

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

MEMORANDUM OF APPEAL

ORIGINAL APPLICATION NO. 708/2022

IN THE MATTER OF: -

MADAN SINGH GUSAIN ....

Petitioner

VS.

ARYA VIHAR ASHRAM .....

Respondent/Applicant

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Through



Place: New Delhi

Date: .11.2022

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**ORIGINAL APPLICATION No. 708/2022**

**IN THE MATTER OF**

**MADAN SINGH GUSAIN .....**

**Petitioner**

**VS.**

**ARYA VIHAR ASHRAM.....**

**Respondent/Applicant**

**Reply on behalf of Respondent No.1**

**TO,**

**THE HON'BLE CHAIRPERSON**

**AND HIS COMPANION JUDICIAL & EXPERT MEMBERS**

**OF THE NATIONAL GREEN TRIBUNAL, NEW DELHI**

**Humbly Showeth the following:**

1. This Hon'ble Tribunal by order dated 30/9/2022 in OA 708/2022 was pleased to direct an inspection of Arya Vihar Ashram, Uttarkashi, Uttarakhand. The deponent is one of the Trustee's of Sri Arya Trust, which is the establishing and running entity of the Ashram.

It is submitted that the operative part of the order dated 30.9.2022 passed by this Hon'ble Tribunal is extracted as below:

*“In our view, a substantial question relating to environment arising from the enactments scheduled in NGT Act, 2010 has arisen. We, however, find it appropriate to first obtain a factual report for which purpose we constitute a joint Committee comprising Uttarakhand State PCB and District Magistrate, Uttarkashi who shall visit the premises and submit a joint report within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)”*

A copy of the order dated 30<sup>th</sup> September’2022, is hereby produced and marked as **Annexure R/1 -1.**

2. At the outset it is respectfully submitted that the above order came to be passed by this Hon’ble Tribunal based on misrepresentations and wrong facts averred by the petitioner. The respondent came to know about the issuance of order for inspection from media reports as Mr. Madan Singh Gusain, the petitioner herein, had given wide publicity about issuance of order by this Hon’ble Tribunal in print and electronic media. Some of the media reports are produced herein and marked as **Annexure R/1-2 Colly.**
3. It is most respectfully submitted that the respondent ‘Arya Vihar Ashram’ has not committed anything wrong and not doing any illegal activity or violated any provisions of BESZ notification, by-laws. On coming to know about the order of this Hon’ble Tribunal, the respondent Ashram has fully co-operated with the inspection which was carried out on 31/10/2022 by representatives of State pollution control board and DM Uttarkashi.

4. It is submitted that the petitioner and some similar vested interested people are against the activities of the Ashram, particularly its endeavours towards the protection of the river Ganga, the environment, and the Himalaya. Arya Vihar Ashram, the respondent, would like to place the correct facts and apprise this Hon'ble Court about the motive of the petitioner for filing such a falsified petition. The petitioner is also aware that the Ashram is not into any illegal activities, but the petition is part of a plan, calculated to damage the reputation of the respondent i.e the Ashram, creating an impression in the minds of general public that the Ashram is involved in illegal activities.
5. That at the outset it is pertinent to state that Sri Arya Trust, Sundaram has already obtained all the requisite permissions. Namely - Consent to operate from State Pollution control board, since 2010, subsequently renewed in 2019 and valid till 2029; registration under Directorate of Industries 2010 (MSME - micro, small and medium enterprises) Uttarakhand now known as UDYAM; manufacturing license under Drug and Cosmetic Act. Further a joint 7-member committee formed by the DM and having conducted site visits has already cleared the Ashram and its Sundaram Udyog of the false accusations of polluting the river as recently as 27/5/22. Further Sundaram Udyog does not require environmental clearance under Environmental Protection Act 1986 as it does not fall in its categories. Moreover the SP office has exposed the nexus and conspiracy of these fraudulent complaints motivated by a single individual using different individuals as fronts. True copy of all requisite permissions namely; Consent to

operate letter from the State Pollution Control Board is produced herein and marked as Annexure R/1-3, Certificate of Udyam Registration number under MSME is produced herein as Annexure R/1-4, License under drugs and cosmetic Act is marked as Annexure R/1-5 and GST registration certificate is hereby annexed and marked as Annexure R/1-6 (colly).

6. For the purpose of comprehension, respondent is seeking liberty to place the following preliminary submissions and each of the submissions are elaborated in the following paragraphs:
- a. The petition is filed with wrong facts and misrepresentations.
  - b. The petitioner has suppressed two most important and relevant inspection reports carried out recently at the Ashram site, also in response to false allegations.
  - c. That the OA is based on the wrong averments with regards to 'Sundaram Udyog' as if it is a large-scale polluting industrial unit, whereas in fact it is only a micro, cottage, non-polluting, permissible, licenced, and green activity.
  - d. That the organisation - Arya Vihar Ashram is an organisation of impeccable repute working towards the betterment of humanity since 28 years.
  - e. That the OA filed by Mr. Madan Singh Gusain, petitioner, is a part of a smear campaign initiated against the Ashram since the construction of an illegal resort was stopped by the district administration based on a complaint by the Ashram member.
  - f. The petitioner has motive and vested interest and he seems to be a proxy petitioner on behalf of the resort owner, who was

issued a stay on construction, and cancellation of land use change, by the authorities.

- g. The averments in the OA are identical to the previously made complaints, which were made just after the issuance of stop order on the construction of the illegal resort.

### **I. The petition is filed with wrong facts and misrepresentations.**

The table below summarizes the response for each allegation in the aforesaid OA:

<b>Sl No.</b>	<b>False allegations made in the petition</b>	<b>Facts</b>	<b>References</b>
1.	Sunadaram Udyog is a 'large scale' polluting industry.	Sundaram Udyog is a 'micro scale' green industry. Handmade soaps are made seasonally as a part of <i>karmyog sadhana</i> in the Ashram.	Industry registration certificate, 7-member administrative report, Uttarakhand Environment Protection and Pollution Control Board (UEPPCB) consent letter.
2.	Sundaram Udyog is running illegally without any	Sundaram Udyog is fully legal and running with all requisite	Industry Registration under MSME, consent to operate from UEPPCB,

	requisite permissions	permissions.	cosmetic license from the State Govt.
3.	Handmade soap manufacturing is prohibited in the Eco Sensitive Zone	Handmade soap being a 'green industry' is not prohibited in the Eco Sensitive Zone. As per CPCB categorization only highly polluting industries falling under 'red category' are prohibited in ESZ.	Bhagirathi ESZ Notification dated 18.12.2012 clause 3-a prohibits only 'new highly polluting industries'. Sundaram Udyog is operating since 2010, two years before the Bhagirathi ESZ notification.
4.	Sundaram Udyog is causing serious threat to river Bhagirathi because soap making process releases toxic chemical waste.	Sundaram Udyog uses cold handmade process with NIL discharge of effluent. It is completely non-polluting. There is no discharge of any waste water whatsoever.	Consent to operate letter by UEPPCB, wherein the discharge is marked as NIL. The 7-member committee report after site inspection also finds no discharge into Ganga.
5.	Pollution index score between 21-40 are prohibited in eco sensitive zone area as per CPCB.	Pollution index score between 21-40 comes under 'green category' of CPCB and fully permitted in ESZ areas. Only highly polluted 'red category' having	CPCB Notification of 2016 related to categorization of industries.

		pollution index 60-80 are prohibited inside ESZ areas as per CPCB.	
6.	Sundaram Udyog does not have cosmetic license.	Sundaram Udyog has the requisite cosmetic license.	License No. 4/C/UA/2022 by the State of Uttarakhand.
7.	Arya Vihar Ashram is doing illegal activities and harming the environment.	No illegal or environmentally unfriendly activity is being carried out in Arya Vihar Ashram. On the contrary, all activities of the Ashram are environmentally friendly and members of the Ashram have been fighting many battles for protecting the sensitive ecology of the Ganga - Himalayan basin. False complaints maligning the image of the Ashram were made as an act of vengeance, at the behest of one Mr Ajay	DM report and SP report dated May'2022 and August'2022 respectively, submitted after a detailed inspection, concluded that these allegations were baseless. Uttarkashi Police Report dated 30.08.2022 and letter from the Uttarakhand Home Secretary's office dated 19.10.2022 to DM and SP Uttarkashi for taking legal action against persons misusing the Govt. machinery through such false complaints.

		Singh (Faridabad, Haryana) whose illegal resort construction (saura cottages) on Ganga banks was cancelled due to violation of ESZ notification, which was brought to light through a complaint by the Ashram member.	
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**II. The petitioner has suppressed two most important and relevant reports of the two recently carried out inspections at the Ashram site, which fully exonerated the Ashram.**

7. That Mr. Madan Singh Gusain, petitioner chose not to file his complaint with DM because he is aware that the DM office had already done a thorough investigation and cleared the ashram of each and every allegation. After thorough investigation by 7-member committee just a few months back, in May 2022, it found: ***“all complaints by Mr. Ajay Singh have been found to be unsubstantiated and baseless. Sri Arya Trust is a 28 year old organisation which has been working for Spiritual and public welfare”***. Thus, he has suppressed this information and has misrepresented facts before this Hon’ble Tribunal.

8. That the applicant has suppressed the crucial documents while filing the application before the Hon'ble Tribunal.

a. 7-Member committee report of the DM dated 27<sup>th</sup> May'2022 has concluded that: "No waste of any kind has been found flowing into the Bhagirathi river by the members of the committee. Further no other polluting activity has been found.....Therefore, all the complaints made by Ajay Singh have been found to be baseless and without any truth. Sri Arya Trust is a 28 years old organization which is working for Spiritual and public welfare." A copy of the said 7-member committee report is hereby produced and annexed as Annexure R/1-7.

b. SP office in Uttarkashi had investigated the complaints received against the Ashram and in their report dated 30<sup>th</sup> August'2022 concluded that: "Therefore allegations on the respondent Hemant Dhyani and Arya Vihar Ashram, Gram Sainj are baseless and false which seem to be made by Ajay Singh owner Saura Cottage resort with an intent of revenge and harming the respondents after prohibiting his under construction resort." A copy of the said report dated September'2022 is hereby produced and marked as Annexure R/1-8.

III. That the OA is based on the wrong averments with regards to Sundaram udyog being a large-scale polluting industrial unit whereas in fact it is only a micro, cottage, non-polluting, permissible, licenced and green activity.

9. The applicant has misrepresented that handmade soap production is a prohibited activity in BESZ. The BESZ notification nowhere prohibits handmade cold process soap manufacturing activity. In general, it prohibits only 'any new highly polluting industries' under its clause 3(a). Highly polluting industries fall under 'red category' as per the categorization of 'Central Pollution Control Board (CPCB)'. The handmade soap manufacturing activity is in fact 'green category' as per CPCB. The categorization table as per CPCB listing handmade soap production as 'green category' is produced here and marked as **Annexure R/1-9.**

10. The 7 member committee report dated May'2022 also states: *'THIS COTTAGE INDUSTRY IS COMPLETELY BY HANDMADE PROCESS AND NON-POLLUTING. KEEPING IN VIEW THE INDUSTRIAL DEVELOPMENT IN THE DISTRICT, THIS FACT ALSO NEEDS TO BE TAKEN INTO ACCOUNT.'* In fact such eco-friendly, small scale, and high quality cottage enterprises is a perfect example of sustainable development.

11. Furthermore, without any proof, the applicant falsely alleged that our unit is a 'large scale' manufacturing industry and therefore prohibited in eco zone. But in reality, 'Sundaram Udyog' is a 'micro scale' cottage industry registered under 'Ministry of Micro Small and Medium Enterprises' (MSME) having Udyam registration No. UK-11-0002907. Nonetheless the eco-zone clause-3a prohibiting *'any new highly polluting industries and expansion of any such industries'*, does not apply to our micro handmade soap making. Sundaram Udyog

is prior to the eco-zone (2010) and it is a green production with nil discharge. On the contrary the Eco zone promotes eco-friendly industries under clause 3-c, in statements like: 'local bio resource-based industries.' With these falsified submissions, the applicant once again attempts to mislead the Hon'ble Tribunal. A copy of the BESZ notification of December'2012 with its amendment of 2018 is produced herein and marked as Annexure R/1-10.

12. That in both the investigations several officials of various departments, conducted a detailed investigation along with site visit. The crucial facts recorded in the reports are summarized below;
  - a. Sundaram Udyog is a non-polluting micro cottage industry, it has no discharge of any pollutants. The same is also certified by the Uttarakhand State Pollution Control Board in their consent to operate letter issued on dated 11.11.2019, which mentions discharge of effluents as NIL.
  - b. Sundaram Udyog makes handmade soaps and is non-pollutant. It was established in 2010 before the declaration of Bhagirathi Eco Sensitive Zone as also affirmed in the DM report.
  - c. All these spates of complaints are baseless, false and were filed after the stay on the illegal construction of the resort (Saura cottages) on the bank of the Ganga, with a motive to harm the Ashram.
13. That 'Sundaram Udyog' is a unit of Sri Arya Trust, that started in 2010, and making of handmade eco-friendly soaps is done on a micro level, entirely by hand, seasonally, as karma yoga sadhana in the Ashram. The state takes great pride in the quality of our products and

while showcasing selected products of the state, Sundaram Udyog was chosen by the state of Uttarakhand in its Investor's summit 2018, as the sole representative of Uttarkashi valley. A photograph of the Chief-Minister of Uttarakhand, appreciating our products is annexed as Annexure R/1-10.

**IV. THAT THE ORGANISATION - ARYA VIHAR ASHRAM IS AN ORGANISATION OF IMPECCABLE REPUTE WORKING TOWARDS THE BETTERMENT OF THE SOCIETY SINCE 28 YEARS**

14. That Arya Vihar Ashram, established by Sri Arya Trust (1994) is a reputed and well-known institution in Uttarkashi district since the last 28 years, established in the tradition of our Rishikulams (Rishi hermitage) in Nature, ensuring and protecting a dense green cover, and with a harmonious relation to the environment. Our ashram has grown its own forest with native flora and fauna, having rich biodiversity in what was originally treeless fields, and accommodated its structures symbiotically within this ecological biosphere. In its long existence it has enjoyed an impeccable repute and respect. It is a spiritual organization with various sadhana activities of meditation, kirtan, satsang, scriptural study, asanas, library and intensive karma yoga practice.
  
15. The Ashram has adopted an environment-conscious approach in all its activities from constructing with wood and lime and avoiding cement, segregation and recycling of garbage, growing native trees, organic farming without any use of inorganic chemicals or fertilizers, to maintaining an inviolable purity of the Ganga and her environs. Probably we are the only residents in the valley that transport their

inorganic waste like plastics and rubbers out of the ESZ, to waste-management centres of Waste warriors in Dehradun and Green Himalaya in Rishikesh. In fact, our premises is a veritable bird sanctuary since we have grown, protected and nurtured native berry trees, bushes and plants. Khalij pheasants, gross-beaks and paradise fly catchers - to name a few - regularly nest and live in our premises and so too jackals, weasels and porcupines, with occasional visits from bear, leopard, jungle cat etc., making our place an Abhay - aranya (fearless forest-refuge) for them.

16. Sadhaks of the Ashram are actively working towards various issues of environment conservation and protection in the valley and in the state of Uttarakhand. Our organisation has recently also undertaken to provide solar water heaters to the villagers in view of the hard and difficult life of the village women, which has substantially reduced wood-fuel consumption in these households also, thereby conserving the natural forest. The good work by the organisation has been widely appreciated and owing to their knowledge, members of the Ashram have been invited/ appointed as members of many environment conservation committees, including those formed by the central government and even by the Hon'ble Supreme Court. However, it is due to this honest work which has hurt vested interests that the Ashram is being maliciously targeted on entirely false grounds.

The booklet of Ashram Rhythm and activities along with some photographs of environment friendly Ashram premises is produced herein and marked as Annexure R/1-11 and certificates of

environment friendly waste disposal by Ashram are attached herewith and marked as Annexure R/1-12.

V. That the OA filed by Mr.Madan Singh Gusain, petitioner is a part of a smear campaign being initiated against the Ashram after construction of an illegal resort was stopped by the district administration based on a complaint by Ashram member.

17. A series of false, fraudulent, and serious allegations were made against the Ashram in quick succession by three different individuals (but all interconnected) by Mr. Ajay Singh, Mr.Bhumesh Ramola, Mrs. Sonmala Devi. The Institution was thereafter exonerated of all these fabricated allegations by the 7 member DM committee and the SP, Uttarkashi. In fact two of the three complaints were also withdrawn by the complainants, one of whom turned out to be a direct employee of Ajay Singh, stating that they had done it under the lure of Mr. Ajay Singh, (owner of Saura Cottage resort), and that they had no complaint against the ashram.

- a. A complaint dated 02/03/2022 by one Mr. Bhumesh Ramola, resident of Uttarkashi, was filed in the DM office. The complaint alleged that Mr. Hemant Dhyani and Arya Vihar Ashram were engaged in anti-national activities and the self-sustaining activity of the Ashram i.e handmade soap-making be sealed. A copy of the above-mentioned complaint dated 02/03/2022 is hereby annexed and marked as Annexure R/1-13.
- b. Another complaint by one Mr. Ajay Singh, director of Saura Cottages pvt ltd., was filed on 02/03/2022. This complaint alleged that the presence of foreign devotees, pose a “security

threat” and that the kuteer - udyog of soap manufacturing unit of the Ashram is an “industrial unit” polluting the river. The complainant made the ludicrous allegation that the ashram had diverted the river Ganga. Then, absurdly and illogically using the pictures from our own website, a fabricated complaint was made through a false portrayal of our normal day-to-day activities and work was projected as illegal and fraudulent. The above-mentioned complaint dated 02/03/2022 is annexed herewith as **Annexure R/1-14**.

c. Another complaint was made by one village woman Sonmala Devi, Gram Pradhan Syaba, Uttarkashi dated 15/03/2022 to the Under Secretary, Ministry of Home affairs, FCRA wing. This complaint dated 15/03/2022 is annexed herewith as **Annexure R/1-15**.

d. The same complaint letters were separately sent to the Chief Secretary and also sent to other government offices and authorities at various levels in order to harass the ashram in all possible ways.

18. After a host of the above-mentioned complaints, a series of inquiries were initiated by various departments of the state and the outcomes of these reports are as under:

a. The district administration on directions of the District magistrate formulated a 7 member committee consisting of various departments, to investigate thoroughly. After multiple site visits first to the Ashram, first by the Tehsildar and patwaris, and then by almost 10-15 officials from 7 departments

the following conclusion was arrived at in their report dated 27/05/2022:

*“The committee members have not found any kind of waste or effluent being discharged in the Bhagirathi river by the Ashram. No kind of polluting activity has been found in the Ashram.... Therefore, all complaints by Mr. Ajay Singh have been found to be unsubstantiated and baseless. Sri Arya Trust is a 28 years old organization which is working for spiritual and public welfare.”*

Another enquiry initiated as per the instructions of the Chief Secretary of the state, the Superintendent of Police dated 30/08/2022 arrived at following conclusions:

*“Sir, as per investigation, Bhumesh Ramola has filed this complaint under the pressure and lure of the owner of Saura Cottage- Ajay Singh. Whereas Bhumesh Ramola and Sonmala Devi in their statement said that they have no complaint against the Ashram and both have withdrawn their complaints. Therefore allegations on the respondent Hemant Dhyani and Arya Vihar Ashram, Gram Sainj are baseless and false which seem to be made by Ajay Singh owner Saura Cottage resort with an intent of revenge and harming the respondents after prohibiting his under construction resort.”*

**VI. Petitioner has a motive and vested interest and he seems to be a proxy petitioner on behalf of the resort owner.**

19. The paragraphs below shall explain the sequence of events and systematically bring forth the truth:

- a. That it was noticed by the Ashram, that a resort was being built by a company “Saura cottages pvt. Ltd” on the banks of the Bhagirathi-Ganga river, Uttarkashi. The registered activities are bar, restaurant and canteen, as registered in the Registrar of companies official website, while in public, the owner, Mr. Ajay Singh professes to be building a yoga centre. Shocked at the proximity of this resort to the river Ganga, one of the members of the Ashram - Mr. Hemant Dhyani, complained to the district administration (SDM). Such construction and land purchase was in absolute violation of the land use change clause 2.12 of the Bhagirathi Eco-sensitive Zone Notification of 2012. Further such new commercial construction in the immediate vicinity of the Ganga was in violation of the order passed by Govt. of Uttarakhand dated 29.11.2017 and subsequent order of this Hon’ble Tribunal dated 15.12.2017 stipulating the permissible distance as beyond atleast 100mtr from the middle of the river and 50 mtr from edge of the Ganga river in hilly terrain for any kind of new construction.

The above-mentioned complaint dated 31.07.2021 and 04.03.2022 by the member of the Ashram - Mr. Hemant Dhyani to the Chief Secretary of the Uttarakhand is hereby annexed and marked as **Annexure R/1 - 16(Colly)**.

- b. Cognizance of the complaint was taken by the district administration and an enquiry was initiated. An inquiry by the SDM, Uttarkashi concluded that the site of construction is infact

“within 50mtrs of river edge”.It was discovered that the clearance for this land purchase was given by falsely stating that the “*distance of the river Bhagirathi is about 100m north of this land*” when infact the resort was located right at the bank of the river. Therefore, land purchase order dated 20/02/2021 was given on false grounds.

c. Even though the land use change was cancelled by an order of the SDM dated 07/09/2021, construction at the site went on illegally, which was finally stayed and stopped through another direction by SDM dated 24/02/2022. A copy of the stay order dated 24/02/2022 by the SDM is hereby annexed and marked as Annexure R/1 -17.

20. The timing and motives of the applicant are highly suspicious. Although he claims to be a resident of Uttarkashi who is deeply concerned about the environment, it has taken him 12 long years after the formation of the Bhagirathi Eco Sensitive zone to file this complaint. It has also been filed just consequent to the other series of false complaints against the ashram which were dismissed by the District magistrate and S.P office Uttarkashi in the last months.

21. The OA 708/2022 is one of the many complaints (mentioned in above paras) against the Ashram since March’2022. The language, allegations and contents of this OA are similar to the other complaints filed against the Ashram which proves that this complaint is also a part of the same nexus which has been exposed by the Police inquiry.

22. Following are list of events related to the present complaint (OA 708/2022) against the Ashram-

2010	Establishment of eco-friendly Sundaram Udyog as a Micro cottage unit with 'NIL discharge' consent to operate letter from State Pollution Control Board.
December-2012	Declaration of Bhagirathi Eco Sensitive Zone. The spirit of the notification under clause 3 (c) that eco-friendly industries are promoted.
2013- 2022	No complaint/objection was ever filed before any authority regarding Sundaram.
Feb-2021	An illegal land purchase adjacent to the river Bhagirathi for construction of a resort(named Saura Cottage Pvt ltd) was done by Mr Ajay Singh resident of Faridabad, Haryana. It was done by falsely reporting the location of land 100 m far from the river.
May-2021	Its land use was changed from green to non-green purposes for building the resort.
July-2021	Complaint filed by the resident of Arya Vihar Ashram against this illegality and violations of BESZ before the Monitoring Committee under the Chairmanship of the Chief Secretary, Uttarakhand.
September-2021	District Administration revoked its earlier order of May-2021 of land use change as it was in violation of clause 2.12 of the ESZ, as a result the illegal construction was halted.

February-2022	Violating the earlier order, Mr Ajay Singh again started construction of Saura Cottage resort. This illegality was again brought to the notice of Administration by the Ashram residents.
23 February-2022	A joint inspection committee was carried out and it was verified that entire land falls within 50 m distance from the river's edge.
24 February-2022	SDM passed an order and stayed illegal construction of Saura Cottage.
02March-2022	Owner of Saura Cottage Mr. Ajay Singh files a complaint against the Ashram at D.M. office, Uttarkashi.
2 March - 2022	Employee of Ajay Singh, BhumeshRamola files a complaint against the Ashram to DM and Chief Secretary.
15 March -2022	Sonmala Devi, Gram Pradhaan, Saura, files a complaint to Ministry of Home Affairs, New Delhi, on say so of Ajay Singh and BhumeshRamola.
23-25 March-2022	7 member joint committee constituted by DM Uttarkashi does a thorough site visit and investigation.
11-April-2022	A parallel investigation was initiated by the SP, Uttarkashi on basis of complaint of BhumeshRamola to Chief Secretary.

