same in original from the office of respondent no.1.
- (III) Issue a writ, order or direction in the nature of certiorari quashing the orders issued by respondents in pursuance to the order dated 14.10.2021 and order dated 28.10.2021 after summoning the same in original from the respective authorities/respondents.
- (IV) Issue writ, order or direction in the nature of mandamus commanding the respondents to hold a fresh auction for river training in respect of Khasra No. 1890 situate in Village Rasoolpur Meethiberi, Tehsil and District Haridwar, admeasuring 8,000 square meter.
- (V) Mould, grant, issue any other order writ or direction, which this Hon'ble Court may deem fit and proper in the circumstances of the case.
- (VI) Award the cost of petition may be awarded in favour of petitioner.

Nainital

Dated: 21/11/2021

(Menkaa Tripathi)

Advocate  
Counsel for the Petitioner



*Menkaa Tripathi*

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT  
NAINITAL

AFFIDAVIT  
IN

WRIT PETITION NO. (M/S) OF 2021  
(Under Article 226 of the Constitution of India)  
(District: Haridwar)

Jasvinder Singh

.....Petitioner

Versus

State of Uttarakhand and Others

.....Respondents

2021  
AFFIDAVIT  
31416  
HIGH COURT OF  
UTTARAKHAND  
720/-



Affidavit of Jasvinder Singh, aged  
about 40 years, Shri Lakha Singh,  
Resident of Samaspur, Katabarh,  
Haridwar, Uttarakhand - 246763

(DEPONENT)

I, the deponent, named above do hereby solemnly affirm and state on oath

Certified that Deponent under: -

is Sing. L. B. S. S. on his

21/11/2021.

That the deponent is the sole petitioner in the above noted writ  
petition and as such he is fully conversant with the facts of the case  
deposed as under:

- That the contents of paras 10, 25, 7, 9, 10, 13, 14, 16, 18, 19, 20, 21,  
23, 24, 25, 26, 29, 30, 31 of the accompanying writ petition are  
true to my personal knowledge whereas the contents of paras 10, 11,  
3, 4, 6, 8, 11, 12, 15, 17, 22, \_\_\_\_\_ are believed to  
be true on the basis of record and those of paras 27, 28, 32 —  
\_\_\_\_\_ are believed by me to be true on the basis  
of legal advice. and.



*[Handwritten signature]*

3. That the all Annexures attached to the writ petition are true copies of their respective originals.

**VERIFICATION**

I, the deponent above named do hereby verify that the contents of Para 1 to 3 of this affidavit are true and correct to the best of my personal knowledge and belief. No part of it is false and nothing material has been concealed.

So help me God.



*21/11/2015*

DEPONENT

*Sunil Joshi*

I, Sunil Joshi, Clerk to Ms. Menkaa Tripathi, Advocate, High Court, Nainital, do hereby declare that the person making and swearing this affidavit is the same person who is identified from the perusal of the papers in his possession and I am satisfied that he is the same person making this affidavit.

(Sunil Joshi)

Clerk  
21/2015

Solemnly affirmed before me on 21<sup>st</sup> NOV, 2015 at 2:35 p.m. by the deponent, who has been identified by the aforesaid person

I have satisfied myself by examining the deponent that he has understood the contents of the affidavit, which have been read over and explained to him by me.

Prasanna Kantataak (Advocate)  
Oath Commissioner  
High Court, Nainital

**OATH COMMISSIONER**

Reg. No. UK2194/2017

Sl. No. 31416

Date: 21/11/2015

*Sunil Joshi*

**ANNEXURE R10****IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL**ON THE 2<sup>ND</sup> DAY OF DECEMBER, 2021

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

WRIT PETITION (M/S) No. 2512 of 2021

**BETWEEN:**

Jasvinder Singh. .....Petitioner  
(By Ms. Menka Tripathi, Advocate)

**AND:**

State of Uttarakhand & others. ....Respondents  
(By Mr. C.S. Rawat, Chief Standing Counsel for the State of Uttarakhand and Mr. Ajay Veer Pundir, Advocate for respondent no. 5)