27 May 2022	7 member joint committee by DM submitted its report which concludes, <b><i>“all complaints by Mr.Ajay Singh have been found to be unsubstantiated and baseless. Sri Arya Trust is a 28 year old organisation which has been working for Spiritual and public welfare.”</i></b>
30 August 2022	DSP, Uttarkashi submitted its report to SP, Uttarkashi which concludes, <b><i>““Sir, as per investigation, BhumeshRamola has filed this complaint under the pressure and lure of the owner of Saura Cottage- Ajay Singh. Whereas BhumeshRamola and Sonmala Devi in their statement said that they have no complaint against the Ashram and both have withdrawn their complaints. Therefore, allegations on the respondent Hemant Dhyani and Arya Vihar Ashram, Gram Sainj are baseless and false which seem to be made by Ajay Singh owner Saura Cottage resort with an intent of revenge and harming the respondents after prohibiting his under construction resort.”</i></b>
September-2022	New petition (OA 708/2022 ) against Sundaram Udyog, Arya Vihar Ashram is filed with same allegations in the guise of a different complainant, namely Mr. Madan Singh Gusain.

23. Mr. Ajay Singh, owner of Saura cottages, filed a complaint dated 02.03.2022 against the Ashram, which a 7-member committee constituted by the DM found to be 'unsubstantiated and baseless'. He made his employee Mr. Bhumesh Ramola file the second complaint to the Chief Secretary office which came to the SP office for investigation. As per the Police report, Mr. Bhumesh Ramola withdrew his complaint stating that he had only filed it because he was losing his job at Saura Cottage construction. The third complaint was made by Ms. Sonmala devi, Gram Pradhnan, Saura village but she also withdrew it stating that she had no complaint against the Ashram, and had only made the complaint after being misled by Mr. Ajay Singh and Mr. Bhumesh Ramola.

**VII. THE OA IS INDENTICAL TO THE PREVIOUSLY MADE COMPLAINTS**

24. That present petition (OA 708/2022) filed by Mr. Madan Gusain's petition utilizes similar material to the complaints filed by Mr. Bhumesh Ramola and Mr. Ajay Singh and sometimes the language too is almost identical. All complaints have sourced all the content of the complaint from our organisation's website and then misrepresent the same concluding with allegations of pollution.

25. That, it is pertinent to bring to the notice of the Hon'ble Tribunal that a few years earlier the official website of the Ashram named [aryamaan.org](http://aryamaan.org) was hacked and defamatory and malicious content was inserted by the anonymous hacker. Similar content was also posted on various social media sites as well. An FIR was filed with the cyber-crime cell and a case (W.P. CRL No. 696/2019) was

subsequently registered by Ashram sadhaks in Delhi High Court. The Hon'ble Delhi High Court through its order dated 16/12/2021, has directed the police to ensure that all offensive contents are taken down from the respective websites. This offensive false content, which is yet to be taken down by the police, however, was wrongly utilized in the above-mentioned set of complaints. The above-mentioned order of the Hon'ble High Court, dated 16/12/2021 is hereby produced and marked as Annexure R/1 -18.

26. After finding that the complaints against Ashram are illegal and basless, the Secretary Home, Govt. of Uttarakhand has directed DM Uttarkashi and SP Uttarkashi for further actions against the respective complainants. The Letter of directions sent by Home Secretary to the DM and SP Uttarkashi dated 19/10/2022, a copy of which has also been shared with the Ashram, are attached herewith and marked as Annexure R/1-19.

27. That the petitioner, Mr. Madan Singh Gusain claims that '*I was appointed as 'pradhaan' of village Saura during 2003-2008.*' However, he has never been pradhaan of Saura village, his affidavit also claims his address being Kotiyal village, about 25 kms away from the Saura village. This inadvertent slip also shows the connection between Madan Singh and Ajay Singh of 'Saura' cottage resort.

#### PARA WISE REPLY OF THE APPLICATION:

28. Para 1-8 - no response required.

29. In response to Para 9 -12, it is submitted that Arya Vihar Ashram is a 28 year old organization with participant sadhaks from all over India, international and locals. It is a centre for spiritual learning in

the tradition of our Rishikulams since its inception. Soap making is done seasonally, entirely by hand in plastic tubs and a few small steel moulds whenever time permits. It uses all natural materials. The cold process method followed is a technique used commonly in older days in many households when soap making was done at home. It uses a saponification agent (sodium hydroxide/or alkali called caustic soda) to saponify acid (vegetable oils) and create a neutral salt which is the resultant soap. Saponification agent of hydroxide is an alkali and makes the 'lye' which can also be made at home using wood ashes as was done in older times. All the hydroxide is retained within the bar in its neutral saponified form. Nothing is discharged or left over at all. Sundaram uses no artificial colourants whatsoever, even food grade ones that are permitted, or any other additives, preservatives etc. in order to keep the product pure and eco-friendly. It uses no plastics at all in its packaging and even tries to use wood-free paper when affordable. The ashram has several large soak pit cum septic tanks for all waste water. There is no chemical toxic wastewater generated during the process of handmade soap making. No soap can be made without this saponifying agent, but since it is nil at the end of the process it is present in the soap bar itself as a neutral salt. Moreover such kind of soap can only be made in extremely small batches of 200 soap bars since all the stirring, pouring etc is done entirely by hand.

30. That Sundaram Udyog is a permitted activity by the government. Thus this activity which we have declared on our website, and which is widely appreciated due to its reasonable price and high quality is not illegal in anyway. It is done as a part of a wide range of karmayoga activities.

31. In response to para-13, it is submitted that the complainant has mocked ancient Indian culture and spiritual traditions. Obviously he has not read or understood the 'Gita' which states: '*Yogah karmasu kaushalam*' (Yoga is skill in works- Chapter:2/50). The complainant while denying an activity whether it is soapmaking or cooking or gardening as a part of sadhana practice shows his complete ignorance of Indian culture and spirituality as expressed in the lives of Kabir, and Raidas who wove cloth and cobbled shoes, while pursuing the inner life.
32. In response to Para 14-15, it is submitted that the application in absolute falsity states that we do not have the manufacturing license, which in fact we do. It hypothesizes further that the reason for not having it is '*that no such license can be issued in the first place to Sundaram Udyog since it is manufacturing soap on account of which they will be discharge of affluence polluting the river, which is a completely prohibited activity in the ESZ.*' The truth is that Sundaram Udyog does have the requisite manufacturing license from the Drug controller, under the Drugs and cosmetics act. And this is because soap making is in no way prohibited in the ESZ being entirely non-polluting. Not only this, it also has ALL the other requisite clearances to operate namely: consent to operate clearance by State Pollution Control Board under Water Act (1974) issued after a site visit, issued on 11/11/19, valid till 2029. It has manufacturing license under Drugs and Cosmetic act (License No: 4/C/UA/2022). It has Udyam (MSME) micro small and medium enterprises registration with the Industries dept Uttarkashi since 2010. It is also registered under GST.

33. In response of Para 18-25 it is submitted that area from Gaumukh to Uttarkashi was notified as an Eco Sensitive zone 18.12.2012. The eco-zone clause prohibiting 'any new highly polluting industries and expansion of any such industries,' does not apply to our micro handmade soap making by any stretch of the imagination. On the contrary the Eco zone promotes eco-friendly activities under 3c, like 'local bio resource based industries.' Further only the activities under 'Red Category' pollution index score of 60 and above of the CPCB and which are highly polluting are forbidden as per its 'Classification of Industrial sectors' - *'No red categories of industries will be permitted to establish in Eco sensitive areas and protected areas.'* 'Soap manufacturing (handmade without steam boiling/boiler)' in CPCB is listed in 'Green category' with pollution index score of 25. And therefore on this issue also the complainant has misrepresented facts before this Hon'ble Tribunal.

34. In response to Para-29, it is submitted that the complainant makes highly objectionable and unfounded remarks about the Ashram that are defamatory in the extreme. It refers to 'Highly influential and politically well connected' which is without evidence, substance and untrue and extremely damaging by alleging that it is by these nefarious means that Sundaram is functioning. This kind of malicious fabrication reveals the real intent and motive of the complainant which is to harm and disrepute the institution.

Members of the ashram have in fact worked tirelessly for the preservation of the Ganga and the environment and is well recognized for this. Some instances are

- i. In 2010 two members of the Ashram were recognized in India Today's '30 Leading Crusaders' for their environmental work in the year when Eco zone was being proposed and to which they contributed.
- ii. In 2012 ashram member Dr.Meeta Khilnani, hydrogeologist and others were invited by the 'Parliamentary Forum for Water conversation' then headed by the Speaker, Lok Sabha, for a presentation of issues related to ecological conservation of Ganga Himalayas.
- iii. In 2013 ashram member was nominated by the Ministry of Environment as an expert member of 'Expert body' of Hon'ble Supreme court constituted after the 2013 Kedarnath disaster, and his contribution was on drafting a 'Himalayan Policy'.
- iv. Again in 2016 the 'Parliamentary Estimation Committee' invited ashram members to present their view and findings on 'Ganga Rejuvenation.' Ashram members working towards environmental conservation and their works have been well recognized and appreciated.
- v. In 2016 ashram members were consulted by the then Chief Minister of Uttarakhand, CPCB and NMCG for policy decision regarding ecological conservation pertaining to the issues of mining in river Ganga at Haridwar.
- vi. In 2012 and later in 2016 again ashram members as a part of a parliamentary delegation were invited by the Prime Minister regarding Ganga conservation.
- vii. In 2019 ashram members were part of the eight member signatories who signed the 'People's Ganga Act' and drafted it along with a large group of experts.

- viii. Deeply concerned about the increasing garbage waste in the valley and a lack of appropriate plan for the same, the members of the ashram had prepared and submitted a solid waste management plan to the National Mission for Clean Ganga in 2021.
- ix. Often newspapers publish reports by ashram members on any environmental issue arising in the valley. In fact it is for this conservation and environmental work that the Ashram is being targeted. The documents as a proof of above declaration are hereby annexed and marked as **Annexure R/1-20 (Colly)**.

**In view of the above facts and respectful submissions,** this Hon'ble Tribunal may be pleased to Dismiss the petition with exemplary punitive cost in the interest of justice.

Through

Place: New Delhi

Date: .11.2022



Tanya Agarwal  
Counsel for Respondent  
Q-2B, 1<sup>st</sup> Floor, Near Eros Cinema,  
Jangpura Extension, New Delhi- 110014  
+91 7742672507

In the Hon'ble National Green Tribunal  
Principal Bench at New Delhi  
Original Application No. 708/2022

In the matter of

MADAN SINGH GUSAIN

..... Petitioners

Versus

ARYA VIHAR ASHRAM

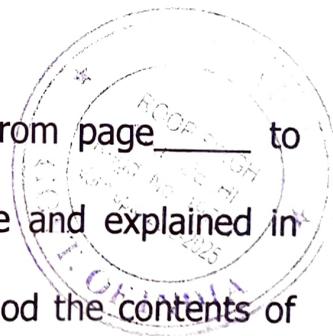
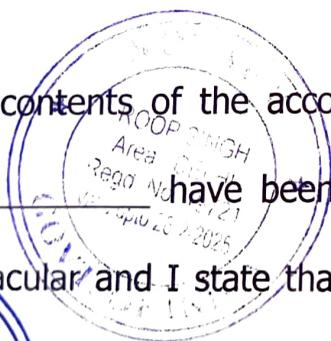
..... Respondents

**AFFIDAVIT**

I, Uday Mishra S/o Acharya Prabhakar Mishra , aged about 47 years R/o C-121,Keerti Nagar, Ramesh Nagar,West Delhi,do hereby solemnly affirm and state as under:

1. That I am the trustee of Sri Arya Trust of Arya Vihar Ashram, Respondent No.1 in the above captioned Petition and I am well conversant with the facts and circumstances of this case and hence competent to swear this Affidavit in such capacity.

2. The contents of the accompanying reply from page \_\_\_\_\_ to page \_\_\_\_\_ have been read over to me and explained in vernacular and I state that I have understood the contents of



the same and I also say that the contents thereof are true and correct to the best of my knowledge and belief and nothing material has been concealed thereupon.

- 3. That the Annexures attached to be accompanying reply are true and correct copies of the respective originals.

*Durga*  
 Identified the deponent/executant  
 who has Signed in my presence.



**DEPONENT**

**VERIFICATION:**

Verified at New Delhi on day of **09 NOV 2022** that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed thereupon.



CERTIFIED THAT THE DEPONENT  
 Shri/Smt./Km. *Indy...*  
 S/o, W/o, D/o. *...*  
 Identified By *Shri S. S. Verma*  
 has Solemnly affirmed me at Delhi  
 on *09/11/2022* at Sl. No. *...*  
 that the contents of the affidavit which  
 have been read & explained to him are  
 true and Correct to his knowledge.

*Roop Singh*  
**DEPONENT**

*Roop Singh*  
 Notary Public, Delhi (INDIA).  
**09 NOV 2022**

Item No. 01

Court No. 2

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

(By Video Conferencing)

Original Application No. 708/2022  
(I.A. No. 235/2022)

Madan Singh Gusain

Applicant

Versus

Arya Vihar Ashram &amp; Ors.

Respondent(s)

Date of hearing: 30.09.2022

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**Applicant: Ms. Awantika Manohar, Advocate along with Mr. Keshav Singh,  
Advocate**ORDER**

1. This is an application filed under Section 14, 15 and 18 (1) of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010'). It is alleged that Respondent No. 1, Arya Vihar Ashram is engaged in the manufacturing of soap on commercial basis and discharging untreated effluent in Eco-Sensitive Zone i.e. river Bhagirathi since the unit is situated on the bank of the said river. The said unit has no Environmental Clearance or consent from the competent statutory regulators under the provisions of Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as 'Water Act, 1974') and Environment (Protection) Act, 1986 (hereinafter referred to as 'EP Act, 1986').

2. In our view, a substantial question relating to environment arising from the enactments scheduled in NGT Act, 2010 has arisen. We, however, find it appropriate to first obtain a factual report for which purpose we constitute a joint Committee comprising Uttarakhand State PCB and District Magistrate, Uttarkashi who shall visit the premises and submit a joint report within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

List for further consideration on 10.11.2022.

A copy of this order be forwarded to Uttarakhand State PCB and District Magistrate, Uttarkashi by e-mail for compliance.

The applicant may serve a set of papers on Uttarakhand State PCB and District Magistrate, Uttarkashi and file affidavit of service within one week.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

September 30, 2022  
Original Application No. 708/2022  
(I.A. No. 235/2022)  
SN

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# NGT asks panel to inspect river pollution allegedly caused by U'khand ashram

The National Green Tribunal (NGT) has directed a joint committee to look into a plea alleging pollution in Uttarakhand's Bhagirathi River caused by an ashram engaging in the commercial manufacture of soap.

IANS | Updated Oct 1, 2022 | 08:22 PM IST



### UP NEXT

- 1 NGT asks panel to inspect river pollution allegedly caused by U'khand ashram
- 2 6 in 10 Indians say stray or pet dog attacks are common in their area
- 3 Cyclone 'Sitrang' likely to



Representative image

Photo: IANS

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- 3 Cyclone 'Sitrang' likely to develop over Bay of Bengal; Who named it & what it...
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- 5 Dangerous Desire: Minor girl reaches blood bank to sell her blood to buy...

New Delhi, Oct 1 (IANS) The National Green Tribunal (NGT) has directed a joint committee to look into a plea alleging pollution in Uttarakhand's Bhagirathi River caused by an ashram engaging in the commercial manufacture of soap.

In the plea, applicant Madan Singh Gusain said that Arya Vihar Ashram, situated on the banks of the river and running the soap manufacturing unit, is discharging untreated effluent into the Eco-Sensitive Zone.



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"It has no Environmental Clearance or consent from the competent statutory regulators under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Environment (Protection) Act, 1986", the applicant alleged.

The NGT bench comprising Judicial Member Justice Sudhir Agarwal and Expert Member A. Senthil Vel noted that a committee needs to check out the issue to get the facts straight.

"In our view, a substantial question relating to environment arising from the enactments scheduled in NGT Act, 2010 has arisen. We, however, find it appropriate to first obtain a factual report for which purpose we constitute a joint Committee comprising Uttarakhand State PCB and District Magistrate, Uttarkashi who shall visit the premises and submit a joint report within one month," the recent order said.

The matter will be further heard on November 10.

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## NGT asks panel to inspect river pollution allegedly caused by Uttarakhand ashram



The Hans India

IANS | 1 Oct 2022 10:03 AM IST



### HIGHLIGHTS

The National Green Tribunal (NGT) has directed a joint committee to look into a plea alleging pollution in Uttarakhand's Bhagirathi river caused by an ashram engaging in the commercial manufacture of soap.

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NGT asks panel to inspect river pollution allegedly caused

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**New Delhi:** The **National Green Tribunal** (NGT) has directed a joint committee to look into a plea alleging pollution in Uttarakhand's Bhagirathi river caused by an ashram engaging in the commercial manufacture of soap.

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The NGT bench comprising Judicial Member Justice Sudhir Agarwal and Expert Member A. Senthil Vel noted that a committee need to check the issue.

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## Bhagirathi river pollution: NGT asks panel to inspect alleged wastes by Uttarakhand ashram

In the plea, applicant Madan Singh Gusain said that Arya Vihar Ashram, situated on the banks of the river and running the soap manufacturing unit, is discharging untreated effluent in Eco-Sensitive Zone.

By IBT News Desk  
October 1, 2022 11:36 IST



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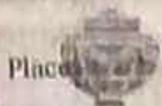
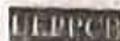
(With inputs from IANS)

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#### TRENDING NOW



**REGIONAL OFFICE**  
**Uttarakhand Environment Protection and Pollution Control Board**  
**E-115, Nehru Colony, Dehra Dun (Uttarakhand)**

Web : www.uepfcuk.gov.in, E-mail : e.o.dshredun@gmail.com

UEPFCB/ROD/C-34

2018-19/2496-1152

Date: 11/11/19  
REGD. POST

To,  
 M/s Sri Arya Trust  
 Plot No. 1  
 Arya Trust, Gram Sainj, Bishanpur, Bhatwari  
 Distt. Uttarakashi.

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Renewal) under Section-25 of the "Water (Prevention & Control of Pollution) Act, 1974" and under Section-21 of the "Air (Prevention & Control of Pollution) Act, 1981" and Authorization under "Rule-5" of the "Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008" notified under "Environment (Protection) Act, 1986" as applicable (to be referred hereinafter as Water Act, Air Act respectively).

PCB ID - 11862	Inward ID - 243861	Date: 16.09.2019
CCA (Renewal)		
Consent No. AW- 21126/		Date: 11/11/19.

CCA is hereby granted to M/s Sri Arya Trust located at Plot No. 1, Arya Trust, Gram Sainj, Bishanpur, Bhatwari, Distt. Uttarakashi subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

- This CCA is granted up to 31.03.2029 and valid for manufacturing of following products with Capital Investment / Net Assets Values ` 0.24 Crs:-

S. No.	Last CTE		Present CCA (Renewal)	
	Product	Quantity (Per Month)	Product	Quantity (Per Month)
1	Soap	2500.00 Nos.	Soap	2500.00 Nos.

**2. Specific Conditions under Water Act:**

- The daily quantity of effluent discharge (KLD) :-

	Last CTE	Present CCA (Renewal)
Trade Effluent	Nil.	Nil.
Sewage	0.05 KLD	0.05 KLD

- Trade effluent treatment and disposal - Nil.
- Sewage Treatment and Disposal: The applicant shall provide appropriate treatment and disposal as per norms.

**3. Conditions under Air Act :-**

- The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate

and maintain the same continuously so as to achieve the level of pollutants to the following standards :

S. No	Stack attached with	Stack height (Mt)	Type of Fuel	Fuel Quantity KLD/MTD	Emission Control Equipment	Emission standards not to exceed
Not Applicable						

*In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.*

- (ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day time	Night time	Day time	Night time	Day time	Night time	Day time	Night time
	75	70	65	55	55	45	50	40

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

**4. Conditions under HW Rules :-**

- (i) Number of authorization and date of issue : Nil
- (ii) The **Factory Manager** of M/S ..... is hereby granted an authorization to operate a facility for collection and storage of Hazardous wastes.
- (iii) The authorization is granted to operate a facility for generation, collection and storage of hazardous wastes within factory premises for following category of wastes.

S.No.	Category (Schedule-I & Schedule-II)	Quantity of Waste for which authorization is being issued (MTA)	Mode of Disposal
Not Applicable			

- (iv) The authorization shall be in force for a period from Nil
- (v) The authorization is subject to the conditions stated below and the such conditions as may be specified in the rules for the time being in force under Environment (Protection) Act, 1986.

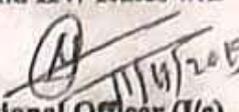
**Terms and conditions of authorization:**

- (i) The authorization shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made thereunder.
- (ii) The authorization and its renewal shall be produced for inspection at the request of an officer authorized by the SPCB/PCC.
- (iii) The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the SPCB/PCC.
- (iv) Any unauthorized changes in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
- (v) It is the duty of the authorized person to take prior permission of the SPCB/PCC to close down the facility.
- (vi) An application for the renewal of an authorization shall be made as laid down under these rules.
- (vii) The unit shall comply with any other conditions specified in the guidelines issued by the MoEF or CPCB/SPCB from time to time.

- 5. This CCA is valid for Mixing, Moulds, Hand Cutting and Packing process only.
- 6. Compulsory documents to be submitted by the Industry/Unit :-
  - (i) Annual return in Form-4 and Waste Disposal Manifest in Form-10 under HW Rules and Third Party Audit Report.

UEPPCB

- (ii) Environment Statement in Form-V of Environment (Protection) Rules, 1986.  
 (iii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.
7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.
  8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
  9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and HW Rules will result in legal action under the aforesaid Acts and Rules.

  
 Regional Officer (I/c)

Copy to: Member Secretary, Uttarakhand Environment Protection and Pollution Control Board, Dehradun for kind information please.

Regional Officer (I/c)

#### Annexure

#### Specific Conditions:

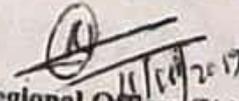
1. The applicant shall submit audited balance sheet of the unit at the end of each financial year so that fee submitted by the applicant could be assessed.
2. A Solid wastes generated from the industry has to be disposed in manner so that contamination of surface water bodies/ground water/soil etc. does not take place.
3. The industry shall take adequate measures to control of noise from its own source so as to comply with the standards as may be applicable.
4. The applicant shall develop green belt within the premises.
5. The industry shall strictly adhere with the specific and general conditions issued with CCA order. Any violation of stipulated conditions may attract legal action under the provisions of Water Act, Air Act and Environment (Protection) Act and Rules made thereunder.
6. The industry shall ensure all safety measures and shall undertake periodical assessment by the competent authority.
7. Unit shall strictly comply with the provisions of the The Public Liability Insurance Act, 1991 as amended and Rules made there under and shall submit copies of Insurance Policies (If any) to the Board Offices regularly.
8. This consent is valid for domestic effluent only, Industrial effluent should not be generated.
9. This consent is valid for Mixing, Moulds, Hand Cutting and Packing process only. If any change in process, product, capacity, unit must be obtained fresh CTE/COP as per Act.

#### General Conditions:

1. The applicant shall get analyse the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoE&F and shall report to the UEPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof.
6. The industry shall provide uninterrupted entry to the STP's/ETP's inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
7. The industry shall provide "Inspection Book" at the time of inspection to the Board's officials.

**SECRET**

8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point.
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
13. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board.
14. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
15. It is the duty of the authorized person to take prior permission of the Board to close down the facility.
16. The authorization is valid for temporary storage of Hazardous Waste within premises only.
17. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on Display Board of size 6x4 feet outside the main factory gate within premises.
18. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.
19. The applicant shall maintain record of hazardous waste in Form-3 and shall submit annual return in Form-4 on or before the 30<sup>th</sup> day of June following to the financial year to which that return relates.
20. In case of any accident, complete details in the light of Form-14 of the Hazardous Rules shall be submitted to this Board at the earliest.
21. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
22. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed physical and chemical analysis of hazardous waste sample and report to the Board.
23. Dried hazardous sludge from the process in the plant shall be stored in double lined HDPE pit constructed with R.C.C. or such material which does not react with the waste contained in it.
24. The storage area should be fenced properly and Sign/Notice Board indicating 'Danger' and 'Hazardous' shall be displayed at appropriate position both in Hindi and English.
25. The industry shall store non-ferrous metal waste, used oil/spent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be sold only to Registered Recyclers/Re-processors.
26. In case of any transportation of hazardous waste, the details in Form-10 of the Hazardous Rules shall be submitted to the Board.

  
 11/11/2017  
 Regional Officer (I/c)

## Thank you for visiting Udyam Registration Portal



Thank you for visiting Udyam Registration Portal of Ministry of MSME.  
Your Registration Number is **UDYAM-UK-11-0002907**.

You are also informed that PAN and GSTIN Number are mandatory for Udyam Registration from 01.04.2021. You are advised to apply for PAN and GSTIN Number immediately and update the same on this website by 31.03.2021, to avoid suspension of Udyam Registration.

**Form COS- 8**

[See rule 25, 26(g), 27(1), 28 and 30(1)]

License to manufacture cosmetics for sale or for distribution

Number of license: 4/C/UA/2022

date of issue: /04/2022

1. M/s Sundaram Udyog a Unit of Sri Arya Trust is hereby licensed to manufacture on the premises situated at- Gram Sainj, Bishanpur, Uttarkashi-249193 Uttarakhand the following cosmetics under the supervision of the following technical staff

(a) Name of cosmetics - As per list enclosed

(b) Names of the technical staff-

For Manufacturing- 1-Sh. Ayush Joshi (Cosmetics Manufacturing Chemist)

For Analysis- 1- Dhulipala Sridevi (Analytical Cosmetics Chemist)

2. The licence unless sooner suspended or cancelled shall continue to remain valid. However, the compliance with the conditions of licence and the provisions of the Drugs and Cosmetics Act and Rules shall be assessed at least once in a year.

3. The license is subject to the conditions stated below and to such other conditions as may be specified in the Cosmetics Rules, 2020.



Date of issue-25-04-2022

Signature.....  
 Designation.....  
 ( Hemant Singh Negi )  
 Drug Controlling & Licensing Authority  
 (Mfg.) Garhwal Mandal  
 Uttarakhand

**Conditions of License**

1. This license shall be kept on the approved premises and shall be produced at the request of an Inspector appointed under the Drugs and Cosmetics Act, 1940.
2. Any change in the technical staff shall be forthwith reported to the Licensing Authority.
3. If the licensee wants to manufacture for sale additional items he should apply to the Licensing Authority for the necessary endorsement to the license as provided in rule 23. This license shall be deemed to extend to the cosmetics so endorsed:
4. The licensee shall inform the Licensing Authority in writing in the event of any change in the constitution of the firm operating under the license. Where any change in the constitution of the firm takes place, the current license shall be deemed to be valid for a maximum period of six months from the date on which the change takes place unless, in the meantime, a fresh license has been taken from the Licensing Authority in the name of the firm with the changed constitution.

**NOTE: Date of submitting retention fee 24-04-2027.**



**Government of India**  
**Form GST REG-06**  
[See Rule 10(1)]

**Registration Certificate**

**Registration Number :05AACTS5192H1ZC**

1.	<b>Legal Name</b>	SRI ARYA TRUST			
2.	<b>Trade Name, if any</b>	M/S SUNDARAM UDYOG UNIT OF SHRI ARYA TRUST			
3.	<b>Constitution of Business</b>	Society/ Club/ Trust/ AOP			
4.	<b>Address of Principal Place of Business</b>	B-2 GANGA VATIKA, MUNI KI RETI, TEHRI GHARWAL, Uttarakhand, 249137			
5.	<b>Date of Liability</b>	01/07/2017			
6.	<b>Period of Validity</b>	From	01/07/2017	To	NA
7.	<b>Type of Registration</b>	Regular			
8.	<b>Particulars of Approving Authority</b>				
Signature					
Name					
Designation					
Jurisdictional Office					
9.	<b>Date of issue of Certificate</b>	24/09/2017			
Note: The registration certificate is required to be prominently displayed at all places of business in the State.					

**This is a system generated digitally signed Registration Certificate issued based on the deemed approval of the application for registration**

उपजिलाधिकारी,  
भटवाड़ी।  
सेवा में,

जिलाधिकारी,  
उत्तरकाशी।

संख्या/ 686 /पी.ए.-विविध/2022

दिनांक 27 मई, 2022

विषय:-

Complaint against Arya Vihar Ashram, Village Saunj, Gangotri road, Uttarkashi  
uttarkhand के संयुक्त निरीक्षण के संबंध में।

महोदय,

उपर्युक्त विषयक कृपया जिला कार्यालय के पत्र संख्या- 2746/21-15 (2016-17) दिनांक 04 मार्च, 2022 एवं पत्र संख्या-2728/21-15 (2016-17) दिनांक 03 मार्च, 2022 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा शिकायतकर्ता श्री भूमेश रमोला, एवं श्री अजय सिंह, निदेशक सौरा कॉटेज प्रा0लि0 ग्राम सौरा उत्तरकाशी के शिकायती पत्र के क्रम में आर्य विहार आश्रम ग्राम सैज, उत्तरकाशी के विरुद्ध शिकायती पत्र में उल्लिखित समस्त बिन्दुओं की संयुक्त जांच कमेटी गठित कर स्थल पर जाकर जांच कर सुस्पष्ट संयुक्त जांच आख्या उपलब्ध कराये जाने के निर्देश दिये गये हैं।

गठित समिति से प्राप्त संयुक्त निरीक्षण आख्या मूलरूप में संलग्न कर महोदय की सेवा में आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न-यथोपरि।

भवदीय,

— 44 —

उपजिलाधिकारी,

भटवाड़ी।

सूचना अधिकारी अतिरिक्त के अचार्जत निर्गत  
सत्य प्रचलित

Gehz

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भटवाड़ी, उत्तरकाशी

श्री भूपेश रमोला एवं श्री अजय सिंह, निदेशक सौरा कॉटेज प्रा०लि०, ग्राम-सौरा, उत्तरकाशी के शिकायती पत्र तथा उक्त विषयक जिलाधिकारी महोदय उत्तरकाशी के कार्यालय पत्र संख्या-2746/21-15 (2016-17) दिनांक 04 मार्च, 2022 एवं पत्र संख्या-2728/21-15 (2016-17) दिनांक 03 मार्च, 2022 के आदेश के क्रम में श्री आर्य विहार आश्रम, ग्राम-सैज, उत्तरकाशी के विरुद्ध शिकायती पत्र में उल्लिखित समस्त बिन्दुओं की जांच हेतु उपजिलाधिकारी, भटवाडी, उत्तरकाशी के कार्यालय पत्र संख्या 463 दिनांक 14 मार्च, 2022 से गठित संयुक्त जांच समिति के द्वारा प्रस्तुत जांच आख्या-

उपरोल्लिखित के अनुसार गठित समिति के निम्न लिखित सदस्यों के द्वारा दिनांक 25 मार्च, 2022 को श्री आर्य विहार आश्रम, ग्राम-सैज, उत्तरकाशी का स्थलीय निरीक्षण किया गया।

- 1- श्री रूप सिंह, तहसीलदार, भटवाडी।
- 2- श्री एस०एस० रावत, सीटीओ, राज्य व्यापार कर विभाग।
- 3- श्री प्रदीप बिष्ट, वन रेंज अधिकारी, मुखेम रेंज।
- 4- श्री यू०के०तिवारी, महाप्रबन्धक, जिला उद्योग केन्द्र, उत्तरकाशी।
- 5- श्री त्रिलोक रमोला, उप कोषाधिकारी, भटवाडी।
- 6- श्री यशवंत सिंह रावत, अपर सहा०अभि०, जल संस्थान, उत्तरकाशी।
- 7- श्री प्रदीप सिंह, सहायक अभियन्ता, सिंचाई खण्ड, उत्तरकाशी।

निरीक्षण के समय श्री आर्य विहार आश्रम से सम्बन्धित श्री आर्य ट्रस्ट की अध्यक्ष सुश्री प्रियादर्शिनी पटेल एवं ट्रस्टी श्री हेमन्त ध्यानी उपस्थित थे। आश्रम के स्थलीय निरीक्षण एवं प्रस्तुत किये गये सम्बन्धित प्रपत्रों एवं अभिलेखों के परीक्षण उपरान्त बिन्दुवार आख्या निम्नवत है।

1- श्री आर्य विहार आश्रम से सम्बन्धित श्री आर्य ट्रस्ट, ग्राम-सैज, पोस्ट मनेरी, उत्तरकाशी आयकर अधिनियम 1961 की धारा 12-क के अन्तर्गत दिनांक 11.7.1994 से पंजीकृत है। सम्बन्धित प्रपत्र संलग्नक-3 पर प्रस्तुत है।

2- श्री आर्य विहार आश्रम से सम्बन्धित श्री आर्य ट्रस्ट के द्वारा ग्राम सैज में सन् 1994 से 1996 तक 2.517 हैक्टेयर भूमि कास्तकारों से कय की गई थी। तहसीलदार भटवाडी का सम्बन्धित प्रमाणपत्र दिनांक 14.11.2003 संलग्नक 5 पर प्रस्तुत है।

कमशः-2

सूचना अधिष्ठाता समिति  
सत्य निरीक्षण

सहायक लोक सुधार अधिकारी  
कार्यालय उप जिलाधिकारी  
भटवाडी, उत्तरकाशी

/2/

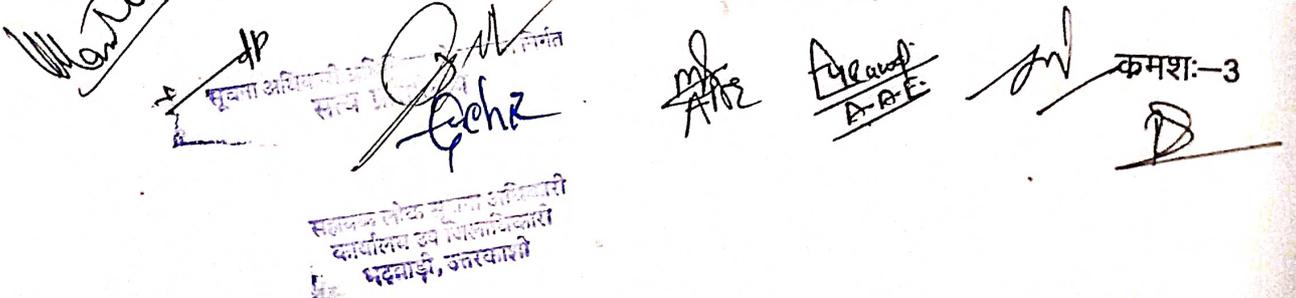
3- श्री आर्य ट्रस्ट FCRA के अन्तर्गत पंजीकरण सं० 347980008 दिनांक 25.08.2004 से पंजीकृत है। स्थलीय निरीक्षण के समय ट्रस्ट की अध्यक्ष द्वारा बताया गया कि इस मद में प्राप्त विदेशी अनुदान का उपयोग आश्रम में साधकों के योग-साधना तथा उनके रहने खाने की व्यवस्थाओं में व्यय किया जाता है। श्री आर्य ट्रस्ट को FCRA के अन्तर्गत प्राप्त धनराशि के किये जा रहे उपयोग की पूर्ण जांच के लिये यह समिति सक्षम नहीं है।

4- श्री आर्य विहार आश्रम, ग्राम सैंज के द्वारा जल संस्थान से जल संयोजन लिया गया है। इससे सम्बन्धित प्रपत्र संलग्नक-4 पर प्रस्तुत है। इससे यह स्पष्ट होता है कि आश्रम की गतिविधियों में प्रयुक्त जल का श्रोत जल संस्थान है।

5- श्री आर्य विहार आश्रम, ग्राम सैंज होली रिवर भागीरथी के किनारे से लगभग 50 मीटर की दूरी पर है। स्थलीय निरीक्षण में यह भी पाया गया है कि आश्रम का सीवेज सैप्टिक टैंक नदी के किनारे से लगभग 10 मीटर की दूरी पर है। इस सिवेज टैंक से गंगा नदी में कोई discharge जाना नहीं पाया गया है। आश्रम के अन्दर सीमेन्ट-कांक्रीट से सम्बन्धित कोई भवन निर्माण नहीं पाया गया है। आश्रम में साधकों के निवास एवं योगशाला के लिये Wooden Based-Eco Friendly भवनों का निर्माण हुआ है।

6- श्री आर्य ट्रस्ट के द्वारा श्री आर्य विहार आश्रम, ग्राम सैंज में मेसर्स सुन्दरम उद्योग के नाम से अतिसूक्ष्म श्रेणी में हैंडमेड प्रोसेस से हर्बल सोप, फेसवाश एवं कीम बनाने का कार्य किया जा रहा है। इस उद्योग के लिये उद्योग विभाग उत्तरकाशी में उद्योग मेमोरेन्डम भी फाईल किया गया है जिसका EM Acknowledgment Part-2 No. 050100000209 Dated 08.09.2010 है। इस उद्यम में उत्पादन की तिथि 10.07.2010 दर्शाई गई है। निरीक्षण में समिति के सदस्यों ने पाया कि उद्यम में सोप एवं सम्बन्धित उत्पादों का निर्माण वनस्पति तेलों, विभिन्न हर्बल उत्पादों तथा सोडियम हाईड्रोक्साईड के द्वारा किया जाता है। उत्पादन प्रक्रिया में किसी प्रकार का कोई Trade Effluent का Discharge नहीं होता है। सम्बन्धित उद्यम को उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड के द्वारा दिनांक 31.03.2029 तक के लिये संचालन हेतु सहमति नवीनीकरण सं० AW-21126 Dated 11.11.2019 जारी किया गया है। सम्बन्धित प्रपत्र संलग्नक 1 पर प्रस्तुत है। इस सहमति पत्र में भी उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड के द्वारा Trade Effluent का Discharge शून्य अंकित है।

7- मेसर्स सुन्दरम उद्योग ए यूनिट ऑफ श्री आर्य ट्रस्ट के द्वारा स्थापित उद्यम ईको सेन्सिटिव जोन जोकि दिनांक 18.12.2012 से घोषित है, के अन्तर्गत स्थापित है। किन्तु मेसर्स सुन्दरम उद्योग में उत्पादन कार्य दिनांक 10.07.2010 से प्रारम्भ हो गया था, जोकि ईको सेन्सिटिव जोन घोषित होने के पूर्व का है। यह कुटीर उद्योग पूर्णतः हैंडमेड प्रोसेस से एवं अप्रदूषणकारी है। जनपद में औद्योगिक विकास को दृष्टिगत रखते हुये यह तथ्य भी संज्ञान में लिया जाना आवश्यक है।


 The bottom of the page contains several handwritten signatures and stamps. On the left, there is a signature that appears to be 'S. K. Singh'. In the center, there is a large signature that looks like 'S. K. Singh' and a smaller one below it. To the right, there is a signature that looks like 'S. K. Singh' and another one below it. On the far right, there is a signature that looks like 'S. K. Singh' and a stamp that says 'कमशः-3'. At the bottom center, there is a stamp that says 'संयोजक लोक सभा के अतिरिक्त' and 'कार्यालय एवं निवास अधिकारी' and 'भदनाड़ी, उत्तरकाशी'.

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8- मेसर्स सुन्दरम उद्योग ए यूनिट ऑफ श्री आर्य ट्रस्ट के द्वारा जीएसटी पंजीयन कराया गया है, जिसका नं० GSTIN 05AACT5192H1ZC है। सम्बन्धित प्रपत्र संलग्नक 1 पर प्रस्तुत है।

9-मेसर्स सुन्दरम उद्योग ए यूनिट ऑफ श्री आर्य ट्रस्ट की अध्यक्षता से उद्यम का उत्पाद हर्बल सोप, फेसवाश एवं क्रीम के उत्पादन के लिये ड्रग्स एण्ड कॉस्मेटिक एक्ट के अन्तर्गत प्राप्त किये गये लाईसेन्स के सम्बन्ध में प्रेक्ष्या की गई। इस सम्बन्ध में उनके द्वारा बताया गया कि उनकी इकाई के पास अभी इसका लाईसेन्स नहीं है। इसको प्राप्त करने के लिये नियमानुसार आवश्यक कार्यवाही की जायेगी।

10- आश्रम में विदेशी मूल के साधकों का आवागमन है। यद्यपि निरीक्षण में इस सम्बन्ध में कोई प्रतिकूल तथ्य संज्ञान में नहीं आये हैं। भारत सरकार के स्थापित दूतावास के द्वारा जारी वीजा के माध्यम से तथा Foreigners Registration Office Uttarkashi द्वारा जारी पंजीयन/निवास अनुमति के उपरान्त ही विदेशी मूल के साधक आश्रम में निवास करते हैं। निवासरत साधकों के सम्बन्धित पंजीयन प्रमाण पत्र प्रस्तुत किये गये हैं जो कि संलग्नक -2 पर प्रस्तुत है।

11-समिति के सदस्यों के द्वारा आश्रम से किसी प्रकार का कोई अपशिष्ट भागीरथी नदी में प्रवाहित होता नहीं पाया गया है। अन्य किसी प्रकार का भी कोई प्रदूषणकारी गतिविधि का होना नहीं पाया गया है।

समिति के द्वारा आश्रम के विरुद्ध प्राप्त शिकायती पत्र की जांच के क्रम में श्री आर्य विहार आश्रम से सम्बन्धित श्री आर्य ट्रस्ट की अध्यक्षता सुश्री प्रियादर्शिनी पटेल के द्वारा भी अपना प्रत्यावेदन/स्पष्टीकरण दिनांक 26.03.2022 एवं सम्बन्धित प्रपत्रों एवं अभिलेखों को प्रस्तुत किया गया है, जो इस आख्या के साथ संलग्न कर प्रस्तुत किया जा रहा है।

अतः अजय सिंह द्वारा की गई सारी शिकायतें बेवुनियाद व निराधार पाई गयी है। श्री आर्य ट्रस्ट एक 28 साल पुरानी संस्था है जो आध्यात्म एवं जनहित में कार्य कर रही है।

उपरोक्तानुसार जांच आख्या अवलोकनार्थ प्रस्तुत है।

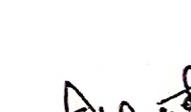
  
श्री यू०के०तिवारी,  
महाप्रबन्धक,  
जिला उद्योग केन्द्र,  
उत्तरकाशी।

  
श्री प्रदीप विष्ट,  
वन रेंज अधिकारी,  
मुख्य रेंज।

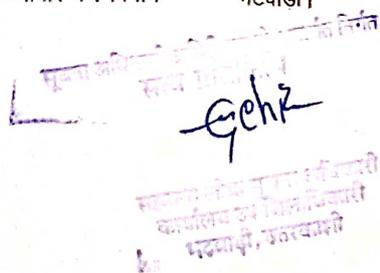
  
श्री एस०एस० रावत,  
सीटीओ,  
राज्य व्यापार कर विभाग

  
श्री त्रिलोक रमोला,  
उप कोषाधिकारी,  
मटवाड़ी।

  
श्री सहायक अभियन्ता,  
सिंचाई खण्ड,  
उत्तरकाशी।

  
श्री यशवंत सिंह रावत,  
अपर सहायक अभि,  
जल संस्थान,  
उत्तरकाशी।

  
श्री लक्ष्मण सिंह,  
तहसीलदार,  
मटवाड़ी।

  
गचर

From The Sub-divisional Magistrate,  
Bhatwari.

To  
District Magistrate,  
Uttarkashi.

No. / 686 / P.A. Miscellaneous/2022  
Dated May 27, 2022

Subject: Regarding joint inspection on complaint against Arya Vihar Ashram, Village Sainj,  
Gangotri road, Uttarkashi, Uttarakhand

Sir,

Please take the reference of the letter no. 2746/21-15 (2016-17) dated March 04, 2022, and letter no. 2728/21-15 (2016-17) dated March 03/2022, on the aforementioned subject in which directions were issued to constitute a joint inspection committee and visit the site to inspect all the points mentioned by complainant Mr. Bhumesh Ramola, and Mr. Ajay Singh, Director, Saura Cottage Pvt. in their complaint letter against Arya Vihar Ashram, Village Sainj, Gangotri road, Uttarkashi, and provide a clear joint investigation report.

Sir, the joint inspection report received from the constituted committee is attached in original and sent for necessary action to you.

Attachments are added below.

Yours sincerely,  
Sub-Divisional magistrate,  
Bhatwari.

In reference to the complaint letter of Mr. Bhupesh Ramola and Mr. Ajay Singh, Director Saura Cottage Pvt. and order issued by District Magistrate Uttarkashi, under office letter number 2746/21-15 (2016-17) dated March 04, 2022, and letter number 2728/21-15 (2016-17) dated March 03, 2022, to constitute a Joint Inquiry Committee to investigate all the points mentioned in the complaint letter against Sri Arya Vihar Ashram, Village-Sainj, Uttarkashi. The inquiry report provided by the Joint committee constituted on 14th March 2022, under office letter number 463 of the Deputy Magistrate, Bhatwari, Uttarkashi is as follows.

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According to the aforementioned, an on-site inspection of Arya Vihar Ashram, Village Sainj, Uttarkashi was done by the following members of the Joint committee on 25 March 2022.

1. Mr. Roop Singh, Tehsildar, Bhatwari.
2. Shri. S.S. Rawat, CTO, State Commercial Tax Department.
3. Shri Pradeep Bisht, Forest Range Officer, Mukhem Range.
4. Shri U.K. Tiwari, General Manager, District Industries Centre, Uttarkashi.
5. Shri Trilok Romola, Deputy Treasurer, Bhatwadi.
6. Shri Yashwant Singh Rawat, Additional Assistant Engineer, Jal Sansthan, Uttarkashi.
7. Shri Madhusudan Nautiyal, Assistant Engineer, Irrigation Division, Uttarkashi.

At the time of inspection Ms. Priyadarshini Patel, President of Sri Arya Trust, and Trustee, Mr. Hemant Dhyani were present who are connected to Arya Vihar Ashram. After an on-site inspection of the ashram and examining the related documents and records submitted, the point-wise report is as follows.

1. Arya Vihar Ashram, Village Sainj, Post Maneri, Uttarkashi, connected to Sri Arya Trust is registered under Section 12-A of Income Tax Act 1961 from 11.7.1994 onwards. The relevant document is given in Annexure 3.
2. From 1994 to 1996, 2.517 hectares of land were purchased by the Sri Arya Trust, connected to Arya Vihar Ashram, from the land owners of village Sainj. The related certificate of Tehsildar Bhatwari dated 14.11.2003 is presented in Annexure 5.
3. Sri Arya Trust is registered under FCRA with registration number 347980008 from 25.08.2004. At the time of on-site inspection, it was informed by the President of the Trust that the foreign funds received under FCRA are used for the spiritual activities of the ashram, and food and residential arrangements of the sadhaks. This committee is not competent to fully investigate the utilization of funds received by Sri Arya Trust under FCRA.

4. Water connection has been obtained from the Jal Sansthan by Arya Vihar Ashram, Village Sainj. The related document is attached in Annexure-4. From this, it is clear that the source of water used in the ashram's activities is the Jal Sansthan.

5. Arya Vihar Ashram, Village Sainj is about 50 meters from the bank of Holy River Bhagirathi. During the on-site inspection it has also been found that the sewage septic tank of the ashram is at a distance of about 10 meters from the river bank. No discharge has been found from this sewage tank into the river Ganga. No building construction related to cement concrete has been found inside the ashram. In the ashram wooden based eco-friendly buildings have been constructed for the yogashala and residences of the seekers.

6. At Arya Vihar Ashram, Sri Arya Trust is making at a micro-level herbal soap, face wash, and cream by the hand-made process, under the name of M/s Sundaram Udyog. An industry Memorandum has also been filed for this industry in the Industries Department, Uttarkashi, whose details are EM Acknowledgment Part-2 No. 050100000209, dated 08.09.2010. The date of production in this enterprise is shown as 10.07.2010. On inspection, the members of the committee found that soaps and related products are manufactured in the enterprise using vegetable oils, various herbal products, and sodium hydroxide. There is no discharge of any Trade Effluent in the production process. The concerned enterprise has been issued Renewal of Consent to Operate, Renewal No. AW-21126, dated 11.11.2019 for operation till 31.03.2029 by the Uttarakhand Environment Protection and Pollution Control Board. The relevant document is attached in Annexure 1. In this document also the Discharge of Trade Effluent by Uttarakhand Environment Protection and Pollution Control Board is marked as zero.