**ORDER**

According to the petitioner, in the year 2018, bids were invited for removal of River Bed Material ('R.B.M.' for short) from Ravasan River in Village Rasoolpur Meethiberi, District Haridwar under the Uttarakhand River Training Policy-2016; respondent no.5 was found to be the highest bidder and was granted contract for removal of river bed material for ₹ 1,44,01,000/-. As per the conditions of the contract, the river bed material was to be removed upto 30.06.2018. Since respondent no. 5 could not remove the entire quantity of river bed material within stipulated time, therefore, he filed WPMS No. 1874 of 2018, seeking extension of time for removing the R.B.M. The said writ petition was dismissed by Co-ordinate Bench of this Court vide order dated 10.07.2018, by holding that since

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respondent no. 5 himself is to be blamed for not removing the required quantity of R.B.M., therefore, extension of time cannot be granted to him. The order passed by Co-ordinate Bench of this Court was challenged by respondent no. 5 and Division Bench of this Court vide order dated 06.09.2018 extended the time by 7 days. Thereafter, respondent no. 5 filed WPMS No. 206 of 2021, again seeking permission to remove the remaining quantity of R.B.M. from the mining lot allotted to him vide order dated 13.06.2018. The said writ petition too was dismissed by Co-ordinate Bench of this Court on 28.01.2021.

2. Petitioner is aggrieved by the order dated 14.10.2021 passed by Secretary, Industrial Development, whereby respondent no. 5 has been granted extension of time for removing the remaining quantity of river bed material from Ravasan River in Village Rasoolpur Meethiberi, District Haridwar. Petitioner has also challenged consequential order dated 28.10.2021 passed by Additional Director, Mining.

3. It is the contention on behalf of petitioner that contract for removal of R.B.M. was granted to respondent no. 5 in the year 2018 under the Uttarakhand River Training Policy-2016, in which there is no provision for extension of time. It is further contended that, under the River Training Policy, R.B.M. has to be removed on or before 30<sup>th</sup> June and the policy does not contemplate extension of time beyond 30<sup>th</sup> June. It is further the contention on behalf of the petitioner that, after dismissal of two writ petitions filed by respondent no. 5 on merit, his rights were crystalized, therefore, State Government

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could not have granted any concession in favour of respondent no. 5 contrary to judgment of this Hon'ble Court. It is further contended that State Government cannot distribute largesse to individuals as per whims & fancies of powers that be, and right to remove R.B.M. can be granted only through public auction, in which all interested persons will have opportunity to participate.

4. Learned counsel for the petitioner further submits that the manner, in which respondent no. 5 was permitted to remove R.B.M. without inviting bids, is not only arbitrary, but has also resulted in huge loss to public exchequer.

5. Mr. Ajay Veer Pundir, learned counsel appearing for respondent no. 5 submits that petitioner has a remedy under Rule 14 of Uttarakhand Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2021. However, Rule 14 provides that Appeal shall lie to the Divisional Commissioner; in the present case, order impugned is passed by State Government, therefore, remedy of Appeal provided under Rule 14 would be illusory.

6. Learned counsel for respondent no. 5 further submits that his client has removed more than 85% of available R.B.M. in terms of the order, which is impugned in the writ petition, therefore, the writ petition has become infructuous. The said submission is bereft of merit. Merely because major part of work has been completed by respondent no. 5 would not be sufficient ground for dismissal of the writ petition in which action of the State Government is challenged.

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7. He further submits that, pursuant to impugned order, respondent no. 5 has deposited a sum of ₹50,00,000/- with the Competent Authority, in addition to the sum of ₹ 61,68,500/- deposited earlier. Thus, according to him, there is no loss to public exchequer. It is common knowledge that competition in matters regarding disposal of natural resources results in more revenue to the public exchequer. If bids were invited before granting permission for removing the R.B.M., then public exchequer would have been benefitted due to more revenue.

8. In view of the aforesaid facts & reasons, this Court is *prima facie* satisfied that the manner, in which State has permitted respondent no. 5 to remove R.B.M. from Ravasan River in Village Rasoolpur Meethiberi, District Haridwar, is arbitrary & illegal.

9. As prayed, three weeks' time is granted to learned counsel for the respondent(s) to file counter affidavit(s). One week's time, thereafter, is allowed for filing rejoinder affidavit.