7. The enterprise M/s Sundaram Udyog, a Unit of Sri Arya Trust is established within the Eco Sensitive Zone (ESZ) which was declared an ESZ from date 18.12.2012. But the production work in M/s Sundaram Udyog started on 10.07.2010, which is before the declaration of the Eco-Sensitive Zone. This cottage industry is completely by handmade process and non-polluting. Keeping in view the industrial development in the district, this fact also needs to be taken into account.

8. GST registration has been done by M/s Sundaram Udyog, a Unit of Sri Arya Trust, whose GSTIN number is 05AACT5192H1ZC. Related document is attached in Annexure 1.

9. In relation to the inquiry on licenses obtained under the Drugs and Cosmetics Act for the production of herbal soaps, face washes, and creams of the enterprise from the President of M/s Sundaram Udyog, A unit of Sri Arya Trust, she informed that her unit does not have its license yet. Necessary action will be taken as per the rules to obtain it.

10. There is a participation of sadhaks of foreign origin in the ashram. However, no adverse facts have come to notice in this regard during the inspection. Through the visa issued by the established embassy of the Government of India and only after the registration/residence permit issued by the Foreigners Registration Office Uttarkashi, do seekers of foreign origin reside in

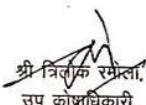
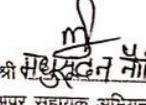
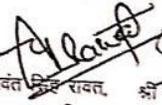
the ashram. Relevant registration certificates of residing seekers have been submitted. Which is attached in Annexure-2.

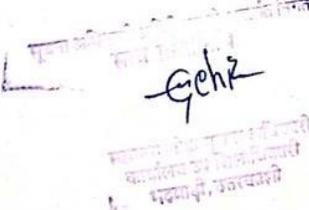
11. No waste of any kind has been found flowing into the Bhagirathi river by the members of the committee. Further no other polluting activity has been found.

In order to investigate the complaint letter received against the ashram by the committee, Ms. Priyadarshini Patel, the President of Sri Arya Trust connected to Arya Vihar Ashram, has also submitted her representation/clarification dated 26.03.2022 and related documents and records, which is attached herewith and submitted along with this report.

Therefore, all the complaints made by Ajay Singh have been found to be baseless and without any truth. Sri Arya Trust is a 28 years old organization which is working for Spiritual and public welfare.

As mentioned above this report is submitted for perusal.

 श्री यशवंत महाप्रबन्धक, जिला उद्योग केन्द्र, उत्तरकाशी।	 श्री प्रदीप विष्ट, वन रेंज अधिकारी, मुखेम रेंज।	 श्री एस०एस० रावत, सीटीओ, राज्य व्यापार कर विभाग	 श्री त्रिलोक रमोला, उप कोषाधिकारी, भटवाडी।	 श्री अणुसुन्दर नौशिया, अपर सहायक अभियन्ता, सिंचाई खण्ड, उत्तरकाशी।	 श्री यशवंत सिंह रावत, अपर सहो अभि, जल संस्थान, उत्तरकाशी।	 श्री रूप सिंह, तहसीलदार, भटवाडी।
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 श्री यशवंत सिंह रावत  
 अपर सहायक अभियन्ता  
 सिंचाई खण्ड  
 उत्तरकाशी

(Note: Signatory image taken from the Hindi version of this report)

सेवा में,

पुलिस अधीक्षक महोदय  
जनपद उत्तरकाशी।

महोदय,

**विषय:-** कृपया अपने पत्रांक-एसटी-शिका0-डीजी-27/22 दिनांक-11.04.2022 का सन्दर्भ ग्रहण करने की कृपा करें, जो आवेदक भूमेश रमोला पुत्र प्रताप सिंह रमोला निवासी ग्राम आँगी तहसील भटवाड़ी कोतवाली मनेरी जनपद उत्तरकाशी के शिकायती प्रार्थना पर अंकित आरोपों की जाँच कर आख्या उपलब्ध करवाने विषयक।

**आवेदक का नाम पता:-** भूमेश रमोला पुत्र प्रताप सिंह रमोला निवासी ग्राम आँगी तहसील भटवाड़ी कोतवाली मनेरी जनपद उत्तरकाशी

**विपक्षी का नाम पता:-** हेमन्त ध्यानी आदि आर्य विहार आश्रम ग्राम सैंज थाना मनेरी जनपद उत्तरकाशी।

**आरोप:-** विपक्षी गण हेमन्त ध्यानी आदि द्वारा आर्य विहार आश्रम, ग्राम सैंज में स्थित सुन्दरम उद्योग में अवैध गतिविधियां कर बिना रजिस्ट्रेशन के साबुन इत्यादि का उत्पादन करना आदि।

महोदय आवेदक द्वारा प्रेषित शिकायती प्रार्थना पत्र के क्रम में मेरे द्वारा प्रभारी निरीक्षक मनेरी से आख्या प्राप्त की गई है, जांच के दौरान आश्रम के विरुद्ध दो और इसी विषय से सम्बन्धित शिकायती प्रार्थना पत्र संज्ञान में आये जो अजय सिंह एवं सोनमाला देवी द्वारा प्रेषित किये गये थे। प्रेषित प्रार्थना पत्रों की जांच के दौरान दोनों पक्षों के बयान अंकित किये गये हैं जो निम्नवत है:-

**बयान आवेदक श्री भूमेश रमोला पुत्र श्री प्रताप सिंह रमोला निवासी ग्राम आँगी कोतवाली मनेरी जिला उत्तरकाशी मो0नं0-7819003275** ने पूछने पर बताया कि मैं उक्त पते पर अपने परिवार के साथ मे रहता हूँ। घर पर मेरे पिता जी व माता जी पत्नी व दो बच्चों है घर मे मैं मेरे पास दो खच्चर भी है जिससे मेहनत मजदूरी कर मैं अपने घर का गुजारा बसरा करता हूँ लगभग 20-22 वर्ष पूर्व हमारे गांव के पास नदी किनारें गंगाजल नाम से एक आदमी ने मिनरल वाटर का प्लांट लगाया जिस व्यक्ति ने वह प्लांट लगाया उसका नाम अजय सिंह है। उस प्लांट में मैंने भी 15-16 साल कार्य किया वह मुझे 12000 रु0 मासिक तनखाह देते थे मेरी पहचान अजय सिंह से हो गयी अजय सिंह के द्वारा ग्राम सौरा के लोगों से कुछ वर्ष पूर्व नदी किनारें एक भूमि को क्रय किया वह उस भूमि पर योगा सेंटर बनाना चाहता था उस भूमि के ठीक नदी पार आर्य विहार आश्रम है आर्य विहार आश्रम मे भी योगा व हर्बल साबुन बनाने का काम चलता है। जब अजय सिंह ने वहाँ पर योगा सेंटर बनाने का काम शुरू किया तो आर्य विहार आश्रम के हेमन्त ध्यानी ने उनकी शिकायत पटवारी को की। उसके कुछ दिनों के बाद वहाँ पर अलग-अलग विभाग के उच्चाधिकारी आ गये और उन्होंने काग रुकवा दिया उसके बाद आज दिनांक 29-07-2022 तक काम बंद है। काम बंद होने से मुझे आर्थिक नुकसान हो गया। अजय सिंह के काम की देख-रेख मैं व बब्बन करते थे, अजय सिंह मेरा मालिक है। वह पेशे से वकील भी है। जब हमारा काम बंद हो गया और काम बंद कराने के पीछे

लोक रक्षक अधिकारी/  
पुलिस अधीक्षक  
उत्तरकाशी

आर्य विहार आश्रम का हाथ था। तो उसके बाद हमारे मालिक ने भी उनके विरुद्ध शिकायत पत्र दिये। एक पत्र पर मैंने भी हस्ताक्षर किये थे वह पत्र आर्य विहार आश्रम के खिलाफ दिया था! वैसे मेरा इसमें कोई हाथ नहीं है। लडाईं आर्य विहार आश्रम व अजय सिंह की आपस में है हमें इससे कोई लाभ तो नहीं हो रहा परन्तु मुझे नुकसान हो रहा है। मेरी नौकरी चली गयी जिससे मुझे 12000 रु० तनखाह प्रति माह का नुकसान हो गया वर्तमान में मैं पूर्ण रूप से बेरोजगार हूँ। आर्थिक नुकसान होने के कारण मेरे द्वारा यह प्रार्थना पत्र दिया था।

पूछताछ— शिकायतकर्ता अजय सिंह पुत्र विरेन्द्र पाल सिंह निवासी— 122 सेक्टर—46 फरीदाबाद हरियाणा— थाने के माध्यम से उक्त व्यक्ति को कई बार बयान हेतु बुलाया गया परन्तु स्वयं उपस्थित नहीं हुआ और ई—मेल के माध्यम से अपने टाईपशुदा बयान प्रेषित किये गये हैं, जो शिकायती पत्र में अंकित तथ्यों का ही समर्थन करते हुए उपलब्ध करवाया है जो संलग्न हैं।

बयान गवाह पृथ्वी सिंह रावत पुत्र स्व० श्री फतेसिंह रावत निवासी ग्राम कुमाल्टी कोतवाली मनेरी जनपद उत्तरकाशी उम्र लगभग 57 वर्ष 9012357100— पृथ्वी सिंह रावत ने पूछने पर बताया कि मैं ग्राम कुमाल्टी का रहने वाला हूँ मेरा पायलेट बाबा आश्रम सैंज के पास मकान है। सैंज में स्थित आर्य विहार आश्रम, सुन्दरम उद्योग के विषय में जहाँ तक मुझे पता है कि सुन्दरम उद्योग काफी पुराना है वहाँ साबुन का उत्पादन किया जाता है। उक्त उद्योग ग्राम सैंज वालों की जमीन पर बनाया गया है। भूमेश रमोला ग्राम औंगी का रहने वाला है जिसने आर्य विहार आश्रम के खिलाफ पूर्व में सूचना के अधिकार अधिनियम के अन्तर्गत जानकारी मांगी थी। भूमेश रमोला व उसके पार्टनर अजय सिंह पुत्र विरेन्द्र पाल सिंह निवासी —122 सेक्टर —46 फरीदाबाद हरियाणा के द्वारा ग्राम सोरा वालों से जमीन खरीदकर गंगोत्री रोड पर एक सौरा कोटेज का निर्माण करवाया गया जो नदी से लगा हुआ था। जिनके खिलाफ आर्य विहार आश्रम वालों के द्वारा शिकायत दर्ज कर जांच करवायी गयी, जिसका उपजिलाधिकारी महोदय के आदेश से काम रोकता गया था। उक्त आर्य विहार आश्रम ग्राम सैंज में स्थित है, जिसके बारे में मैंने कभी कोई अवैध गतिविधि में संलिप्त होने की बात नहीं सुनी है। भूमेश रमोला ग्राम औंगी का रहने वाला है। जिसके बारे में ज्यादा नहीं जानता हूँ। इससे ज्यादा मुझे कुछ जानकारी नहीं है।

बयान गवाह श्रीमती पार्वती रमोला पत्नी धर्मेन्द्र रमोला निवासिनी ग्राम औंगी कोतवाली मनेरी तहसील भटवाड़ी जनपद उत्तरकाशी (वर्तमान ग्राम प्रधान औंगी) —9557996360 ग्राम प्रधान औंगी श्रीमती पार्वती रमोला ने पूछने पर बताया कि मैं ग्राम प्रधान औंगी के पद निर्वाचित हूँ मुझे यह जानकारी है कि सैंज में आर्य विहार आश्रम स्थित सुन्दरम उद्योग बना है। जिसमें साबुन का उत्पादन होता है। भूमेश रमोला को मैं जानती हूँ वह मेरे ग्रामसभा में रहता है। भूमेश रमोला एवं आर्य विहार आश्रम के संचालक के बीच कोई विवाद है किन्तु विवाद क्या है इस विषय में मुझे कोई जानकारी नहीं है।

बयान श्रीमती ममता नोटियाल पत्नी गंगा प्रसाद नोटियाल निवासिनी ग्राम सैंज उम्र 54 वर्ष (वर्तमान ग्राम प्रधान सैंज) 8126348356— ग्राम प्रधान सैंज ममता नोटियाल ने पूछने पर बताया कि मैं ग्राम प्रधान सैंज के पद पर कार्यरत हूँ मुझे यह जानकारी है कि सैंज में आर्यविहार आश्रम स्थित सुन्दरम उद्योग बना है। जिसमें साबुन का उत्पादन होता है। भूमेश रमोला को मैं नहीं जानती हूँ। भूमेश

सत्यापित

शोक सुन्दर आधिकारी/  
पुलिस अधीक्षक  
उत्तरकाशी

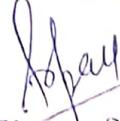
रमोला एवं आर्य विहार आश्रम के संचालक के बीच कोई विवाद है इस विषय में मुझे कोई जानकारी नहीं है हमारे गांव में स्थित आर्य विहार आश्रम जहां सुन्दरता वाले साबुन बनाये जाते हैं जिसके बारे में मैंने कभी कोई अवैध गतिविधि में संलिप्त होने की बात नहीं सुनी है।

बयान गवाह सोनपाल सिंह रमोला पुत्र भरत सिंह रमोला निवासी ग्राम सौरा तहसील भटवाड़ी उम्र 27 वर्ष ( वर्तमान ग्राम प्रधान सौरा ) 8937095776—ग्राम प्रधान सौरा सोनपाल सिंह ने पूछने पर बताया कि मैं ग्राम प्रधान सौरा के पद पर कार्यरत हूँ मुझे यह जानकारी है कि सैज में आर्य विहार आश्रम स्थित सुन्दरम उद्योग बना है। जिसमें साबुन का उत्पादन होता है। भूमेश रमोला को मैं जानता हूँ। भूमेश रमोला ग्राम औंगी का रहने वाला है। उसने किसी शहरी व्यक्ति के साथ मिलकर ग्राम सौरा के पवन प्रसाद रतूड़ी, हरिप्रसाद जोशी से जमीन खरीदी थी जिस पर उन्होंने सौरा नाम एक कोटेज का निर्माण का कार्य शुरु करवाया था जिसमें आपत्ति लगने के बाद कार्य बंद हो गया था आर्य विहार आश्रम जहां सुन्दरता वाले साबुन बनाये जाते हैं जिसके बारे में मैंने कभी कोई अवैध गतिविधि में संलिप्त होने की बात नहीं सुनी है।

बयान गवाह अजयपाल सिंह राणा पुत्र स्व० श्री हिम्मत सिंह राणा निवासी ग्राम सैजधिवशनपुर तहसील भटवाड़ी जिला उत्तरकाशी-9837592287 उम्र 74 वर्ष—ने पूछने पर बताया कि मैं एक किसान और सामाजिक कार्यकर्ता भी हूँ मैं आर्य विहार आश्रम को इसकी स्थापना के समय से जानता हूँ मेरा आश्रम में बराबर आना जाना रहता है, विगत 28 साल से आश्रम आध्यात्मिक और सामाजिक उन्नति के कार्य कर रहा है। आश्रम में पर्यावरण को ध्यान में रखते हुए ही सारी गतिविधियां होती हैं अतः किसी तरह की कोई प्रदुषणकारी गतिविधि का सवाल ही नहीं होता, भूमेश रमोला को मैं जानता हूँ वह ग्राम औंगी का रहने वाला है और उसने आर्य विहार आश्रम स्थित सुन्दरम उद्योग के खिलाफ अवैध रूप से साबुन निर्माण के संबंध में शिकायत की हुई है।

बयान गवाह श्रीमती सोनमाला देवी पत्नी जगवीर राणा ग्राम प्रधान स्याबा तहसील भटवाड़ी जिला उत्तरकाशी 9568503707—ग्राम प्रधान स्याबा सोनमाला देवी जो कि उपरोक्त प्रकरण में भूमेश रमोला की तरह ही शिकायत करती भी है, ने पूछने पर अपने बयानों का खण्डन करते हुए अंकित कराया कि मैं ग्राम प्रधान स्याबा के पद निर्वाचित हूँ मैंने भी आर्य विहार आश्रम के प्रति एक शिकायत दर्ज की थी। मैंने यह शिकायत सौरा कोटेज के मालिक भूमेश रमोला व अजय सिंह के कहने पर गुमराह होकर दी थी। सौरा कोटेज व आर्य विहार आश्रम के बीच कुछ विवाद चल रहा था। मैंने आश्रम के विरुद्ध शिकायत इसलिए प्रेषित की थी कि क्योंकि उक्त के आश्रम के सदस्य ग्राम सभा स्याबा मोटर मार्ग के निर्माण में आपत्ति प्रकट कर रहे थे। अब मोटर मार्ग का निर्माण का कार्य जिला प्रशासन के पास चला गया है। जिसके पश्चात से मुझे आर्य विहार आश्रम के प्रति कोई शिकायत नहीं है। मुझे यह जानकारी है कि सैज में आर्य विहार आश्रम स्थित सुन्दरम उद्योग बना है। जिसमें साबुन का उत्पादन होता है। भूमेश रमोला को मैं जानती हूँ। भूमेश रमोला ग्राम औंगी का रहने वाला है। उसने किसी शहरी व्यक्ति अजय सिंह के साथ मिलकर सौरा कोटेज का कार्य शुरु करवाया था। जिसमें कि हेमन्त ध्यानी द्वारा आर्य विहार आश्रम व सौरा के स्थानीय ग्रामीण लोगों कि आपत्ति लगने के बाद उक्त कोटेज निर्माण कार्य प्रशासनिक कार्यवाही पर बंद हो गया था। शायद शिकायतकर्ता भूमेश

सत्यापित



लोक सूचना अधिकारी/  
पुलिस अधीक्षक  
यमुनगढ़

रमोला आदि सौरा कोटेज मालिक व आर्य विहार आश्रम के मध्य इसी वजह से विवाद है। जहां तक मेरी जानकारी है तो आर्य विहार आश्रम के विरुद्ध व इसको संचालितकर्ता / निवासरत लोगों के बारे में मैंने कभी कोई अवैध गतिविधि में संलिप्त होने की बात न मैंने देखी, न ही सुनी है। अतः मैं अपना शिकायती पत्र वापस ले रही हूँ, प्रार्थना पत्र संलग्न है।

बयान विपक्षी श्री हेमन्त ध्यानी पुत्र श्री गणेश प्रसाद ध्यानी निवासी आर्य विहार आश्रम विशनपुर/सैंज तहसील भटवाडी जिला उत्तरकाशी-8126044807 उम्र 40 वर्ष (आर्य विहार आश्रम के ट्रस्टी) - ने पूछने पर अंकित करवाया कि वह श्री आर्य विहार आश्रम ट्रस्ट में ट्रस्टी है तथा एक साधक होने के नाते आश्रम में ही निवास करता हूँ। पर्यावरण तथा सामाजिक विषयों के विशेषज्ञ के रूप में सर्वोच्च न्यायालय तथा केन्द्र सरकार की विभिन्न समितियों में भी मैंने अपनी सेवायें और योगदान दिया है। आश्चर्य है कि भारतीय संविधान के अन्तर्गत सर्वोच्च न्यायालय और भारत सरकार द्वारा देश के प्रति अपने कर्तव्य निर्वहन के लिये मुझे आरोपी द्वारा देशद्रोही ठहराया जा रहा है। यह न केवल व्यक्तिगत आघात पहुँचाने वाला आरोप है अपितु मेरी व श्री आर्य ट्रस्ट की गम्भीर मानहानि है। अजय सिंह और इनके माफिया गुट की जांच होनी चाहिए जो अपने निहित स्वार्थ के लिए अलग-अलग लोगों को गुमराह कर आश्रम के ऊपर फर्जी आरोप तथा शिकायत दर्ज कर रहे हैं इससे सरकारी तंत्र का भी दुरुपयोग तथा देश के संसाधन और विभागीय समय नष्ट हो रहा है। अजय सिंह ने प्रशासन को गुमराह कर जो उसके पक्ष में भूमि क्रय का आदेश दिनांक- 20.02.2021 को प्राप्त किया वह रद्द किया जाना चाहिए ताकि इस तरह के असामाजिक और आपराधिक तत्व इस पावन गंगोत्री घाटी में अपने पैर न पसार सके। इस संबंध में मेरे द्वारा दिनांक-04.03.2022 को मुख्य सचिव उत्तराखण्ड सरकार को पत्र भेजा जा चुका है। अजय सिंह ने तो आश्रम के विरुद्ध उन अवैध कन्टेंट तक को अपने शिकायती पत्र में डाला है जिन्हे साईबर क्राईम केस में दिल्ली उच्च न्यायालय द्वारा हटाने के आदेश हुए हैं। ट्रस्ट की ओर से विस्तृत प्रार्थना पत्र समस्त दस्तावेजों के साथ दिनांक 03.06.2022 को हमारे द्वारा श्रीमान पुलिस अधीक्षक उत्तरकाशी को प्रेषित किया जा चुका है। ट्रस्ट द्वारा दिया प्रार्थना पत्र और दस्तावेज संलग्न है।

विश्लेषण:- महोदय प्रकरण की जांच के सम्बन्ध में जांच अधिकारी द्वारा आर्य विहार आश्रम में स्थित सुन्दरम उद्योग का स्थलीय निरीक्षण किया गया एवं आर्य विहार आश्रम के अध्यक्ष से आश्रम के पंजीकरण व साबुन उद्योग का लाईसेन्स की जानकारी की गयी। आश्रम के पास उद्योग संचालित किये जाने के सम्बन्ध में वैध लाईसेन्स प्राप्त है। महोदय आवेदक भूमेश रमोला एवं अजय सिंह निदेशक सौरा कॉटेज प्रा0लि0 ग्राम सौरा उत्तरकाशी द्वारा दिनांक-03.03.2022 को जिला प्रशासन उत्तरकाशी को आर्य विहार आश्रम के विरुद्ध शिकायत दर्ज की गई थी। जिस पर उपजिलाधिकारी भटवाडी द्वारा दिनांक-14.03.2022 को श्री रूप सिंह तहसीलदार भटवाडी, श्री एस0एस0 रावत सीटीओ राज्य व्यापार कर विभाग, श्री प्रदीप बिष्ट वन रेंज अधिकारी मुखेम रेंज, श्री यू0के0 तिवारी महाप्रबन्धक जिला उद्योग केन्द्र उत्तरकाशी, श्री त्रिलोक रमोला उप कोषाधिकारी भटवाडी, श्री यशवंत सिंह रावत उपर सहा0अभि0 जल संस्थान उत्तरकाशी एवं श्री मधूसूदन नौटियाल सहायक अभियन्ता सिचाई खण्ड उत्तरकाशी की संयुक्त जांच हेतु एक टीम का गठन किया गया था। संयुक्त टीम द्वारा आरोपों की जांच कर दिनांक-27.05.2022 को संयुक्त जांच रिपोर्ट जिलाधिकारी महोदय उत्तरकाशी

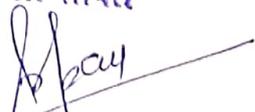
लोक युवा अधिकारी/  
पुलिस अधीक्षक  
उत्तरकाशी

को प्रेषित की गई थी। संयुक्त जांच रिपोर्ट के अनुसार श्री आर्य ट्रस्ट **FCRA** के अन्तर्गत पंजीकरण सं०-347980008 दिनांक-25.06.2004 से पंजीकृत है व आश्रम के सैप्टिक टैंक से गंगा नदी में कोई **discharge** जाना नहीं पाया गया है। आश्रम में साधकों के निवास एवं योगशाला के लिये **Wooden Based-Eco Friendly** भवनों का निर्माण हुआ है। आश्रम में सुन्दरम उद्योग के नाम से अति सूक्ष्म श्रेणी में हैण्ड मेड प्रोसेस से हर्बल सोप, फेसवास एवं किम बनाने का कार्य किये जाने के सम्बन्ध में उद्योग विभाग उत्तरकाशी में उद्योग मेमोरेन्डम भी फाईल किया गया है। जिसका **EM Acknowledgment Part-2 No. 05010000209 Dated 08.09.2010** है।