10. List this matter after four weeks.

11. Considering the submission advanced by learned counsel for the parties, it is directed that, till the next date of listing, effect & operation of the impugned orders dated 14.10.2021 & 28.10.2021, shall remain stayed. Stay application (I.A. No. 1 of 2021) stands disposed of.

12. Let a certified copy of this order be issued within 24 hours.

**(MANOJ KUMAR TIWARI, J.)**

**ANNEXURE R11**

(51)

IN THE HON'BLE HIGH COURT OF UTTARAKHAND  
AT NAINITAL  
INDEX  
IN  
COUNTER AFFIDAVIT  
On behalf of  
Respondent No. 3  
IN  
WRIT PETITION NO. 2512 (M/S) OF 2021

(District: Haridwar)

Jasvinder Singh, aged about 40 years, S/o. Sri. Lakha Singh,  
R/o. Samaspur, Katarbarh, Haridwar, Uttarakhand-246763.

.....Petitioner

Versus

State of Uttarakhand through Secretary, Geology and Mining Unit,  
Government of Uttarakhand, Civil Secretariat, Dehradun, Uttarakhand  
& Others.

.....Respondents

S.NO.	PARTICULARS	PAGE NOS.
1	Index	1
2	Stay Vacation Application	2-3
3	Counter Affidavit	4-12

Date 27 -12-2021

(C.S. Rawat)  
Chief Standing Counsel  
Uttarakhand Government

IN THE HON'BLE HIGH COURT OF UTTARAKHAND  
AT NAINITAL

STAY VACATION APPLICATION NO. ~~18~~ 2 OF 2021

(Under Section 151 C.P.C.)

On behalf of

Respondent No. 3.....Applicant

WITH

COUNTER AFFIDAVIT

On behalf of

Respondent No. 3

IN

WRIT PETITION NO. 2512 (M/S) OF 2021

(District: Haridwar)

Jasvinder Singh, aged about 40 years, S/o. Sri. Lakha Singh,  
R/o. Samaspur, Katabarh, Haridwar, Uttarakhand-246763.

.....Petitioner

Versus

State of Uttarakhand through Secretary, Geology and Mining Unit,  
Government of Uttarakhand, Civil Secretariat, Dehradun, Uttarakhand  
& Others.

.....Respondents

To,

The Hon'ble the Chief Justice and his other companion Judges of  
this Hon'ble Court.

The humble application of the above named applicant most  
respectfully showeth as under:-

1. That the full facts and circumstances of the case have already been stated in the accompanying counter affidavit which shall form part of this application also.
2. That in view of the facts and circumstances of the case as have been stated in the accompanying counter affidavit it is expedient and necessary in the interest of justice that this Hon'ble Court may graciously be pleased to vacate the stay order dated 2-12-2021 passed by the Hon'ble Court in present writ petition; else the applicant will suffer irreparable loss and injury.

#### PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to vacate the stay order dated 2-12-2021 passed by the Hon'ble Court in present writ petition; else the applicant will suffer irreparable loss and injury.

Date: -12-2021

(C.S. Rawat)  
Chief Standing Counsel  
Uttarakhand Government

IN THE HON'BLE HIGH COURT OF UTTARAKHAND  
AT NAINITAL  
COUNTER AFFIDAVIT

On behalf of  
Respondent No. 3

IN

WRIT PETITION NO. 2512 (M/S) OF 2021

(District: Haridwar)

Jasvinder Singh, aged about 40 years, S/o. Sri. Lakha Singh,  
R/o. Samaspur, Katarbarh, Haridwar, Uttarakhand-246763.

.....Petitioner

Versus

1-State of Uttarakhand through Secretary, Geology and Mining Unit,  
Government of Uttarakhand, Civil Secretariat, Dehradun, Uttarakhand.

2-Additional Director, Geology and Mining Unit, Directorate of  
Industries, Government of Uttarakhand, Dehradun, Uttarakhand.

3-District Magistrate, Haridwar, Uttarakhand.

4-Additional District Magistrate (Finance/ Revenue), Haridwar,  
Uttarakhand.

5-Shri. Alok Dwivedi, S/o. Shri. Chandra Prakash, R/o. Rasoolpur  
Bada, Nalowala, Tehsil & District Haridwar.

.....Respondents

Affidavit of Vinay Shankar Pandey  
(Male) Aged about 53 Years,  
S/o. Sri. Ram Prakash Pandey  
Presently posted as District Magistrate,  
Haridwar.

(Deponent)



I, the deponent above named do hereby solemnly affirm and state on oath as under:-

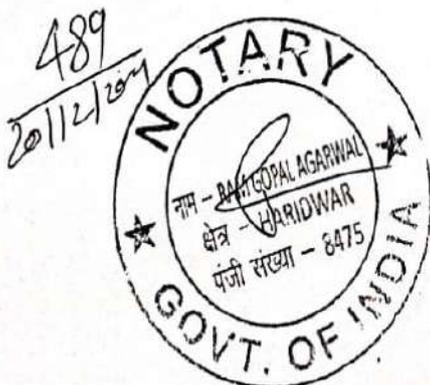
1. That the deponent is presently posted as District Magistrate, Haridwar who has been arrayed as respondent no. 3 in the present writ petition. The deponent is well conversant with the facts of the case and as such is in a position to file this counter affidavit, as here under.
2. That the deponent has read and understood the contents of present writ petition with affidavit and annexures filed in support thereto, to which he has understood, and as such being well conversant with the facts of the case is in a position to file this counter affidavit; as here under.
3. That the contents of paragraph no. 1 of the writ petition as stated are not admitted, hence denied. It is submitted that the application of respondent no. 5-Mr. Alok Dwivedi was received in the Office of the District Magistrate, Haridwar on 14-9-2021, pursuant to which the Office of District Magistrate, in order to sought necessary guidance from the Government, forwarded its report dated 25-9-2021 to the Government. The Government vide letter

489  
20/12/2024



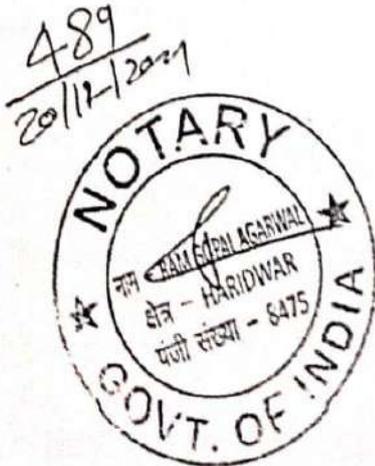
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no. 1702/VII-A-1/2021-90(ख)/2016 TC-III dated 14-10-2021 issued direction for extension of time limit in special circumstances in order to recover the balance amount to the tune of Rs. 87,31,500/- and charge Rs. 26,00,000/- for the disposal/ extraction of remaining 6402.16 cubic meter of R.B.M. to respondent no. 5-Mr. Alok Dwivedi, S/o. Sri. Chandra Prakash, R/o. Rasoolpur, Bada Narowala, Tehsil & District Haridwar under balance work limit sanctioned earlier for river training in the area under Village Rasoolpur Mitiberi. In compliance of the aforesaid direction, the Office of the District Magistrate Haridwar vide office memo no. 2019/खनन सहा0 (नीलामी)-2021 dated 25-10-2021 subject to certain conditions for a period of two months or for the period for removal of licensed quantity, whatever may be balance/remaining, accorded permission. In compliance of the same, pursuant to the report dated 26-10-2021 of the Assistant Geology and Mining Officer, Geology & Mining Unit, District Haridwar, vide office memo no. 2736/खनन/भू0ख0नि0ई0/पोर्टल/2021-22 dated 28-11-2021 the Directorate of Mining, as per earlier license granted to the petitioner, made an amendment to the extent by providing 02 months time period from 28-10-2021 to 27-12-2021 for extraction of balance/residue RBM having quantity 6402.16 cubic meter in the Log-in ID No. Mo. 68011625 of departmental E-Ravanna Portal.