संयुक्त समिति की रिपोर्ट अनुसार श्री आर्य ट्रस्ट के द्वारा श्री आर्य विहार आश्रम, ग्राम सैज में सुन्दरम उद्योग जल संस्थान से जल संयोजन लिया गया है। आश्रम की गतिविधियों में प्रयुक्त जल का श्रोत जल संस्थान है। सम्बन्धित उद्यम को उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड के द्वारा संचालन हेतु अनुमति प्राप्त है (छाया प्रति संलग्न), जिसमें **Trade Effluent Discharge** शून्य अंकित है। यह अति सूक्ष्म कुटीर उद्योग पूर्णतः हैण्डमेड प्रोसेस से एवं अप्रदूषणकारी है। यह भी ज्ञात हुआ कि सुन्दरम उद्योग को कॉस्मैटिक निर्माण हेतु लाईसेंस की प्रक्रिया संयुक्त समिति के निरीक्षण के दौरान विचाराधीन थी तथा वर्तमान में सुन्दरम उद्योग को औषधि अनुज्ञापन एवं नियंत्रण प्राधिकरण उत्तराखण्ड सरकार द्वारा कॉस्मैटिक लाईसेंस प्राप्त हो चुका है।

एलआईयू के पास उपलब्ध जानकारी से यह भी प्रमाणित होता है कि आश्रम में निवासरत आगन्तुक सभी विदेशी साधक भारत सरकार/विदेश मन्त्रालय से नियमानुसार वीजा प्राप्त कर लोकल इन्टेलीजेन्स को विधिवत सूचित कर आश्रम में निवास करते हैं जिनका रजिस्ट्रेशन एलआईयू ऑफिस में किया जाता है, जिनमें अधिकांश साधकों का पिछले काफी समय से आश्रम में साधना हेतु आना जाना है। आश्रम को **FCRA** रजिस्ट्रेशन वर्ष 2004 से प्राप्त है जिसका समय-समय पर नवीनीकरण हुआ है जो कि भारत सरकार के गृह मन्त्रालय के विस्तृत जांच और परीक्षण के उपरान्त जारी होता है। जिस पर पुलिस विभाग से जांच अपेक्षित नहीं है।

अजय सिंह ने अपने शिकायती पत्र में जिन Website Content का प्रयोग किया गया है वह अवैध है जो विपक्षी की शिकायत पर मा० दिल्ली उच्च न्यायालय ने साईबर क्राईम केस के अन्तर्गत उन्हे हटाने का आदेश दिये गये थे। आर्य विहार आश्रम 28 वर्ष पुरानी आध्यात्मिक संस्था है जहाँ देश-विदेश से साधक साधना हेतु आते हैं। आश्रम मुख्यतः आध्यात्मिक व सामाजिक हित में कार्यरत है तथा सूक्ष्म स्तर पर इको फ्रेंडली साबुन निर्माण आश्रम गतिविधियों का एक छोटा हिस्सा है जो कि कर्मयोग साधना के तौर से किया जाता है। उक्त उद्योग एवं उद्योग के संचालित कर्ता श्री आर्य ट्रस्ट व ट्रस्ट में जुड़े लोगों का किसी प्रकार की अवैध एवं देश विरोधी गतिविधियों में संलग्नता के कोई तथ्य/प्रमाण प्रकाश में नहीं आये हैं जिसकी पुष्टी पूर्व में प्रकरण के सम्बन्ध में गठित सात सदस्यीय संयुक्त समिति ने भी विस्तृत जांच के बाद अपनी रिपोर्ट की है। आश्रम द्वारा समय पर स्थानीय लोगों की विभिन्न प्रकार से सहायता की जाती रहती है, जिनके प्रमाण जांच पुत्रावली में संलग्न है।

सत्यापित  
  
 लोकसुरता अधिकारी/  
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 उत्तरकाशी

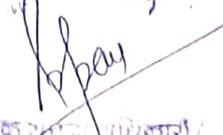
जांच के दौरान प्रकाश में आया है कि अजय सिंह के द्वारा स्थानीय लोगों से भूमि क़य कर गंगा नदी के तट पर सौरा कॉटेज का निर्माण किया जा रहा था, जिसमें आवेदक भूमेश रमोला, अजय सिंह के साथ कार्य करता था। सौरा कॉटेज का निर्माण नियम विरुद्ध एवं अवैध होने के कारण विपक्षी आर्य विहार आश्रम साधक हेमन्त ध्यानी द्वारा अवैध निर्माण की शिकायत जिला प्रशासन उत्तरकाशी को की गई थी, शिकायत के उपरान्त प्रशासन द्वारा सौरा कॉटेज के निर्माण की जांच की गई थी, जांच के उपरान्त उपजिलाधिकारी भटवाडी के आदेश संख्या-441/पी0ए0-विविध पत्रा0/2020-21 दिनांक-24.02.2022 के द्वारा अजय सिंह के नाम दर्ज सम्पूर्ण 0.659 हे0 भूमि भागीरथी नदी के माध्य बिन्दु से 100 मी0 की दूरी के अन्तर्गत है तथा भूमि नदी किनारे से भी 50 मी0 की दूरी के अन्तर्गत स्थित है। भागीरथी इको सेंसिटिव जोन के अन्तर्गत नदी से 100 मीटर अन्दर बिना अनुमति के निर्माण कार्य किया जाना प्रतिबन्धित है। आपके द्वारा बिना अनुमति खसरा संख्या-6088,6089,6090 मध्ये निर्माण कार्य प्रारम्भ किया है उक्त भूमि पर निर्माण कार्य पर तत्काल प्रभाव से रोक लगायी गई है।

अजय सिंह के सौरा कॉटेज के निर्माण कार्य पर विपक्षी हेमन्त ध्यानी की शिकायत पर प्रशासन द्वारा रोक लगाये जाने के उपरान्त अजय सिंह द्वारा हेमन्त ध्यानी एवं आर्य विहार आश्रम को हानि पहुँचाने की नियत से अपने साथी भूमेश रमोला एवं श्रीमती सोनमाला देवी ग्राम प्रधान स्याबा को गुमराह कर आर्य विहार आश्रम एवं विपक्षी हेमन्त ध्यानी के विरुद्ध विभिन्न स्तरों पर प्रार्थना प्रेषित कर झूठे आरोप लगाये गये हैं। जांच के दौरान सोनमाला देवी ने भी उसे गुमराह किया जाना स्वीकार किया, बयान में सोनमाला देवी ने बताया कि अजय सिंह द्वारा स्याबा ग्राम सड़क निर्माण में मदद के आश्वासन पर उससे शिकायती पत्र पर साइन करवाए गए, जांच के दौरान आश्रम के विरुद्ध कोई शिकायत न होना स्वीकारते हुए सोनमाला देवी द्वारा आश्रम के विरुद्ध अपनी शिकायत वापस ले ली गयी है। इन सभी शिकायती पत्रों की भाषा, आरोप और अवयव में समानता होना और वह भी अंग्रेजी में जिसकी सोनमाला देवी व भूमेश रमोला को कोई जानकारी नहीं है। जिससे स्पष्ट है कि यह शिकायती प्रार्थना पत्र एक ही व्यक्ति द्वारा तैयार किये गये हैं। जिससे स्पष्ट है कि सभी शिकायती प्रार्थना पत्र अजय सिंह द्वारा तैयार किये गये हैं।

विपक्षी हेमन्त ध्यानी की शिकायत पर उप जिलाधिकारी भटवाडी व प्रशासनिक टीम के द्वारा अजय सिंह के कॉटेज निर्माण को प्रतिबन्धित कर दिये जाने के उपरान्त वह विपक्षी एवं आर्य विहार आश्रम से बदले की भावना रखना प्रारम्भ कर दिया है। जिसके पश्चात अजय सिंह द्वारा स्वयं अपने साथी भूमेश रमोला तथा स्थानीय लोगों को गुमराह कर विपक्षी हेमन्त ध्यानी एवं आर्य विहार आश्रम के विरुद्ध भ्रामक व तथ्यहीन आरोप लगाकर शिकायती पत्र प्रेषित किये जा रहे हैं।

आश्रम के विरुद्ध प्रेषित शिकायती प्रार्थना पत्र में **The anti-national instincts and activities of Arya Vihar Ashram** अंकित कर **envisage strict action with immediate effect.** का अनुरोध किया गया है। जांच में इस प्रकार का कोई कार्य आश्रम में नहीं किया जा रहा है, जो देश विरोधी हो। जबकि श्री आर्य ट्रस्ट इस क्षेत्र में वर्ष 1994 से स्थापित आध्यात्म और सामाजिक हित के लिए कार्यरत संस्थान है, आश्रम के साधक हेमन्त ध्यानी मा0 सर्वोच्च न्यायालय तथा भारत

अज्ञेय/



उप जिलाधिकारी/  
यु.पी. उत्तरकाशी  
उत्तरकाशी

सरकार द्वारा पर्यावरणीय संग्रहनों के लिए गठित विभिन्न उच्च स्तरीय समितियों में पर्यावरणीय और सामाजिक विषयों के जानकार होने के नाते सदस्य चुने गए हैं और वर्ष 2013 से अपनी सेवाएं दे रहे हैं। साबुन निर्माण (सुन्दरम उद्योग) आश्रम में यदा-कदा की जाने वाली एक छोटी गतिविधि है। जिसे साधक कर्मयोग साधना के तौर पर करते हैं। यह आरोप अजय सिंह और भूमेश रमोला के द्वारा आश्रम को हानि पहुँचाने की नियत से दुराभाव से दिया गया है। जबकि अजय सिंह द्वारा अपने सौरा कॉटेज निर्माण को योगा और मेडिटेशन सेन्टर बताया जा रहा है।

अजय सिंह निदेशक सौरा कॉटेज भागीरथी नदी के तट पर अवैध निर्माण का दोषी पाये जाने पर प्रशासन द्वारा निर्माण कार्य पर रोक लगा दी गई थी। सौरा कॉटेज एक प्राइवेट लिमिटेड कम्पनी है, जो सरकारी **Registrar of Companies(ROC)** की साईट पर सौरा कॉटेज की **Activity- Restaurants, bars and canteens** अंकित किया गया है। जबकि कॉटेज के मालिक अजय सिंह द्वारा स्थानीय एवं प्रशासनीक स्तर पर योगा एवं मेडिटेशन केन्द्र के तौर पर प्रचारित किया जा रहा है। जिससे आवेदक की मंशा गलत दर्शित होती है।

**निष्कर्ष:-** महोदय जांच से शिकायतकर्ता भूमेश रमोला द्वारा सौरा कॉटेज के मालिक अजय सिंह के दबाव एवं प्रलोभन में आकर प्रार्थना पत्र दिया गया है। जबकि आवेदक भूमेश रमोला एवं सोनमाला देवी द्वारा अपने बयानों में आर्य विहार आश्रम से कोई शिकायत न होना बताया गया है और दोनों ने अपनी शिकायत वापस ले ली है। अतः विपक्षी हेमन्त ध्यानी एवं आर्य विहार आश्रम, ग्राम सैज पर लगाये गये आरोप निराधार एवं झूठे हैं, जो सौरा कॉटेज के मालिक अजय सिंह द्वारा स्वयं के निर्माणाधीन सौरा कॉटेज प्रतिबन्धित किये जाने के उपरान्त विपक्षी को क्षति कारित करने हेतु बदले की भावना एवं दुराभाव से दिया जाना प्रतीत होता है। जांच से सम्पूर्ण प्रकरण सिविल वाद से सम्बन्धित होना पाया गया है।

अतः जाँच आख्या आवश्यक कार्यवाही हेतु सादर सेवा में प्रेषित है ।

**संलग्नक:- यथोपरी ।**

पत्रांक- आर-सीओ-जांच-57/2022

दिनांक- अगस्त-30/2022

  
पुलिस उपाधीक्षक  
उत्तरकाशी।

**सत्यारिथ**  
  
लोक सूचना अधिकारी/  
पुलिस उपाधीक्षक  
उत्तरकाशी।

To,  
Superintendent of Police,  
District Uttarkashi.

Sir,

Subject:- Kindly refer to your letter-ST-Complaint-DG-27/22 dated 11.04.2022, about complaint filed by Mr. Bhumesh Ramola s/o Mr. Pratap Singh Ramola, resident of village Aungi, Tehsil Bhatwadi, Kotwali Maneri, District Uttarkashi, regarding submission of a report after investigating the allegations.

Applicant Name, Address:- Mr. Bhumesh Ramola S/o Pratap Singh Ramola resident of village Aungi, Tehsil Bhatwadi, Kotwali Maneri, District Uttarkashi.

Name of Respondent Address:- Hemant Dhyani etc., Arya Vihar Ashram, Village Sainj, Police Station Maneri, District Uttarkashi.

Allegation:- M/s Sundaram located in Arya Vihar Ashram, Village Sainj, by respondents Hemant Dhyani etc. is illegally producing soap without registration.

Sir, subsequent to the complaint application filed by the applicant, I have received the investigation report from the Inspector-in-Charge Maneri. During the investigation, two more complaints against the ashram came to notice which were sent by Ajay Singh and Sonmala Devi. During the scrutiny of these applications, the statements of both parties have been recorded which are as follows:

Statement: The applicant Shri Bhumesh Ramola, S/O Shri Pratap Singh Ramola, resident of village Angi, Kotwali Maneri, District Uttarkashi, Mo.No.-7819003275, on being asked, said that I live with my family at the above address. At home I have my father, mother, wife, and two children. I also have two mules in the house using which I work and earn a living. About 20-22 years ago a man established a mineral water plant near our village at the bank of the river named

GANGAJAL. The name of the man who installed the mineral water plant is Ajay Singh, I also worked in that plant for 15-16 years, and he used to give me a monthly salary of Rs 12,000. I became familiar with Ajay Singh. Ajay Singh had bought land on the banks of the river from some people of Saura village a few years ago. He wanted to build a yoga center on that land. Right across the river to this land, there is this Arya Vihar Ashram where they also work on yoga and making herbal soaps. While the work of constructing the Yoga Center started Hemant Dhyani of Arya Vihar Ashram complained to the patwari. After a few days, high officials of different departments came there and stopped the work. After that the work is closed even today (29-07-2022 today). Due to the work shutdown, I too suffered a financial loss. I and Babban used to look after Ajay Singh's work. Ajay Singh is my boss. He is also a lawyer by profession. When our work stopped and it was noted that Arya Vihar Ashram had a hand in it, our owner also gave letters of complaint against them. I also signed one letter against Arya Vihar Ashram. Well, I actually have no hand in this. The fight is between Arya Vihar Ashram and Ajay Singh. We are not getting any benefit from this, but I am at a loss. I lost my job due to which I lost my salary of Rs 12,000 per month. At present I am completely unemployed. Due to this financial loss the complaint application was given by me.

Inquiry- Complainant Ajay Singh s/o Virendra Pal Singh, resident of 122 Sector-46, Faridabad, Harayana - The aforesaid person was called upon several times by the police station but he did not appear in person and sent his typed statement through e-mail, which is only in agreement with the issues raised in the complaint letter. The email statement is attached hereafter.

Statement of witness Prithvi Singh Rawat s/o Late Mr. Fateh Singh Rawat, resident of village Kumalti, KotwaliManeri, District Uttarkashi, aged about 57 years, 9012357100- On inquiring about the case Prithvi Singh Rawat said that 'I am a resident of village Kumalti. My home is located near Pilot Baba Ashram in Sainj. As far as I know Sundaram Udyog, located in Sainj at Arya Vihar Ashram is quite old and soap is made there. The said Udyog has been built on the land of the villagers of Sainj. BhumeshRamola is a resident of village Aungi, who had earlier sought information against Arya Vihar Ashram under the Right to Information Act. BhumeshRamola and his partner Ajay Singh, son of Virendra Pal Singh, resident of 122 Sector-46, Faridabad, Haryana, bought land from villagers of VillageSauraand constructed Saura

cottage on Gangotri road which was adjacent to the river. A complaint against was lodged was lodged by the people of Arya Vihar Ashram and an investigation was done. Then the work was stopped by the order of the Sub deputy Magistrate. The said Arya Vihar Ashram is located in village Sainj, about which I have never heard of being involved in any illegal activity. Bhunesh Ramola is a resident of village Aungi, about whom I don't know much. I don't know anything more than that.

Witness statement of Smt. Parvati Ramola, wife Dharmendra Ramola Resident of Village Aungi, Kotwali Maneri Tehsil, Bhatwadi, District Uttarkashi (Present Village Headwoman Aungi) - 9557996360

Village Headwoman Aungi Smt. Parvati Ramola said on being asked that 'I have been elected to the post of the village head and I know that Sundaram Udyog is located at Arya Vihar Ashram in Sainj which produces soap. I know Bhumes Ramola, he lives in my gram sabha. There is a dispute between Bhumes Ramola and the director of Arya Vihar Ashram, but I have no idea what the dispute is.'

Statement Mrs. Mamta Nautiyal wife Ganga Prasad Nautiyal resident of village Sainj, aged 54 years (present village headwoman Sainj) 8126348356

Village headwoman Sainj Mamta Nautiyal on being asked said that 'I am elected to the post of village head Sainj. I know that Sundaram Udyog is located in Arya Vihar Ashram which produces soaps. I don't know Bhumes Ramola. I have no idea that there is a dispute between Bhumes Ramola and the director of Arya Vihar Ashram. The Arya Vihar Ashram is located in our village where beauty soaps are made, about which I have never heard of being involved in any illegal activity.'

Statement witness Sonpal Singh Ramola s/o Bharat Singh Ramola resident of village Saura, Tehsil Bhatwadi, age 27 years (current village head Saura) 8937095776 -

Village head Saura, Sonpal Singh said on being asked that 'I am working as village headman of Saura. I know that in Sainj, Sundaram Udyog has been established by Arya Vihar Ashram which produces soap. I know Bhumes Ramola. Bhumes Ramola is a resident of the village Aungi. He, along with a city person, had purchased land from Pawan Prasad Raturi, Hari Prasad

Joshi of village Saura, on which he started the work of constructing Saura Cottage. Work was stopped after an objection. Arya Vihar Ashram produces beauty soaps about which I have never heard of being involved in any illegal activity.’

Witness Statement Ajaypal Singh Rana s/o of Late Shri Himmat Singh Rana, resident of village Sainj - Bishanpur, Tehsil Bhatwadi, District Uttarkashi - 9937592287, age 74 years old

On being asked said that 'I am a farmer and also a social worker. I have known Arya Vihar Ashram since its inception. I regularly visit the Ashram. From the last 28 years the ashram has been working for spiritual and social welfare. All the activities in the Ashram are done keeping in mind the environment, so there is no question of any kind of polluting activity. I know BhmeshRamola. He is a resident of village Aungi and he has made a complaint about the production of soaps by Sundaram Udyog located in Arya Vihar Ashram being illegal.

Witness statement of Mrs. Sonmala Devi wife of Jagbeer Rana, village head Syaba, Tehsil Bhatwadi, District Uttarkashi, 9568503707.

Village headwoman Syaba, Sonmala Devi, who is also a complainant like BhmeshRamola in the above case, on being inquired, refuted her stand and put it on record that 'I am elected to the post of headwoman Syaba. I had also filed a complaint against Arya Vihar Ashram. I had given this complaint misguidedly at the behest of BhmeshRamola and Ajay Singh, the owners of Saura Cottage. There was some dispute going on between Saura Cottage and Arya Vihar Ashram. I had sent a complaint against the ashram because the members of the said ashram were objecting to the construction of the Gram Sabha Syaba motor road. Now the construction of the motor road has gone to the district administration. After that, I have no complaint against Arya Vihar Ashram. I know that Sundaram Udyog is located at Arya Vihar Ashram in Sainj, in which soap is being produced. I know BhmeshRamola. BhmeshRamola is a resident of the village Aungi. He started the work of the Saura cottage in collaboration with a certain city man Ajay Singh, whose construction work was stopped on administrative orders after Hemant Dhyani of Arya Vihar ashram and the local villagers of Saura respectively raised objections. Maybe the dispute between Arya Vihar Ashram and Bhmesh Ramola, and Saura Cottage owner is due to this reason. As far as I am aware, I have never seen or heard of any illegal activity by Arya Vihar

Ashram and its directors or residents. Therefore, I am withdrawing my complaint letter. The withdrawal application is attached.

**Respondent Statement, Shri Hemant Dhyani s/o Shri Ganesh Prasad Dhyani, resident Arya Vihar Ashram Vishanpur/Sainj, Tehsil Bhatwadi, District Uttarkashi - 8126044807, Age 40 years (Trustee of Arya Vihar Ashram).**

On being asked he said that 'I am a Trustee in Sri Arya Trust, Arya Vihar Ashram and being a sadhak, I reside in the ashram itself. As an expert on environmental and social issues, I have also served and contributed in various committees of the Supreme Court and the Central Government. It is surprising that for discharging my duty towards the country through the Supreme Court and the Government of India, and under the Indian Constitution, I am being held as antinational by the applicant. This is not only an allegation causing personal injury but also serious defamation to me and Sri Arya Trust. There should be an investigation of Ajay Singh and his mafia group who are misguiding different people for their vested interests and filing false allegations and complaints against the ashram. By this the government machinery is also being misused and the country's resources and office time are being wasted. Ajay Singh misguided the administration and received the order of purchase of land in his favor on 20-02-2021 which should be canceled so that such anti-social and criminal elements will not establish themselves in the holy Gangotri valley. In this regard, a letter has been sent by me to the Chief Secretary, Government of Uttarakhand on 04.03.2022. Ajay Singh has even put those illegal contents against the ashram in his complaint letter whose removal has been ordered by the Delhi High Court in a cybercrime case. A detailed application from the Trust along with all the relevant documents has been submitted by us to the Superintendent of Police Uttarkashi on 03.06.2022. The application and documents given by the trust are attached.

**Analysis:-**

Sir, in reference to the investigation of the case, the site inspection of Sundaram Udyog located in Arya Vihar Ashram was done by the Investigating Officer and the information regarding the registration of the ashram and the license of soap industry was sought through the President of Arya Vihar Ashram. Ashram has the valid license for running the Udyog.

Sir, applicant Bhumeshramola and Ajay Singh - Director Saura Cottage Pvt Ltd, Village Saura, Uttarkashi had filed a complaint against Arya Vihar Ashram on 03.03.2022. On which a joint Inspection committee was set up by the Sub Divisional Magistrate, Bhatwadi on 14.03.2022, having members as Shri Roop Singh Tehsildar Bhatwadi, Shri S.S. Rawat- CTO State Business Tax Department, Shri Pradeep Bisht- Range Officer Forest Mukhem Range, Shri U.K. Tiwari- General Manager, District Industries Center Uttarkashi, Shri Trilok Ramola-Deputy Treasurer Bhatwadi, Mr. Yashwant Singh Rawat, Deputy Assistant, Jal Sansthan, Uttarkashi, and Mr. Madhusudan Nautiyal-Assistant Engineer, Irrigation Division, Uttarkashi. After an investigation of allegations by the committee, a joint investigation report was sent to District Magistrate, Uttarkashi on 27.05.2022. According to the joint investigation report, Sri Arya Trust is registered under FCRA with registration number 347990008 dated 25.06.2004 and no discharge has been found from the septic tank of the ashram into the river Ganga. Wooden based eco-friendly buildings have been constructed for the residence and yogashala of the seekers in the ashram. Industry Memorandum has also been filed in the Industries Department, Uttarkashi, regarding the production of herbal soap, facewash, and cream by the hand-made process on a micro level by Sundaram Udyog in the ashram, whose EM Acknowledgment dated 08.09.2010 Part-2 No. is 050100000209.

According to the report of the Joint Committee, water connection has been taken from the Jal Sansthan by Sundaram Udyog, Sri Arya Trust at Sri Arya Vihar Ashram, Village Sainj. The source of water used in the ashram's activities is the Jal Sansthan. The concerned enterprise is permitted to operate by the Uttarakhand Environment Protection and Pollution Control Board (photocopy attached) in which the Discharge of Trade Effluent is marked as zero. This micro cottage industry is completely handmade and the process is unpolluting. It was also learned that the process of obtaining a manufacturing cosmetics license was under consideration during the inspection of the Joint Committee, and at present the manufacturing license by the Drug Licensing and Control Authority, Government of Uttarakhand has been granted to Sundaram Udyog.