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4. That the contents of paragraph nos. 2, 3 & 4 of the writ petition as stated are matters of record, as such need no comments.
5. That in reply to the contents of paragraph nos. 5, 6, 7, 8 & 9 of the writ petition it is submitted that as per the provisions of River Training Policy 2016, the demarcation of the concerned area in question was made by the Committee duly constituted in this regard at the relevant point of time, and the advertisement for open auction was published on 9-6-2018 and the process of auction was completed on 12-6-2018, wherein the petitioner also participated as a bidder. Being the highest bidder, who offered bid amounting Rs.1,40,00,000/-, the concerned bid was awarded to Mr. Alok Dwivedi and the office order in this regard was issued by the District Office on 13-6-2018 (already annexed as Annexure No. 5 to the present writ petition). Rest of the contents made by the petitioner in the paragraph under reply as stated are matters of record, as such need no comments.
6. That the contents of paragraph no. 10 of the writ petition as stated need no comments.



7. That the contents of paragraph nos. 11, 12 & 13 of the writ petition as stated are concerned with the orders passed by the Hon'ble Court and need no comments on behalf of answering respondent.

8. That the contents of paragraph no. 14 of the writ petition as stated are not admitted, hence denied. It is submitted that in the matter under question, the Deputy Director/ Geologist, Geology & Mining Unit, Haridwar vide letter no. 642/भूखनि०ई०/हरि०/2018-19 dated 22-2-2020 furnishing its report informing therein that under the provisions of the Uttarakhand Minor Mineral Concession Rules 2001 and Uttarakhand River Training Policy 2020, there is no mention of extension of time limit, subsequent to which the Assistant Geologist, Geology and Mining Unit, Haridwar vide letter no. 307/भूखनि०ई०-हरि०/रीवर ट्रेनिंग/2001 dated 18-9-2021 proposed the matter for seeking guidance from the Government pursuant to which the Office of District Magistrate, Haridwar vide letter no. 1668 dated 25-9-2021 requested for taking advice from the Government. The Government vide letter no. 1702/VII-A-1/2021-90(ख)/2016 TC-III dated 14-10-2021 issued direction for extension of time limit in special circumstances in order to recover the balance amount to the tune of Rs. 87,31,500/- and charge Rs.26,00,000/- for the disposal/ extraction of remaining 6402.16 cubic meter of R.B.M. to Mr. Alok Dwivedi, S/o. Sri. Chandra Prakash, R/o. Rasoolpur, Bada Narowala, Tehsil & District

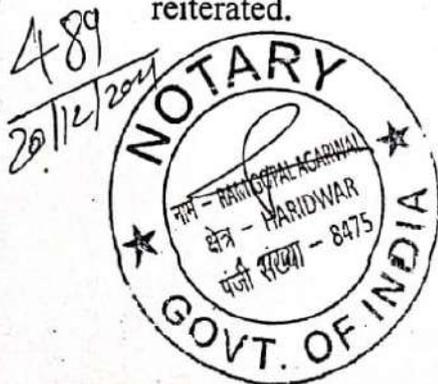
489  
20/12/2021



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Haridwar in balance work limit sanctioned earlier for river training in the area under Village Rasoolpur Mitiberi. Detailed reply in regard to the same has already been given in the preceding paragraphs of this counter affidavit, contents whereof are reiterated.

9. That the contents of paragraph no. 15 of the writ petition relates to the order dated 28-1-2021 passed by the Hon'ble Court in Writ Petition No. 206 (M/S) of 2021 "Alok Dwivedi Vs. District Magistrate, Haridwar & Another", and being legal in nature, need no comments on behalf of answering respondent.
10. That the contents of paragraph no. 16 of the writ petition as stated need no comments on behalf of answering respondent/ deponent.
11. That the contents of paragraph nos. 17, 18 & 19 of the writ petition as stated need no further comments in view of the detailed reply submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated.
12. That the contents of paragraph no. 20 of the writ petition as stated need no further comments in view of the detailed reply submitted in preceding paragraphs of this counter affidavit, contents whereof reiterated.



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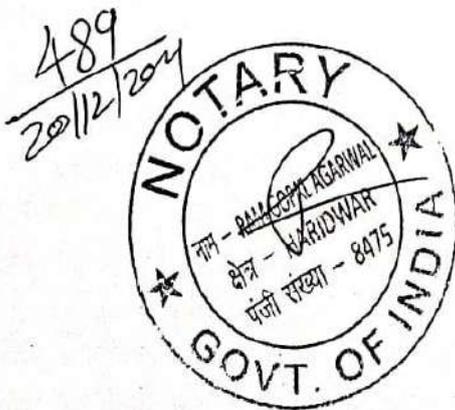
13. That the contents of paragraph nos. 21, 22 & 23 of the writ petition as stated need no comments.

14. That the contents of paragraph nos. 24, 25 & 26 of the writ petition as stated are not admitted in view of the detailed reply submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated.

15. That the contents of paragraph no. 27 of the writ petition as stated need no further comments in view of the detailed reply submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated.

16. That the contents of paragraph no. 28 of the writ petition as stated are not admitted, hence denied. Detailed reply in regard to the same has already been given in the preceding paragraphs of this counter affidavit, contents whereof are reiterated.

17. That the contents of paragraph no. 29 of the writ petition as stated need no comments on behalf of answering respondent/ deponent.



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18. That the contents of paragraph no. 30 of the writ petition as stated need no further comments in view of the detailed reply already submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated.

19. That the contents of paragraph nos. 31 of the writ petition as stated are not admitted in view of the detailed already submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated.

20. That the contents of paragraph no. 32 of the writ petition as stated need no further comments in view of the detailed reply already submitted in preceding paragraphs of this counter affidavit, contents whereof are reiterated. It is further submitted that the grounds set forth are mere repetition of the contents of paragraph of the writ petition which have already been replied by the answering respondent. In view of the facts mentioned above, present writ petition being devoid of merit is liable to be dismissed.

I, the above named deponent do hereby verify that the contents of para nos. 1 and 2 of this affidavit are true to my personal knowledge, those of para nos. 3 to 19 of this affidavit are

489  
20/12/2024



5

based on records, those of para nos. ...  
... 20 ... of this affidavit are as per the  
legal advice received, those of para nos. ...  
... of this affidavit are as per  
the information received which all I believe to be true. That no  
part of this affidavit is false and nothing material has been  
concealed.

72

So Help Me God

(Lt-L-Sh. V.S Pandey)

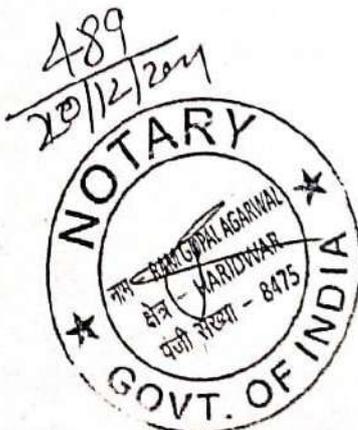
Deponent

I, Ravi Negi, Mines Officer, Haridwar do hereby declare  
that the person making this affidavit and alleging himself to be  
the deponent is known to me from the perusal of records in this  
case.

Identifier

Solemnly affirmed before me today, the  
20<sup>th</sup> day of December, 2021 at 9:45 am/pm, by the  
deponent who has been identified by the aforesaid person.

I have satisfied myself by examining the deponent that he  
understands the contents of this affidavit, which have been read  
over and explained to him by me.



OATH COMMISSIONER  
Execution of the Voucher Exhibit  
admitted and signed before me by  
Sri/Smt. Vinay Shankar Pandey S/o Shri Ram Prakash Pandey  
Which identified I + Shri. Ravi Negi Mines officer Haridwar.  
In the Distt. Court premises of my  
Office at Haridwar  
at 9:45 A.M./P.M.

Ram Gopal Agarwal  
Notary Advocate  
Government of India  
Distt. Court Haridwar (U.K.)  
20/12/2021