It is also verified from the information available with LIU that all seekers of foreign nationals residing in the ashram, after obtaining visas from the Government of India / Ministry of External

Affairs, duly inform the local intelligence office LIU and register with them. Most of the seekers have been visiting the ashram for a long time for spiritual practice. The ashram got FCRA registration from the year 2004, which has been renewed from time to time and is issued after detailed scrutiny and examination by the Ministry of Home Affairs, Government of India. An investigation is not expected from the police department in this regard.

The website content used by Ajay Singh in his complaint letter is illegal. On the complaint of the respondent under a cybercrime case, the Hon'ble Delhi High Court ordered the removal of this content. Arya Vihar Ashram is a 28-year-old spiritual institution where sadhaks from all over the country and abroad come for spiritual practice. The ashram is mainly engaged in spiritual and social welfare. Eco-friendly soap manufacturing at the micro level is a small part of the ashram activities which is done as Karmayoga sadhana. No facts/evidence have come to light of the said industry and directors of Sri Arya Trust, or of persons connected to the Trust about being involved in any kind of illegal and anti-national activities. This has also been confirmed earlier by a seven-member joint committee after a detailed investigation, formed in relation to this matter. The ashram helps local people from time to time in various ways, the evidence of which are attached with the file.

During the investigation, it has come to light that after buying land from local people, Saura Cottage was being constructed by Ajay Singh on the banks of the river Ganga, wherein the applicant Bhumeshramola worked with Ajay Singh. Construction of Saura cottages was illegal and against the rules, which is why the opponent Hemant Dhyani of Arya Vihar Ashram complained to the district administration about the illegal construction being done. After the complaint, an investigation by the district administration was carried out on the ongoing construction of Saura cottages. After investigation, an order by the SDM Uttarkashi through order no. 441/ PA – miscellaneous letter /2020-21 dated 24.02.2022 stated that the entire land in the name of Ajay Singh of 0.659 hectare was within 100mtr from the mid-point of the Bhagirathi river and that the land is also located within 50mtr of the river bank. It further stated that in the Bhagirathi ESZ, construction within 100mtr of the river, without permission, is strictly prohibited. It was found that construction by Ajay Singh was carried out without any prior permission on Khasra no. 6088,6089, 6090 and the construction has been immediately stopped.

After stoppage of the construction work by the administration on Saura cottages belonging to Ajay Singh due to the complaint filed by Sh. Hemant Dhyani of Arya Vihar Ashram, Ajay Singh with the intent of harming Hemant Dhyani and Arya Vihar Ashram, along with his associates BhumeshRamola and Sonmala Devi, gram Pradhan, Syaba village, both of whom he misguided, filed complaints with false allegations at various levels against Arya Vihar Ashram and Hemant Dhyani. During investigation, Sonmala Devi too accepted that she had been misled. In her statement, Sonmala Devi stated that she was assured help for the Syaba village road by Ajay Singh and that based on this assurance, she was made to sign the complaint letter. During investigation, Sonmala Devi accepted that she has nothing against the Ashram and has thus withdrawn her complaint against the Ashram. The similarity in the language, the allegations and the content of the complaints in the letters, and that too in English language, of which, Sonmala Devi and BhumeshRamola have no knowledge, establishes that all these complaints have been written by one person, and it is obvious that all the complaints have been prepared by Ajay Singh.

After the action taken by the office of the SDM, Uttarkashi, and the administration with the stoppage of construction of Saura cottages on the complaint by the opponent – Sh.HemantDhyani, Ajay Singh became vengeful. After which Ajay Singh, himself coaxed his associate BhumeshRamola and misguided the locals of the area to lodge false and misleading allegations against the opponent Hemant Dhyani and Arya Vihar Ashram, and thus false complaints are being filed against the Ashram.

The complaint letter against the Ashram states “anti national instincts and activities of Arya Vihar Ashram” requests “envisage strict action with immediate effect”. On investigation, no such work has been discovered that is against the nation. On the contrary, Sri Arya Trust, established here since 1994 is working towards spiritual and social interest. Ashram’s sadhak – Hemant Dhyani, has been selected and nominated as member by the Hon’ble Supreme Court and the Govt. of India for various high-level committees on environment, as a knowledgeable person in the field of environment and social issues and has been rendering his services since 2013. Soap manufacturing (Sundaram Udyog) is an infrequent micro activity done in the Ashram which is done by the sadhaks as part of their Karm-Yoga Sadhana. This allegation against the Ashram has

been made by Ajay Singh and Bhumesh Ramola with malintent and with the purpose to harm the Ashram. While Ajay Singh is calling his resort 'Saura cottage' as a Yoga and meditation centre.

Director – Ajay Singh's Saura cottage's construction was found to be illegal and thus stopped by administration. Saura cottages is a pvt. Ltd company and is in the government's "Registrar of Companies (ROC)". In their website the activity of Saura cottages is marked as "Restaurants, bars and canteens". Whereas at local and administrative level Ajay Singh is propagating his place as a Yoga & meditation centre. This is indicative of the fraudulent intent of the complainant.

## CONCLUSION

Sir, as per investigation, BhumeshRamola has filed this complaint under the pressure and lure of the owner of Saura Cottage - Ajay Singh. Whereas BhumeshRamola and Sonmala Devi in their statement said that they have no complaint against the Ashram and both have withdrawn their complaints. Therefore allegations on the respondent Hemant Dhyani and Arya Vihar Ashram, Gram Sainj are baseless and false which seem to be made by Ajay Singh owner Saura Cottage resort with an intent of revenge and harming the respondents after prohibiting his under construction resort. On investigation, the entire issue is found to be related with civil proceedings.

Therefore, the investigation report is humbly presented for required action.

Annexures attached.

Deputy Superintendent of Police  
Uttarkashi

Letter No.- R-CO Investigation 57/2022

Dated- August- 30/2022

Final Document  
on  
Revised  
Classification  
of  
Industrial Sectors  
Under

**Red, Orange, Green and White Categories**  
(February 29, 2016)



**Central Pollution Control Board**  
Delhi

Table G-4 : Final List of Green Category of Industrial Sectors

Sl. No.	Orgnl Sl. No.	Industry Sector	W1	W2	W	A1	A2	A	H	W+A+H	Revised Category	Remarks
1.	2	Aluminium utensils from aluminium circles by pressing only (dry mechanical operation)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from buffing operations.
2.	6	Ayurvedic and homeopathic medicines (without boiler)	10	--	10	--	--	--	--	25	<b>G-G</b>	Small quantities of waste-waters are generated from washing operations.
3.	8	Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven)	10	--	10	--	--	--	--	25	<b>G-G</b>	Small quantities of waste-waters are generated from washing operations.
4.	6	Bi-axially oriented PP film along with metalizing operations	10	--	10	--	--	--	--	25	<b>O-G</b>	Mainly extrusion process involving Cooling water recirculation
5.	10	Biomass briquettes (sun drying) without using toxic hazardous wastes	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from pulverization / mixing operations.
6.	13	Blending of melamine resins & different powder, additives by physical mixing	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from pulverization / mixing operations.
7.	15	Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from buffing operations.
8.	16	Candy	10	--	10	10	--	10	--	25	<b>G-G</b>	Small quantities of waste-water and minor

												PM emissions are generated.
9.	17	Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers)	--	--	--	10	--	10	--	25	<b>G-G</b>	This score is valid with Small gas / electricity operated oven / furnace for making glue.
10.	18	Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc.	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from cutting operations.
11.	19	Cement products (without using asbestos / boiler / steam curing) like pipe ,pillar, jafri, well ring, block/tiles etc.(should be done in closed covered shed to control fugitive emissions)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions from mixing operations.
12.	20	Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor air pollution due to some fugitive PM emissions.
13.	11	Chilling plant, cold storage and ice making	10	--	10	--	--	--	--	25	<b>O-G</b>	Cooling water recirculation only.
14.	13	Coke briquetting ( sun drying)	--	--	--	10	--	10	--	25	<b>O-G</b>	Mainly air polluting industry. Sources of air pollution (PM) are pulverizes and mixers. Air pollution score is normalized to 100.
15.	28	Cotton spinning and weaving (small scale)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor PM emissions from spinning process.
16.	17	Dal Mills	--	--	--	10	--	10	--	25	<b>O-G</b>	Some fugitive emissions of PM.

17.	29	Decoration of ceramic cups and plates by electric furnace	--	--	--	10	--	10	--	25	<b>G-G</b>	Fumes of enamels. Minor air pollution.
18.	19	Digital printing on PVC clothes	--	--	--	10	--	10	--	25	<b>O-G</b>	Minor emissions / odour generations are expected.
19.	25	Facility of handling, storage and transportation of food grains in bulk	--	--	--	10	--	10	--	25	<b>O-G</b>	Some fugitive emissions of PM during handling of grains.
20.	36	Flour mills (dry process)	--	--	--	10	--	10	--	25	<b>G-G</b>	Fugitive dust emissions.
21.	41	Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fugitive emissions only.
22.	34	Glue from starch (physical mixing) with gas / electrically operated oven /boiler.	--	--	--	10	--	10	--	25	<b>O-G</b>	Some fugitive emissions of PM during mixing of raw materials.
23.	42	Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fumes from cleaning process.
24.	36	Heat treatment with any of the new technology like ultrasound probe , induction hardening , ionization beam, gas carburizing etc.	10	--	10	10	--	10	--	25	<b>O-G</b>	<ul style="list-style-type: none"> <li>• Cooling waters and minor heat fumes.</li> <li>• Finalization of categorization subject to field verification.</li> </ul>
25.	46	Insulation and other coated papers (excluding paper or pipe manufacturing)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fumes due to application of poly-urethane
26.	49	Leather foot wear and leather products (excluding tanning and hide processing except cottage scale)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fumes due to use of adhesives / gums.

27.	50	Lubricating oil, greases or petroleum based products (only blending at normal temperature)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fumes at the time of transfers from one container to other.
28.	54	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying	--	--	--	10	--	10	--	25	<b>G-G</b>	1. Minor fumes due to application of gums / adhesives / pastes etc. 2. This score is valid only for gas fired boiler. 3. The units having coal fired boilers shall be categorized as Orange.
29.	59	Oil mill Ghani and extraction ( no hydrogenation / refining)	10	--	10	--	--	--	--	25	<b>G-G</b>	Small quantities of floor washings & equipments washings are generated.
30.	48	Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn	--	--	--	10	--	10	--	25	<b>O-G</b>	Some fugitive emissions of PM are expected.
31.	65	Phenyl/toilet cleaner formulation and bottling	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor fumes of VOCs in the work zone
32.	67	Polythene and plastic processed products manufacturing (virgin plastic)	10	--	10	10	--	10	--	25	<b>G-G</b>	Cooling water & emissions due to mixing of raw materials.
33.	68	Poultry, Hatchery and Piggery	--	--	--	10	--	10	--	25	<b>G-G</b>	Obnoxious odour containing H <sub>2</sub> S, CH <sub>4</sub> etc. and fugitive PM emissions
34.	69	Power looms (without dye and bleaching)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor emissions of PM.
35.	71	Puffed rice (muri) (using gas or electrical heating system)	--	--	--	10	--	10	--	25	<b>G-G</b>	Minor emissions of PM.
36.	57	Pulverization of bamboo and scrap wood	--	--	--	10	--	10	--	25	<b>O-G</b>	Some fugitive emissions of PM are expected.
37.	72	Ready mix cement concrete	--	--	--	10	--	10	--	25	<b>G-G</b>	PM emissions.
38.	73	Reprocessing of waste cotton	--	--	--	10	--	10	--	25	<b>G-G</b>	PM emissions.
39.	60	Rice mill (Rice hullers only)	--	--	--	10	--	10	--	25	<b>O-G</b>	PM emissions are generated. Mainly air

													polluting. AP score is normalized to 100
40.	62	Rolling mill ( gas fired) and cold rolling mill	10	--	10	10	--	10	--	25	<b>O-G</b>		Mainly air polluting. AP score is normalized to 100
41.	75	Rubber goods industry (with gas operated baby boiler)	--	--	--	10	--	10	--	25	<b>G-G</b>		Some PM emissions and obnoxious odour.
42.	63	Saw mills	--	--	--	10	--	10	--	25	<b>O-G</b>		Mainly air polluting. PM and noise are generated.
43.	77	Soap manufacturing (hand made without steam boiling / boiler)	10	--	10	--	--	--	--	25	<b>G-G</b>		Small quantities of waste-water are generated.
44.	80	Spice grinding (upto-20 HP motor)	--	--	--	10	--	10	--	25	<b>G-G</b>		Small quantities of fugitive emissions of raw materials.
45.	66	Spice grinding (>20 hp motor)	--	--	--	10	--	10	--	25	<b>O-G</b>		Mainly air polluting. Fugitive emissions of PM.
46.	81	Steel furniture without spray painting	--	--	--	10	--	10	--	25	<b>G-G</b>		Obnoxious gases from welding as well as noise pollution.
47.	82	Steeping and processing of grains	10	--	10	--	--	--	--	25	<b>G-G</b>		Washing waters are generated.
48.	86	Tyres and tube retreating (without boilers)	--	--	--	10	--	10	--	25	<b>G-G</b>		Due to applications of binding gum / adhesives / cement, some obnoxious fumes may generate.
49.	22	Chilling plant and ice making without using ammonia	12	--	12	--	--	--	--	30	<b>G-G</b>		Cooling water and brine water circuits. Spillages / blow down may take place
50.	26	CO2 recovery	12	--	12	--	--	--	--	30	<b>G-G</b>		Normal water pollution from scrubbing action
51.	32	Distilled water ( without boiler) with electricity as source of heat	12	--	12	--	--	--	--	30	<b>G-G</b>		TDS as distillation residues

52.	45	Hotels (up to 20 rooms and without boilers)	12	--	12	--	--	--	--	30	G-G	This score is valid for hotels having overall waste-water generation less than 10 KLD.
53.	53	Manufacturing of optical lenses (using electrical furnace)	12	--	12	--	--	--	--	30	G-G	Small quantities of waste-waters containing TDS, SS are generated.
54.	58	Mineralized water	12	--	12	--	--	--	--	30	G-G	RO Rejects.
55.	68	Tamarind powder manufacturing	12	--	12	15	--	15	--	33.75	O-G	<ul style="list-style-type: none"> <li>Dried tamarind fruits - cleaned and after soaking them in water they are boiled in steam jacketed kettle for about 40-45 minutes. Then pulp is extracted in pulper and dried in drum type drier and on cooling, the final product is packed.</li> <li>Generates small quantities of waste waters and air emissions. Joint score is normalized to 100.</li> </ul>
56.	15	Cutting, sizing and polishing of marble stone	15	--	15	--	--	--	--	37.5	O-G	Mainly water polluting . Water pollution score is normalized to 100.
57.	22	Emery powder ( fine dust of sand) manufacturing	--	--	--	15	--	15	--	37.5	O-G	Air polluting. PM emissions take place during various stages of grindings of naturally occurring minerals.
58.	25	Flyash export, transport & disposal facilities	-	-	-	15	-	15	-	37.5	R-G	<ul style="list-style-type: none"> <li>This is mainly air polluting activity.</li> <li>This is the normalized score based on air pollution.</li> </ul>
59.	48	Mineral stack yard / Railway sidings	15	-	15	15	-	15	-	37.5	R-G	<ul style="list-style-type: none"> <li>Mainly air pollution due to loading, unloading, storage and transportation of the minerals.</li> </ul>

													<ul style="list-style-type: none"> <li>Waste-water generation mainly during rains only.</li> </ul>
60.	54	Oil and gas transportation pipeline	-	-	-	10	5	15	-	37.5	R-G	<ul style="list-style-type: none"> <li>Contains small gas based power plants up-to 5 MWs.</li> <li>Air pollution score is normalized to 100.</li> <li>In case , if these power plants are bigger / liquid fuel / oil based, scores will be calculated accordingly.</li> </ul>	
61.	64	Seasoning of wood in steam heated chamber	--	--	--	15	--	15	--	37.5	O-G	<p>Air pollution due to use boiler for supply of steam. Air pollution score is normalized to 100.</p>	
62.	84	Synthetic detergent formulation	--	--	--	15	--	15	--	37.5	<b>G-G</b>	<ul style="list-style-type: none"> <li>This score is valid for the industries which are not manufacturing LABSA. It is procured from outside.</li> <li>Small quantities of emissions are generated from mini boiler.</li> <li>Air pollution score is normalized to 100.</li> </ul>	
63.	69	Tea processing ( with boiler)	--	--	--	15	--	15	--	37.5	O-G	<p>With boiler, it is an orange category industry. Without boiler, it will be green category industry.</p>	

84.	थालन	1481	87.34	30° 42' 13.8"	78° 28' 7.8"
85.	तेहर	1884	150.24	30° 51' 59.4"	78° 39' 7.8"
86.	तिलोथ	1099	60.4	30° 43' 43.2"	78° 26' 52.2"
87.	उत्तरकाशी	1241	#N/A	30° 44' 00.92"	78° 26' 21.41"
88.	उत्तरोन	1290	131.7	30° 47' 20.4"	78° 26' 46.8"

## MINISTRY OF ENVIRONMENT AND FORESTS

### NOTIFICATION

New Delhi, the 18th December, 2012

**S.O. 2930(E).**—Whereas, the Gangotri glacier is one of the largest glaciers surrounded by Shivling, Thalay Sagar, Meru, Bhagirathi-III peaks. The river Bhagirathi originates from Gangotri glacier below Chaukhamba peak in an area called Gaumukh at an elevation of 3892 meters and flows north-south in the Uttarkashi district of Garhwal Himalaya in Uttarakhand province before meeting the Alakhnanda river at Devprayag;

AND WHEREAS, the river Bhagirathi is rich in aquatic flora and fauna including migratory species and any hindrance in their migration due to construction of hydropower projects may adversely affect this unique ecosystem;

AND WHEREAS, a number of hydro power projects have been commissioned or proposed or under implementation on the river and also continuous and phenomenal increase in the human and cattle population, the anthropogenic pressure on ecosystems and environment has tremendously increased, causing irreparable damage to the fragile mountain ecosystems including flow and character of the river;

AND WHEREAS, it has been decided that for the maintenance of environmental flow and ecology of the river Bhagirathi from Gaumukh to Uttarkashi with a total area of 4179.59 square kilometers covering the entire watershed of about 100km stretch of the

river Bhagirathi shall be declared as an Eco-sensitive Zone from ecological and environmental point of view;

AND WHEREAS, a draft notification under sub-section (1) read with clause (v) and clause (xiv) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 1499(E), dated the 1<sup>st</sup> July, 2011, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said notification were made available to the public on the 1<sup>st</sup> July, 2011;

AND WHEREAS, all objections and suggestions received in response to the draft notification have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) read with clause (v) and clause (xiv) of sub – section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies entire watershed of about 100 kilometers stretch of the river Bhagirathi from Gaumukh to Uttarkashi covering an area of 4179.59 square kilometers as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone):-

- 1. Boundaries of Eco-sensitive Zone.-** The said Eco-sensitive Zone is the entire watershed of about 100 kilometers stretch of the river Bhagirathi from Gaumukh

to Uttarkashi covering an area of 4179.59 square kilometers. The Eco-sensitive Zone abets the Indo China border from East to North West.

- (a) The Eco-sensitive Zone is bounded by  $31^{\circ}05'46.54''\text{N}$  latitude and  $79^{\circ}25'11.65''\text{E}$  longitude towards east;  $79^{\circ}04'32.21''\text{E}$  longitude and  $31^{\circ}27'23.28''\text{N}$  latitude towards north;  $30^{\circ}51'03.95''\text{N}$  latitude and  $78^{\circ}22'57.78''\text{E}$  longitude towards west and  $30^{\circ}39'08.09''\text{N}$  latitude and  $78^{\circ}31'26.41''\text{E}$  longitude towards south.
- (b) The map of Eco-sensitive Zone boundary together with sub-basin boundaries, Govind and Gangotri National Parks boundaries, important places, major tributaries of Bhagirathi river, and latitude-longitude of four extremes of the Eco-sensitive Zone boundary is appended with this notification as **Annexure I** and
- (c) The list of the villages falling within the Eco-sensitive Zone is appended as **Annexure II**. The list of villages given in Annexure-II shall be further revisited and confirmed by the State Government while preparing the Zonal Master Plan.

**2. Zonal Master Plan for the Eco-sensitive Zone.-** (1) For the purpose of the Eco-sensitive Zone the State Government shall prepare in consultation with local people particularly women a Zonal Master Plan within a period of two years from the date of publication of this notification in the Official Gazette and the same shall be approved by the Ministry of Environment and Forests, Government of India.

- (2) The Zonal Master Plan shall be prepared with due involvement of all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal, Revenue, Public Works Department, Environment Protection and Pollution Control Board, Water Resources, Horticulture, Panchayati Raj, Rural Development etc. for integrating environmental and ecological considerations into it.
- (3) The border area development plan and any other plans prepared or to be prepared by the State or Central Government shall be integrated and form part of the Zonal Master Plan.
- (4) The Zonal Master plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
- (5) The Zonal Master Plan shall be prepared based on watershed approach. It shall also ensure that there is no attempt to tamper with the natural boundaries of the river and tributaries through the construction of any kind of structures on the banks of the river and tributaries .
- (6) The Zonal Master Plan shall demarcate all the existing village settlements, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies.
- (7) The construction of various buildings, hotels, resorts in the Eco-sensitive Zone shall strictly follow the traditional concepts and architecture of the

area. Specific guidelines shall be laid down for the same in the Zonal Master Plan.

- (8) The Zonal master plan shall regulate the development in the Eco-sensitive Zone so as to meet the requirement of local people without affecting the rights and privileges of the bona-fide residents and also ensure eco friendly development for their livelihood security.
- (9) Pending the preparation of the Zonal Master Plan for the Eco-sensitive Zone and approval thereof by the Ministry of Environment and Forests all new constructions and other developmental activities shall be referred to the Ministry of Environment and Forests by the Monitoring Committee as per sub-para (4) of paragraph 4 of the notification.
- (10) The Zonal master plan shall encourage development of walking paths for tourism, pilgrimage and local use.
- (11) The Zonal Master Plan shall be a reference document for the Monitoring Committee for any decision to be taken by them including consideration for relaxation.
- (12) No change of land use from green uses such as horticulture areas, agriculture, tea gardens, parks and others like places to non green uses shall be permitted in the Zonal Master Plan. However, to meet the residential needs of the local residents due to the natural growth of existing local population, strictly limited conversion of agricultural lands shall be permitted, with the prior approval of the Central Government on the recommendation of the State Government.

- (13) All the human habitation areas with population of 5000 and above shall have Area Development Plan and shall be prepared under the guidance of local self Government.
- (14) There shall be no consequential reduction in Green area such as forest area, agricultural area, etc.
- (15) The Central Government and the State Government shall specify other measures, if it considers necessary, in giving effect to the provisions of this notification.
- (16) **Development and protection of hill slopes:**
  - (i) the Zonal Master Plan shall indicate areas on hill slopes where development shall not be permitted;
  - (ii) no development shall be undertaken in areas having a steep slope or areas which fall in fault or hazard zones or areas falling on the spring lines and first order streams or slopes with a high degree of erosion as identified by the State Government on the basis of available scientific evidence;
  - (iii) no development on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.
  - (iv) Tourist resorts and commercial complexes shall be located in areas with surplus water and electricity, so as not to affect the rights of existing users without their prior consultation.
  - (v) The places in the Eco-sensitive Zone where cutting of hills causes ecological damage and slope instability in adjacent areas, such

cuttings shall be undertaken with appropriate measures to avoid such damages.

*Explanation:- In this notification, "steep hill slope" means a hill slope with a gradient of 20 degrees or more*

(17) **Natural Springs.-** the catchment areas of all springs shall be identified and plans for their conservation and rejuvenation of those that have run dry, in their natural setting shall be incorporated in the Zonal Master Plan and the strict guidelines shall be drawn up by the State Government to ban development activities at or near these areas;

(18) **Tourism.-**

- (i) The tourism activities shall be as per the Tourism Master Plan to be prepared by the Department of Tourism of the Uttarakhand State Government.
- (ii) The Tourism Master Plan shall also form a component of the Zonal Master Plan and shall be based on a detailed Carrying Capacity Study of the Eco-sensitive Zone, which may be carried out by the State Government.
- (iii) All new tourism activities, development for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this Tourism Master Plan.
- (iv) The Carrying Capacity Study shall be carried out based on the existing infrastructure and shall not be based on future projections of any project that requires environmental or forest clearance.