**ANNEXURE R12**

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No. 2512 of 2021  <b><u>Hon'ble Sharad Kumar Sharma, J.</u></b></p> <p>Ms. Menka Tripathi, Advocate, for the petitioner.</p> <p>Mr. N.S. Pundir, Deputy Advocate General, for the State of Uttarakhand.</p> <p>Mr. Ajay Veer Pundir, Advocate, for respondent No.5.</p> <p>The petitioner in the present Writ Petition has raised his grievance, as against the order No. 2736/Khanan/Bhu.KhaNi.E./Portal/2021-22 dated 28<sup>th</sup> October, 2021, by virtue of which, the respondent No.5, was granted an extension of time period for the excavation of the RBM, as per the order, which was put to challenge.</p> <p>The petitioner had also simultaneously sought a prayer, that instead of continuing with the orders of extension as granted on 28<sup>th</sup> October, 2021, the respondents may be directed to hold the fresh auction for river training, in respect of Khasra No. 1890, situated in Village Rasoolpur Meethiberi, Tehsil and District Haridwar.</p> <p>The learned counsel for the respondent No. 5 had submitted, that when the Writ petition was heard by the Coordinate Bench on 2<sup>nd</sup> December, 2021, the effect and operation of the period of extension was stayed and the order dated 14<sup>th</sup> October, 2022, was kept in abeyance.</p> <p>But, since by that time, sufficient time has lapsed, as a consequence of the extension order which stood initially granted in favour of respondent No. 5, for two months, he contends that he had already completed almost 85% of work, which he was supposed to perform under the extension order and for the remaining work, he has not undertaken any mining activities, because of the interim order granted by this Court.</p> <p>In that eventuality, since the time period, which was extended, permitting respondent No. 5 to</p>

			<p>undertake the mining activities in pursuance of the order of 24<sup>th</sup> October, 2021, which was under challenge, the cause of action, as such, after the expiry of the extended period, now no more survives.</p> <p>The only apprehension, which the petitioner has at the moment is that, the land in question, over which, the mining activities was permitted to be carried, a fresh bid may be invited by the respondents under the river training policies.</p> <p>In that view of the matter, so far as the relief Nos.1, 2 and 3 are concerned, no cause of action as such, now survives, because of the lapse of extended time period of mining activities in favour of respondent No. 5. So far as relief No.4 is concerned, as already observed, the respondents are directed to hold a fresh auction for the grant of mining lease, qua khasra number mentioned in relief No.4, as per law.</p> <p>Subject to the above observations, the Writ Petition stands disposed of.</p> <p style="text-align: right;"><b>(Sharad Kumar Sharma, J.)</b></p> <p>Dated 07.04.2022 Shiv</p>
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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, AT NEW DELHI**

**ORIGINAL APPLICATION NO:- 172 OF 2022**

IN THE MATTER OF:

JASWINDER SINGH

APPLICANT(S)

VERSUS

STATE OF UTTARAKHAND

RESPONDENT(S)

**VAKALATNAMA**

I, Alok Dwivedi S/o Sh. Chandra Prakash Dwivedi R/o Village and Post Rasulpur Bada, Nalowala, Shyampur, Rasulpur Mithi Beri, District Haridwar Project Proponent/ Respondent (s) in the above Original Application/ Suit / Appeal / Petition / Reference do hereby appoint and retain **Mr. AJAY VEER PUNDIR**, Advocate to act and appear for me / us in the above Original Application/ Suit / Appeal / Petition / Reference / Review and on my/ our behalf to conduct and prosecute / defend the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for review , and to file and obtain, return of documents and to deposit and receive any money on my / our behalf in the Original Application/ Suit / Appeal / Petition / Reference and in application of review , and to represent me / us, and to take all necessary steps on my / our behalf in the above matter. I / We agree to pay his/her fees and our pocket expenses, agree to ratify all acts done by the aforesaid advocate in pursuance of this authority.

Dated this the 18<sup>th</sup> day of September, 2022.

**ACCEPTED & IDENTIFIED**

*Ajays*

**AJAY VEER PUNDIR  
(ADVOCATE)**

Lawyers' Chamber No. 52,  
High Court of Uttarakhand at Nainital,  
Bar Council Reg. No. U.K. 76/2006  
Membership No. A-526;  
Contact No. 9719299744;  
E-mail address: pundirajayveer@gmail.com

*AJ*  
Petitioner(s)/ Appellant (s)  
Respondent(s)/ Caveator (s)

**MEMO OF APPEARANCE**

To,  
THE REGISTRAR  
NATIONAL GREEN TRIBUNAL  
NEW DELHI – 110001

Sir,

Kindly enter my appearance in the above mentioned petition / Appeal / Reference /Review made on behalf of the Petitioner (s) / Appellant (s) / Respondent (s).

Yours Faithfully,

*Ajays*

**AJAY VEER PUNDIR**  
Advocate  
For the Project Proponent

NEW DELHI

Dated: 19.09.2022