- (v) Till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the Monitoring Committee only after a detailed examination and shall be subject to the guidelines laid down by the State Government and the Central Government in this regard.

(19) **Hill Roads.**- following guidelines shall be framed for the construction and maintenance of hill roads and incorporated in the Zonal Master Plan; namely:-

- (i) for construction of any road including untarred in the Eco-sensitive Zone of more than 5 km length (including the extension or widening of existing roads);
- (ii) provision shall be made in the design of the road for treatment of hill slope instabilities resulting from road cutting cross drainage works and culverts using bio-engineering and other appropriate techniques and by including the cost of such measures in the cost estimate of the proposed road;
- (iii) the debris shall not be dumped down the khud or slopes but shall be subsumed in the construction of roads and the provision shall also be made for disposal of unused debris in appropriate manner at suitable and identified locations so as not to affect the ecology of the area adversely and the debris shall be treated and landscaped using bio-engineering and other appropriate techniques and the cost of such measures shall be included in the cost estimate of the proposed road;

- (iv) all roads shall be provided with adequate number of road side drains and these drains shall be kept free from blockage for runoff disposals and this run off from the road side drainage shall be connected with the natural drainage system in the area;
  - (v) alignment shall be selected so as to minimise loss of vegetal cover;
  - (vi) appropriate design standards shall be followed while designing the roads including mass balancing of cut and fill and avoidance of unnecessary cutting.
  - (vii) Notice shall be given about all fault Zones and land slide zones along the roads indicating the beginning and end of such areas.
- (20) **Natural Heritage.**- The sites of valuable natural heritage in the Eco-sensitive Zone shall be identified, particularly scenic beauty, confluence points of river, water falls, pools, springs, gorges, groves, caves, open areas, wooded areas, points, walks, rides, bridle paths etc. and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan. All the gene pool reserve areas in the Eco-sensitive Zone shall be preserved. The State Government shall draw up proper plan for their protection and conservation within one year from the date of publication of this Notification. These plans shall form part of the Zonal Master Plan. Guidelines and regulations shall be drawn up by the State Government to regulate building and other activities around the heritage structures so that the special character and distinct ambience of the heritage site and area are maintained.

- (21) **Man-made Heritage.-** Buildings, structures, artefacts, temples, streets, areas and precincts of historical or architectural or aesthetical or cultural or environmental significance shall be indentified and plans for their conservation, shall be prepared within one year from the date of publication of this Notification and incorporated in the Zonal Master Plan. Guidelines and regulations shall be drawn up by the State Government to regulate building and other activities around the heritage structures or sites so that the special character and distinct ambience of the heritage structure or site and area are maintained.

### 3. Activities to be prohibited, regulated or permitted within the Eco-sensitive Zone:

(a) **Prohibited activities in the Eco-sensitive Zone:** The following activities shall be prohibited within the Eco-sensitive Zone:

- (i) **River Valley projects:** Setting up of new hydro-electric power plants (dams, tunneling, and construction of reservoir) and expansion of existing plants on the river Bhagirathi and all its tributaries from Gaumukh to Uttarkashi except micro or mini hydel power projects, which would serve the energy needs of the local communities, subject to consent of the gram sabha and all other requisite clearances;
- (ii) abstraction of river water for any new industrial purposes;
- (iii) **Mining of Minerals and stone quarrying and crushing:** all types of mining (minor and major minerals), stone quarrying and crushing except for the domestic needs of *bona fide* local residents. The limited mining,

stone quarrying and crushing shall be based on site evaluation, provided that such activities are not done on existing steep hill slopes or areas with high degree of erosion, spring lines, ground water recharge areas. The Monitoring Committee shall be the authority to grant such special permission.

**Note:** *bona fide* local residents means someone who is residing in that area for an uninterrupted period and who is on the electoral roll as on date of this Notification, together with his minor children.

- (iv) **Commercial felling of trees:** Commercial felling of trees and setting up of any wood based industry in the Eco-sensitive Zone, except local activities and livelihoods which include wood collection, cottage industry like bamboo basket subject to consent of the gram sabha and all other requisite clearances.
- (v) Setting up of saw mills.
- (vi) Commercial use of firewood.
- (vii) **Polluting Industries:** Any new highly polluting industries and expansion of existing such industries;
- (viii) **Sewage and industrial effluents:** Discharge of untreated sewage and industrial effluents. However, treated sewage and industrial effluents meeting the water quality standard shall be permitted;
- (ix) **Use of plastic carry bags:** Use of plastic bags in shops, commercial establishments, tourist spots etc. and manufacturers, wholesalers, distributors, retailers etc., selling products in non-biodegradable containers

shall implement a scheme for the buy back and recycling of their containers and/ or packaging.

- (x) **Hazardous waste processing units:** The industries processing the hazardous waste as provided in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended from time to time.

(b) **Regulated activities in the Eco-sensitive Zone.-** The following activities shall be regulated in the Eco-sensitive Zone as per the prevalent acts and rules.

- (i) **Water.-** (1) the extraction of ground water shall be permitted only for the agricultural and domestic consumption of the *bona fide* occupier of the plot and the sale of ground water shall not be permitted except with the prior approval of the State Ground Water Board; (2) all steps shall be taken to prevent contamination or pollution of water including from agriculture;
- (ii) **Trees.-** There shall be no felling of trees either on forest, Government, revenue or private lands, without the prior permission of the State Government in case of forest land, and the respective District Collector in case of Government, revenue and private land, granted in such manner as may be laid down by the State Government.
- (iii) Defense installations and any other infrastructure development related to national security.
- (iv) The plantation of pine trees in the Eco-sensitive Zone.
- (v) Introduction of exotic species
- (vi) Establishments of hotels and resorts.
- (vii) Erection of electric cables.

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- (viii) Drastic change of agricultural systems.
- (ix) Sign boards and hordings.
- (x) **Noise pollution.**- the Environment Department or the State Forest Department, Uttarakhand shall be the authority to draw up guidelines and regulations for the control of noise pollution in the Eco-sensitive Zone; as per the provisions of the Air (Prevention and Control of Pollution) Act, 1981.
- (xi) **Air Pollution.**-The Environment Department or the State Forest Department, Uttarakhand shall be the authority to draw up guidelines and regulations for the control of air pollution in the Eco-sensitive Zone as per the provisions of the Air (Prevention and Control of Pollution) Act, 1981.
- (xii) **Discharge of effluents.**- the treated effluent shall meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974;
- (xiii) **Hydro-electric power plants.**- The existing hydro-electric power projects shall continue to operate with strict environmental compliance and social audit.
- (xiv) **Solid Wastes.**- (1) the solid waste disposal in Eco-sensitive Zone shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 issued by the central Government vide notification number - S.O. 908 (E), dated the 25<sup>th</sup> September 2000 and amended from time to time.
- (2) The Monitoring Committee shall indentify sites for disposal of solid wastes and its constructions as per the provisions of the Hazardous Wastes (Management and Handling) Rules, 1989 issued by the Central Government vide Notification No. - S.O. 594(E), dated the 28<sup>th</sup> July, 1989 and amended from time to time.

(3) The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components;

(4) The biodegradable material may be recycled preferably through composting or vermiculture;

(5) The inorganic material may be disposed off in an environmentally acceptable manner at identified sites;

(xv) **Bio-medical Waste.**- the Bio-Medical Waste disposal in the Eco-sensitive Zone shall be carried out as per the provisions of the Bio-Medical Waste (Management and Handling) Rules, 1998 issued by the Central Government vide Notification No. - S.O. 630(E), dated the 20<sup>th</sup> July, 1998 and amended from time to time.

(xvi) **Vehicular Traffic:** The vehicular movement of traffic shall be regulated and specific provisions shall be laid down in the Zonal Master Plan. Pending the preparation of the Zonal master plan and its approval by the Ministry of Environment and Forests, the Monitoring Committee shall have powers to regulate traffic within the Eco-sensitive Zone.

(xvii) **Trekking between Gangotri and Gaumukh.**

(c) **Eco-friendly activities in the Eco-sensitive Zone.**- The following activities shall be promoted in the Eco-sensitive Zone:

- (i) Rain Water harvesting.
- (ii) Organic farming.
- (iii) Green technology.
- (iv) Walking tourism.
- (v) Micro hydel projects for local use.

- (vi) Solar energy for local use.
- (vii) Local bio-resource based industry.

#### **4. Monitoring Committee.-**

(1) A committee to be called the Monitoring Committee to monitor the compliance with the provisions of this notification is hereby constituted, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986).

(2) The Monitoring Committee shall consist of (a) not more than ten members. (b) the Chairperson of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local issues and the other members shall be:-

- (i) a representative of the Ministry of Environment and Forests, Government of India;
- (ii) two representatives of Non-Governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India;
- (iii) Member Secretary, Environment Protection and Pollution Control Board, Uttarakhand;
- (iv) senior Town Planner of the area;
- (v) the Chief Conservator of Forests; Garhwal
- (vi) the representative of State Irrigation Department;
- (vii) one subject expert in the field of environment and ecology;

(viii) the District Magistrate, Uttarkashi – Member Secretary.

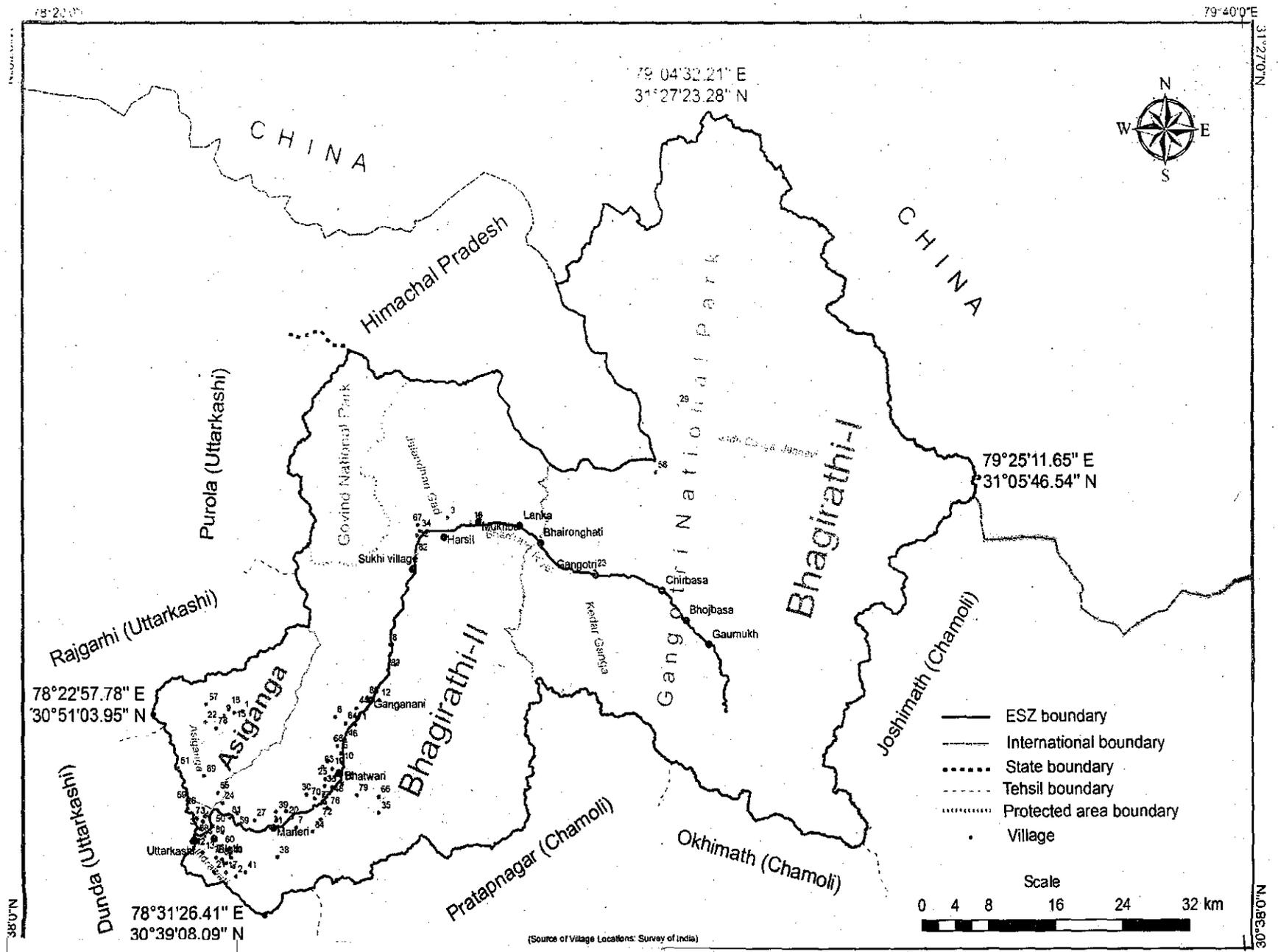
- (3) The meeting of the Monitoring Committee shall be convened quarterly.
- (4) The activities requiring prior permission or environmental clearance shall be referred to the Ministry of Environment and Forests, which shall be the Competent Authority for grant of such clearances as per the provisions of the Environment Impact Assessment Notification, dated the 14<sup>th</sup> September 2006 as amended from time to time.
- (5) The Monitoring Committee may also invite representatives or experts from concerned Departments or Associations to assist in its deliberations depending on the requirements on issue to issue basis.
- (6) For non-compliance of the provisions of this notification, the Chairperson or Member Secretary of Monitoring Committee shall be the competent authority to file complaints under section 19 of the Environment (Protection) Act, 1986.
- (7). The Monitoring Committee shall submit its annual action taken report by the 31<sup>st</sup> March of every year to the Ministry of Environment and Forests and the Ministry shall give its directions from time to time for effective discharge of the functions by the Monitoring Committee.
- (8) The powers and functions of the Monitoring Committee shall be restricted to the compliance of the provisions of this notification only.

[F. No. 25/3/2010-RE]

Dr. G. V. SUBRAHMANYAM, Scientist 'G'

Annexure I

Map of Eco-sensitive Zone showing sub-basin boundaries, Govind and Gangotri National Parks boundaries, important places, major tributaries of Bhagirathi river, and latitude-



78°22'00" E 79°40'00" E

31°27'00" N 31°27'00" N

79°04'32.21" E  
31°27'23.28" N

79°25'11.65" E  
31°05'46.54" N

78°22'57.78" E  
30°51'03.95" N

78°31'26.41" E  
30°39'08.09" N

CHINA

Himachal Pradesh

Govind National Park

Gangotri National Park

Bhagirathi-I

Bhagirathi-II

Pratapnagar (Chamoli)

Joshimath (Chamoli)

Purolo (Uttarkashi)

Rajgarhi (Uttarkashi)

Asiganga

Sukhi village

Harsil

Lanka

Mukthi

Bhaironghati

Gangotri

Chirbasa

Bhojbasa

Gaumukh

Bhatwari

Hareri

Uttarkashi

Legend:

- ESZ boundary
- International boundary
- State boundary
- Tehsil boundary
- Protected area boundary
- Village

Scale: 0 4 8 16 24 32 km

(Source of Village Locations: Survey of India)

## Annexure II

## Locations of Villages in Eco-sensitive Zone, district Uttarkashi, Uttarakhand.

S.No.	Village/Town name	Elevation (m)	Area (ha)	Latitude	Longitude
1.	Agoda	2428	214.09	30° 51' 13.2"	78° 29' 45.6"
2.	Aleth	1785	99.59	30° 41' 12"	78° 29' 16.2"
3.	Bagori	2762	83.98	31° 2' 51.6"	78° 45' 7.2"
4.	Bagyal Gaon	1558	91.85	30° 44' 30.6"	78° 26' 37.2"
5.	Bandrani	1599	61.79	30° 48' 39"	78° 37' 9"
6.	Barsu	2154	144.6	30° 50' 51.6"	78° 36' 45"
7.	Bayana	2003	133.99	30° 44' 13.8"	78° 33' 51"
8.	Bhangeli	2016	160.37	30° 55' 15"	78° 40' 46.8"
9.	Bhancoli	2155	213.93	30° 50' 54"	78° 28' 22.8"
10.	Bhatwari	1649	327.28	30° 47' 51.6"	78° 37' 9.6"
11.	Bhela Tipri	1639	63.18	30° 46' 55.8"	78° 37' 19.2"
12.	Bhukki	2436	96.52	30° 51' 55.8"	78° 40' 1.2"
13.	Bonga	1327	100.05	30° 42' 39"	78° 26' 45"
14.	Bongari	1694	54.03	30° 42' 35.4"	78° 28' 47.4"
15.	Dandalka	2413	92.06	30° 51' 4.2"	78° 29' 2.4"
16.	Dansra	2640	68.99	30° 51' 22.2"	78° 28' 34.8"
17.	Dhanpur	1833	113.7	30° 41' 24.6"	78° 28' 32.4"
18.	Dharali	2485	99.98	31° 2' 34.2"	78° 46' 49.8"
19.	Dhwari	1799	94.33	30° 47' 49.2"	78° 36' 32.4"
20.	Didsari	1555	173.11	30° 44' 51.6"	78° 33' 29.4"
21.	Dovah	1744	305.77	30° 41' 33"	78° 27' 34.2"
22.	Gajoli	1720	126.67	30° 50' 31.8"	78° 26' 52.2"
23.	Gangotri	3008	71.81	30° 59' 41.4"	78° 56' 18"
24.	Gawana	1316	131.94	30° 45' 38.4"	78° 28' 10.2"
25.	Gorshali	1962	183.29	30° 47' 13.8"	78° 36' 6.6"
26.	Gyanja	1997	93.6	30° 45' 21"	78° 25' 10.2"
27.	Hinna	1455	256.56	30° 44' 36.6"	78° 30' 41.4"
28.	Hurri	2453	140.49	30° 54' 4.2"	78° 41' 19.2"
29.	Jadung	4373	72	31° 9' 33.6"	79° 2' 25.8"
30.	Jakhol	1927	101.78	30° 46' 13.2"	78° 34' 36.6"
31.	Jamak	1428	203.4	30° 44' 10.8"	78° 31' 60"
32.	Jaspur	2649	134.58	30° 43' 52.8"	78° 27' 21"
33.	Jhala	2459	66.05	31° 2' 2.4"	78° 42' 58.8"

34.	Jodaw	2224	228.71	30° 45' 10.2"	78° 40' 3.6"
35.	Jokani	1718	54.53	30° 46' 44.4"	78° 35' 59.4"
36.	Joshiyara	1423	217.91	30° 44' 4.8"	78° 26' 28.2"
37.	Kamar	1993	85.78	30° 42' 24.6"	78° 32' 25.8"
38.	Kanath	1779	130.42	30° 45' 7.8"	78° 32' 23.4"
39.	Kankrari	1764	60.91	30° 42' 21"	78° 28' 55.2"
40.	Kishanpur	1725	154.5	30° 41' 28.2"	78° 30' 0.6"
41.	Kotiyal Gaon	1454	162.52	30° 43' 0.6"	78° 25' 52.2"
42.	Kumalti	1466	77.69	30° 46' 11.4"	78° 35' 58.8"
43.	Kunjan	2060	143.4	30° 51' 27"	78° 38' 22.2"
44.	Kuroli	1804	59.23	30° 42' 48.6"	78° 28' 46.8"
45.	Kyark	2007	149.4	30° 49' 25.2"	78° 37' 31.8"
46.	Ladari	1111	117.9	30° 43' 27.6"	78° 26' 25.8"
47.	Lata	1536	163.08	30° 46' 34.8"	78° 36' 24"
48.	Malla	1727	96.97	30° 47' 24"	78° 36' 42.6"
49.	Mando	1220	139.95	30° 44' 17.4"	78° 27' 31.8"
50.	Maneri	1519	95.63	30° 44' 40.8"	78° 32' 25.8"
51.	Manpur	1578	167.52	30° 41' 50.4"	78° 29' 1.2"
52.	Mastari	1705	83.52	30° 42' 49.8"	78° 27' 57.6"
53.	Mukhawa	2925	213.31	31° 3' 2.4"	78° 47' 25.2"
54.	Nalda Urph Bodhhar	1672	290.44	30° 46' 13.8"	78° 27' 51"
55.	Natin	2035	72.86	30° 48' 18"	78° 36' 10.8"
56.	Naugaon	2075	123.19	30° 51' 33"	78° 26' 54"
57.	Nalang	4254	67.24	31° 5' 36"	79° 0' 51"
58.	Netala	1277	290.7	30° 44' 60"	78° 29' 18"
59.	Nirakot	1615	153.97	30° 43' 55.2"	78° 28' 11.4"
60.	Nesmor	2253	263	30° 47' 42"	78° 24' 31.8"
61.	Ongee	1538	113.55	30° 45' 12.6"	78° 33' 3.6"
62.	Pahi	2331	3.88	30° 47' 55.2"	78° 35' 46.2"
63.	Pala Maradi	1727	304.37	30° 50' 27"	78° 37' 34.2"
64.	Pata	1338	80.93	30° 44' 50.4"	78° 26' 53.4"
65.	Pilang	2040	122.42	30° 46' 8.4"	78° 40' 2.4"
66.	Purali	2460	155.07	31° 2' 25.8"	78° 42' 51.6"
67.	Raithal	1720	132.34	30° 49' 9.6"	78° 36' 55.2"
68.	Sald Urph Maja Gaon	1970	118.94	30° 45' 44.4"	78° 25' 8.4"
69.	Sanj	1579	176.77	30° 46' 1.2"	78° 35' 14.4"
70.	Salang	1794	158.21	30° 50' 36"	78° 38' 15.6"
71.	Salu	1864	89.75	30° 44' 45"	78° 35' 42"
72.	Sangrali	1812	51.26	30° 44' 42"	78° 26' 10.8"
73.	Sara	1424	63.82	30° 42' 0.6"	78° 28' 33.6"
74.	Sarag	1328	61.68	30° 42' 22.2"	78° 27' 46.2"

75.	Sari	1909	72.99	30° 45' 25.2"	78° 36' 14.4"
76.	Saura	1467	150.67	30° 45' 42.6"	78° 35' 45"
77.	Seku	1905	217.58	30° 50' 10.8"	78° 27' 45"
78.	Silla	1766	111.6	30° 46' 13.8"	78° 38' 22.8"
79.	Silyan	1509	55.47	30° 43' 37.8"	78° 27' 33"
80.	Siror	1363	268.62	30° 44' 49.8"	78° 28' 42.6"
81.	Sukki	2642	105.98	31° 0' 39"	78° 42' 44.4"
82.	Sungar	1993	62.88	30° 53' 43.2"	78° 40' 44.4"
83.	Syawa	2145	88.25	30° 43' 58.2"	78° 35' 5.4"
84.	Thalan	1481	87.34	30° 42' 13.8"	78° 28' 7.8"
85.	Tehar	1884	150.24	30° 51' 59.4"	78° 39' 7.8"
86.	Tiloth	1099	60.4	30° 43' 43.2"	78° 26' 52.2"
87.	Uttarkashi	1241	#N/A	30° 44' 00.92"	78° 26' 21.41"
88.	Uttron	1290	131.7	30° 47' 20.4"	78° 26' 46.8"



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

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## पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

### अधिसूचना

नई दिल्ली, 16 अप्रैल, 2018

**का.आ. 1656(अ).**—केन्द्रीय सरकार ने, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में, सं. का. आ. 2930 (अ) द्वारा तारीख 18 दिसंबर, 2012 को प्रकाशित भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा 4179.59 वर्ग किलोमीटर के क्षेत्र में आने वाले गौमुखी से उत्तरकाशी तक भागीरथी नदी के लगभग 100 किलोमीटर फैलाव के संपूर्ण जलभराव क्षेत्र को पारिस्थितिकी संवेदी जोन के रूप में अधिसूचित किया था जिसके द्वारा उक्त जोन में कतिपय श्रेणियों के क्रियाकलापों को प्रतिषिद्ध, विनियमित किया गया था या उन्हें अनुमति प्रदान की गई थी;

भागीरथी पारिस्थितिकी-संवेदी जोन में पर्यावरणीय संरक्षण सुनिश्चित करते हुए प्रोत्साहन योग्य विकास को बढ़ावा देने वाले क्रियाकलापों की अनुमति देने के लिए विभिन्न पणधारकों से कई अभ्यावेदन प्राप्त हुए हैं;

और, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) उप-नियम (3) में अंतर्विष्ट किसी बात के होते हुए भी, जहां केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना है तो वह पूर्वोक्त नियम के उप-नियम (5) के खंड (क) के अधीन सूचना की आवश्यकता अपेक्षा को समाप्त कर सकेगा;

और, केन्द्रीय सरकार की यह राय है कि उक्त अधिसूचना को संशोधन करने के लिए उपरोक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन सूचना की आवश्यकता को समाप्त कर दिया जाए।

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) के खंड (v) के साथ

पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उपरोक्त अधिसूचना में निम्नलिखित संशोधन करता है, अर्थात्:-

(I) पैरा 2 में,

(अ) खंड (12) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्:- "(12) आंचलिक महायोजना में भूमि उपयोग से हरित उपयोगों जैसे बागवानी क्षेत्रों, कृषि, चाय बागान, उद्यान और अन्य जैसे स्थानों गैर-हरित उपयोगों में कोई परिवर्तन नहीं किया जाएगा, सिवाय इसके कि आंचलिक महायोजना को इस तरह की भूमि को सख्ती से सीमित रूपांतरण को पूरा करने की अनुमति हो सकती है बड़े पैमाने पर लोकहित और राष्ट्रीय सुरक्षा सहित नागरिक सुविधाओं और अन्य बुनियादी ढांचों के विकास के साथ-साथ राज्य सरकार की पूर्व अनुमति के साथ पर्यावरणीय प्रभावों के अध्ययन और उनके उपरांत विकल्पों के साथ पालन करके अंतिम रूप देना होगा।"

(आ) खंड (14) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्:-

"(14) अधिसूचना के खंड (12) और वन संरक्षण अधिनियम, 1980 (1980 का 69) में अंतर्विष्ट उपबंधों के अधीन रहते हुए हरित क्षेत्र जैसे वन क्षेत्र, कृषि क्षेत्र आदि में कोई परिणामिक कमी नहीं होगी।"

(इ) खंड (16) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्:-

"(16) पहाड़ी ढलानों का विकास और संरक्षण:

- (i) आंचलिक महायोजना पहाड़ी ढलानों के क्षेत्रों को निर्दिष्ट करेगा जहां विकास की अनुमति नहीं दी जाएगी।
- (ii) "किसी भी ढलान वाले क्षेत्रों में कोई भी विकास नहीं किया जाएगा या ऐसे क्षेत्र जो अपूर्ण या खतरा जोन या वसंत रेखाओं में आने वाले क्षेत्रों पर आते हैं और राज्य सरकार द्वारा उपलब्ध वैज्ञानिक साक्ष्यों के आधार पर पहचान की गई प्रथम ऑर्डर सरिताएँ या कटाव की उच्च डिग्री वाले ढलानों और आपवाहिक मामलों में समुदाय के लाभ के लिए अवसंरचनात्मक संकर्मों को पर्यावरणीय प्रभावों के समुचित अध्ययन के साथ किया जा सकेगा और लोक परामर्श सहित केंद्रीय सरकार के लाइन मंत्रालयों के परामर्श से इस तरह के विकास से उत्पन्न होने वाले उचित उपायों को किया जा सकेगा।"
- (iii) पर्यटक रिसोर्ट और वाणिज्यिक काम्पलेक्स में अधिशेष जल और बिजली वाले क्षेत्रों में ग्राम सभा और विद्यमान उपयोगकर्ताओं के साथ परामर्श और राज्य पर्यावरण संघात निर्धारण प्राधिकरण की अनुमोदन के साथ स्थित होगा।
- (iv) पारिस्थितिकी-संवेदी जोन के स्थानों में जहां पहाड़ी कटाव से पारिस्थितिकी क्षति और आसन्न क्षेत्रों में ढलान अस्थिरता हो जाती है, ऐसे कटावों को पर्यावरणीय प्रभावों के समुचित अध्ययन से लिया जाएगा और सार्वजनिक क्षेत्र सहित केन्द्रीय सरकार के लाइन मंत्रालयों के साथ परामर्श में उचित उपचारात्मक उपायों को लिया जाएगा।

स्पष्टीकरण- "इस अधिसूचना के प्रयोजनों के लिए," *खड़ी पहाड़ी ढलान* का वही अर्थ होगा जो आईएस 14496 (भाग 2) 1998 में वर्गीकरण में दिया गया है: *पर्वतीय क्षेत्र-दिशा-निर्देशों में भूस्खलन खतरे क्षेत्रीय मानचित्र की तैयारी के लिए भारतीय मानका*;

(ई) खंड (19) में, उप-खंड (i) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्:-

- (i) "आंचलिक महायोजना में शामिल होने के अध्यधीन रहते हुए विद्यमान सड़कों का विस्तार या चौड़ाई सहित पारिस्थितिकी संवेदी जोन में अनारक्षित सड़क सहित किसी भी सड़क के संनिर्माण के लिए है।"

"आंचलिक महायोजना में शामिल होने के अध्यक्षीन रहते हुए विद्यमान सड़कों का विस्तार या चौड़ाई सहित पारिस्थितिकी संवेदी जोन में अनारक्षित सड़क सहित किसी भी सड़क के संनिर्माण के लिए है।"

**(II) पैरा 3 में:-**

(अ) खंड (क) में, उप-खंड (v) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्:-

"(v) नई आरा मिलों की स्थापना।";

(आ) खंड (ख) में,

(i) उप-खंड (i) के स्थान पर, निम्नलिखित उप-खंड रखा जाएगा, अर्थात्:-

(i) जल.-(1) "भूजल की निकासी की अनुमति केवल भूखंड के प्रामाणिक उपभोक्ता के कृषि और घरेलू उपभोग के लिए और सार्वजनिक उपयोगिता संस्थानों और भूजल की बिक्री के लिए भी अनुमत होगी, राज्य भूमिगत जल बोर्ड के पूर्व अनुमोदन के अलावा अनुमति नहीं दी जाएगी।";

(ii) उप-खंड (vii) के स्थान पर, निम्नलिखित उप-खंड रखा जाएगा, अर्थात्:-

"(vii) विद्युत केबल्स का निर्माण, उप-स्टेशनों, ट्रांसफार्मर और अन्य संबंधित बुनियादी ढांचे की स्थापना और संचार संरचना की स्थापना पर्यावरणीय संघात के उचित अध्ययन के साथ स्थापित की जाएगी और उनके उपरांत विकल्पों के साथ पालन करना होगा।";

(ग) खंड (ग) में, उप-खंड (vii) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

"(viii) पुनर्निर्माण, आपदा निवारण, लिफ्ट सिंचाई, अस्पतालों, स्कूलों, खाद्य प्रामियां और अन्य सामाजिक और राष्ट्रीय सुरक्षा अवसंरचना से संबंधित कार्यों को पर्यावरणीय संघात के उचित अध्ययन के साथ और उनके उपरांत विकल्पों के साथ पालन किया जाएगा।"

[फा.सं. ए. 25/3/2010 ईएसजेड (डब्ल्यूओएल-1)]

ललित कपूर, वैज्ञानिक 'जी'

टिप्पण- मूल अधिसूचना भारत के राजपत्र, असाधारण भाग II, धारा-3, उप-धारा (ii) में का.आ. सं.2930 (अ) द्वारा तारीख 18.12.2012 को प्रकाशित की गई थी।

**MINISTRY ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 16<sup>th</sup> April, 2018

**S.O. 1656(E).**—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii), vide number S.O.2930(E), dated the 18th December, 2012 (hereinafter referred to as the said notification), the Central Government notified entire watershed area of about 100 kilometres stretch of the river Bhagirathi from Gaumukh to Uttarkashi covering an area of 4179.59 square kilometres as the Eco-sensitive Zone thereby prohibiting, regulating or permitting certain categories of activities in the said Zone;

Whereas, a number of representations have been received from various stakeholders to allow activities that promote sustainable development while ensuring environmental protection in the Bhagirathi Eco-sensitive Zone;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), wherever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (5) of the aforesaid rule;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of sub-rule (3) of rule 5 of the aforesaid rules for amending the said notification.

Now, therefore, in exercise of powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the aforesaid notification, namely:-

(I) in paragraph 2,

(A) for clause (12), the following clause shall be substituted, namely:- “(12) No change of land use from green uses such as horticulture areas, agriculture, tea gardens, parks and others like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conversion of such lands may be permitted to meet the local needs including civic amenities and other infrastructure development in larger public interest and national security with the prior approval of State Government with due study of Environmental Impacts and complying with their mitigation options and subject to finalisation of Zonal Master Plan”;

(B) for clause (14), the following clause shall be substituted, namely:-

“(14) There shall be no consequential reduction in Green area such as forest area, agricultural area, etc. subject to the provisions contained in clause (12) and the Forest Conservation Act, 1980 (69 of 1980) as applicable.”;

(C) for clause (16), the following clause shall be substituted, namely:-

“(16) Development and Protection of hill slopes:

- (i) The Zonal Master Plan shall indicate the areas on hill slopes where development shall not be permitted.
- (ii) No development shall be undertaken in areas having a steep slope or areas which fall in fault or hazard zones or areas falling on the spring lines and first order streams or slopes with a high degree of erosion as identified by the State Government on the basis of available scientific evidence and in exceptional cases infrastructural works for the benefit of community may be undertaken with proper study of the Environmental Impacts and taking appropriate mitigation measures arising out of such development in consultation with the line Ministries of the Central Government including Public Consultation.
- (iii) Tourist resorts and commercial complexes shall be located in areas with surplus water and electricity, in consultation with Gram Sabha and existing users and with due approval of State Environment Impact Assessment Authority.
- (iv) The places in the Eco-sensitive Zone where cutting of hills causes ecological damage and slope instability in adjacent areas, such cuttings shall be undertaken with proper study of the Environmental Impacts and taking appropriate mitigation measures in consultation with line Ministries of the Central Government including Public Consultation.

*Explanation- “For the purposes of this notification, “steep hill slope” shall have the same meaning as assigned to in categorization in IS 14496 (part 2):1998: Indian Standard for Preparation of Landslide Hazard Zonation Maps in Mountainous Terrains-Guidelines.”;*

(D) in clause (19), for sub-clause (i), the following sub-clause shall be substituted namely:-

“(i) for construction of any road including un-tarred road in the Eco -sensitive Zone (including the extension or widening of existing roads subject to inclusion in the Zonal Master Plan.”;

(II) in paragraph 3,-

(A) in clause (a), for sub-clause (v), the following sub-clause shall be substituted, namely:-

“(v) Setting up of new saw mills.”;

(B) in clause (b), -

(i) for sub-clause (i), the following sub-clause shall be substituted, namely:-

- “(i) Water. - (1) The extraction of ground water shall be permitted only for the agricultural and domestic consumption of the bona fide occupier of the plot and also for institutions of public utility and the sale of ground water shall not be permitted except with the prior approval of the State Ground Water Board”.;
- (ii) for sub-clause (vii), the following sub-clause shall be substituted namely:-
- “(vii) Erection of Electric cables, setting up of sub-stations, transformers and other related infrastructure and establishment of communication infrastructure shall be established with due study of Environmental Impacts and complying with their mitigation options.”;
- (C) in clause (c), - after sub-clause (vii), the following sub-clause shall be inserted, namely:-
- “(viii) Works related to re-construction, disaster mitigation, lift irrigation, hospitals, schools, food go-downs and other social and national security infrastructures shall be carried out with due study of Environmental Impacts and complying with their mitigation options.”.

[F. No. 25/3/2010-ESZ (Vol-I)]

LALIT KAPUR, Scientist 'G'

**Note:** The Principal notification was published in the Gazette of India, Extraordinary Part II, Section-3, Sub-Section (ii) vide S.O. No. 2930(E) dated 18.12.2012.

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# ASHRAM RHYTHM



# ARYA VIHAR ASHRAM





*There is this fullness of life awaiting the soul - but one must allow the life to aspire more and more to the Divine, to be lifted unto the Divine. This is my message wherever one may be.*

G.

## INTRODUCTION

Located in the Himalayas, in Garhwal, Arya Vihar Ashram is a spiritual community where sadhaks do their sadhana under the guidance of G. Aditya.

In the tradition handed down by our Rishis, action forms an integral part of the sadhana. Daily work, duties, meditation, games, study and community living form our activities and the field of sadhana.

The objective is *'To reach, to realize, to unfold, to manifest the Divine and bring it to its Dynamic Fulfillment through a Complete Development at all levels.'*

This booklet outlines the daily routine of sadhana and contains a brief description of our various activities.

## LOGO AND SYMBOL

The upward and downward moving triangles forming together an *hourglass* on the *outside* represent the ascent and descent of the Infinite – Eternal – Timeless process of *manifestation* through the *endless movement* of *sadhana*, of *hourglass Time*. The triangles penetrating into each other are equilaterals, their sides representing *equanimity*, *equilibrium* and *equipoise*. They represent power and energy, and together the *process of sadhana* – the ascending and descending movement of *the Force*, *the Kriya*. Because of the way they are positioned they form a *Diamond Vajra* in their middle.

The *Diamond Vajra* formed by the two triangles in the *inside* represents *pure light*; that remarkability – the multi-hued, the many multi-coloured, the many-sidedness, multi-directions of the Soul. The *Vajra* is the *thunderbolt* weapon of the Gods representing *power and strength of the Gods*. So too the *Diamond*, the strongest substance in nature and the most precious, *the adornment most fit for the Gods*. The *Diamond Vajra* therefore implying the adornment of the multi, many-sided skills, powers and strengths of the Gods – *the Godliness*, *and the ultimate endless destiny of the evolutionary manifestation of the soul*. The *Diamond Vajra* is representative of the versatility of life – the multiplicity, reflecting all the various sides, colours and hues of a *creative consciousness* – *the dynamis of the Soul* with its source in *equanimity* (*evenness of mind and temper*), *equilibrium* (*balanced state of being*) and *equipoise* (*state of being gathered*) as it is formed by the *equilateral triangles*. *Dynamis* – action from and in equanimity, equilibrium and equipoise. The poise is never lost in action. *Poise in action. Divine poise, Divine action.*

Within the formed *Diamond Vajra* is the *inner Sun Circle*, *Sun Sphere*, *the Immanent*, your *Divine Heart* which represents the *circle of the Power of God* – *Sphere of God* that

begins to emerge from *within* and manifest *without*, the whole sphere – the whole reality – *God is all*. There is nothing outside the sphere – God Sphere, *AtmaSphere*. Atmosphere. God Atmosphere. It represents the *Truth of God* in the heart.

And within this *circle* is the *constant* burning flame which represents the *flame eternal of the Soul*, the *Soul-fire* aflame *constantly* burning, living in it – reaching out for this manifestation *without stop* and manifesting it through its *many-sidedness of God manifestation*. The *burning flame* also represents your longing and intensity for the manifestation. It is an *eternal flame* contained in the simple *earthen* lamp and yet not *bound* by it.

The *earthen* lamp represents the physical body, the most material plane – *the earth body of God* – *the temple* that holds, contains and carries the *Soul-flame* for the manifestation of *the Divine* in the *embodied existence and condition, even so at the most material and physical level*. That is why it is made of the *earth*. So it implies the manifestation at the most material level on the earth plane. It is also indicative of the *earthiness* of the soul, its *simplicity* and *innocence of Being*. The lamp is your *body* with the eternal *soul-fire flame* as the *living resident* burning in it constantly for a continuing transformation and a greater and greater manifestation – therefore the appreciation of *the sacredness of this earth* and *the sacredness of your body*. *This body the temple* – not for pampering rather to be exalted from within. *This body* as an *instrument of God* wherein the *Divine Flame* continues to burn. *Thus this body and this earth wherein the Divine is to manifest*.

So you can see the contrast. The earth *seemingly* so fragile and ever changing existing in the domain of the relative and yet within it is contained *the Eternal, the Permanent*. It is all *energy and form* with its origins in the Eternal. So it too is Eternal. *There is only the modification of*

*the form in time through an evolving time and process. So this body through this evolving process of sadhana continues to be modified and transformed for a greater and greater manifestation. That includes the subtle bodies too because they are all interfused, interconnected, and integrated.*

The pillars supporting the triangles, the *whole process of sadhana* as it were represent *impeccability, integrity, intensity and commitment* to seeking after the *True*. They are the *pillars of strength* without which the required transformation and therefore the Divine manifestation is not possible.

All this is within *the larger Circle*, which is *The Divine Supreme, ParamAtman, The Transcendent, The Absolute, The Everything, The Reality*, which is also *you* at the individual level. So the Supreme is the basis for all manifestation, for all creation. *It is the manifestation. It is the creation and it is the beyond. It is in you, it is you.* The *Circle* also represents *wholeness, completeness* and the unfolding nature of the Reality like *the lotus in full bloom*.

The whole symbol is a geometric pattern. It is a *mandala* – a *mystical hologram*. It is a *yantra*. It is a *power symbol*.

So the symbol represents *you* in *mandala* form – in *yantra* form. The *symbol* – the *logo* is not mere line diagram. If you were to only *see* it from *meditation* you would see it as a *living and breathing reality* – *the flame moving, burning Bright – Brilliant and Luminous*.

## ASHRAM RHYTHM

### COMMUNION RHYTHMUS

#### **Brahma Muhurtam Yoga Parva – Divinus** 0400

Meditation.

#### **Usha Yoga Parva – Dawn – Sacramentum** **(Morning – Freshness)** 0530 (summer) / 0600 (winter)

*Awakening – Greetings.* Greeting Self and Creation – within and without. Greeting the Joy – ever-present Joy that is within us and in all things – in Creation. Greeting and meeting with our Soul the waking of Creation – the sound of birds – the freshness of the morning – all Creation's Creatures. Awakening to the Divinity everywhere, within us and without. Awakening to a New day to New life. Wake up and *Greet* the Soul Divine. Wake up to meet God and be rejuvenated in the Whole of your Being, in your every pore. Breathe in the Freshness, breathe out the stale. Breathe in the New, breathe out the old.

#### **Vajra Yoga Parva – Dynamis** 0600 (summer) / 0630 (winter)

Warm-up body movements/ *Trataka* in preparation for *Asanas/Pranayama*, Breathing *Kriyas* – Chants, vigorous and otherwise/ strong body dynamics – movements matching music. *Vajra* Shout/ *Vajra* Clap/ *Vajra* Dance and relaxing, softer movements with matching soothing music. Body dynamics – *Surya Mudra/ Surya Namaskaram* – body dance and breath synchronization. Breath and body synchronization movements – *through this harmonizing and unifying the whole Being – reaching to 'quiet harmony' in and of the Being.* *Pranayama*, Breathing *Kriyas* like *Kapalabhati*, (*Kapalabhatti*), *Agnisara*, *Akasha*, Bellows breathing, *Bhastrika*,

*Energizing* Vigorous breathing, *Sphurtika*, and *Harmonizing* Rhythmic breathing, *Santulika*. Staying with the harmony and therefore reaching to Meditation. (Always room and scope for introduction of new forms or new kinds of work through body and breath as also continuous evaluation and therefore evolving modifications and meditations.)

**Prasadam Yoga Parva – Grace**

**0800 (summer) / 0830 (winter)**

Mantra/ Breakfast.

**Adhyatmikam Yoga Parva – Spiritus**

**0900 (summer) / 0930 (winter)**

Assembly/ Work Meeting, *Satsang*, Discourse, Debate, Talks, Question and Answers, Readings, etc.

**Vira Yoga Parva – Braveheart (Courage)**

**1000 (summer) / 1030 (winter)**

Work as Meditation. Work as Worship – Worship as Work. Practice of *Karma Yoga*, *Yoga of Action*, *Seva*, Service, *Self-Offering* – Devotion through karma/ action to the outside – *Ashram*, *Environment* etc. (More *Environmental* as opposed to *Intromental*, and yet introspecting and inner watching all the time, finally the integration of both – becoming *One*, *Whole* and *Complete*).

**Madhyantra Yoga Parva – Zenith**

**1200 (summer) / 1230 (winter)**

Quiet *Meditation*/ *Introspection* for 10 to 20 minutes at the workplace with the help of Breathing.

**Dhyana Yoga Parva – Meditatus**

**1400 (winter) / 1430 (summer)**

Sitting Meditation.

**Prasadam Yoga Parva – Grace**

1430 (winter) / 1500 (summer)

7

Mantra/ Lunch.

**Vishram Yoga Parva – Repose**

1530 (winter) / 1600 (summer)

Yoga Rest.

**Mangala Yoga Parva – Benignus (Benevolence)**

1600 (winter) / 1630 (summer)

Activities more subjective although it is to be remembered that all is connected – *Subjective and the Environment, Environment and the Subjective*. Study, Sports, Play, etc.

**Sandhya Yoga Parva – Sanctus****(Evening – Evenness – Equanimity)**

1800 (winter) / 1830 (summer)

Group Learning/ Study, Readings, Audio Talk, Web-Site, Video.  
*Prarthana* – Prayer, Chants, *Kirtanam*, *Bhajanam*, Contemplation.

**Dhyana Yoga Parva – Meditatus**

1900 (winter) / 1930 (summer)

Meditation.

**Shanta Yoga Parva – Tranquillus (Silence – Peace)**

2200

Nidra, Sleep.

**\*Madhyantara Yoga Parva, Ratri (Night) – Nadir**

0000

Meditation.

\*Advanced Sadhana.

## MOTHER NATURE AND THE ASHRAM

From the time of the Upanishads which were written in deep forests to the present, Indian Spirituality is closely bound in a profound and deep appreciation for Nature and wildlife. At Arya Vihar we have made our area into a haven for trees.

Besides the hundreds of trees we have planted, we let all the wild berry and other bushes grow; as a result it is a veritable paradise for birds. Sightings in the Ashram include the Monal, Khalij Pheasant, Paradise flycatcher, migratory ducks, and orioles.



The Ashram grounds with a Rainbow



The Ganga flowing through the Uttarkashi Valley

## WILDLIFE

We are deeply concerned about the trauma wildlife is facing in the current scenario with rampant destruction of habitat in the name of development.

Recently we adopted an orphan goral found in the nearby hills in the quest for eventual rehabilitation.



We see a wide range of stunning moths and butterflies throughout the year



The Great Himalayan Blue Magpie photographed in the Ashram



A Great Himalayan Barbet photographed in the Ashram



This pair of mating snakes was seen near our tents

We also assisted the forest department in the release of other goral kept by them in an enclosure. Leopards, jungle cats, porcupines, weasels and even the occasional bear are welcome visitors.

We have snakes that are protected and even a regular jackal family that is visible around the Ashram in the winter.



Feeding Indy, our orphan Goral

## ASANAS, PRANAYAMA AND BODY DYNAMICS



Morning Asanas

The daily routine includes morning asanas and silent meditations both in the morning and evening.



Jagriti Kriya

## MEDITATION, SATSANGS AND STUDY



Satsang and Meditation on Gurupurnima Day

As part of the spiritual endeavor there are also readings from various texts such as Gita, Yoga Vashisht, etc.



Satsang in Panchmadhi



Satsang and Meditation on Gurupurnima Day

Satsangs with our Teacher give sadhaks the opportunity to put direct questions. Through talks and answers guidance is given for sadhana. This interaction forms the center of our spiritual practice.



Meditation in Pushkar

## COMMUNITY LIVING



Morning Assembly

Ashram life is essentially community living and we feel that such places are the experimental grounds for future living where humanity will live in large harmonious groups without plundering the environment or each other. Interaction with the other provides a continuous field for sadhana and it is a continuous challenge for people of different cultures, temperaments and social backgrounds to come together and live in harmony with Spiritual growth as the sole objective.



Daily work meeting

The daily routine including gardening, cooking, cleaning, work meetings etc. teaches us co-ordination and harmony.



Cooking the afternoon meal



Young and old join in a game of volleyball

The growing library, cinema, games, walks and other such recreational activities form the other part of community living and all together teach us to live in harmony – balancing the Individual to the Universal.



A trek in the mountains

## CONSTRUCTION

Most of the construction activity including design, architecture, and structure is done by sadhaks themselves. Our buildings are made in an eco-friendly manner using organic materials like wood, lime, brick and mud. We are continuously experimenting in structural design to make earthquake proof houses since Uttarkashi is a high risk zone. Our deep appreciation for local architecture such as slate roof, carved beams and pillars has led us to incorporate these elements in our designs.



Vyas Kutir



Sandpapering the pillars



Fitting the step-bridge

## ASHRAM PRODUCE

The Ashram makes natural handmade soap that is eco-friendly and non-polluting. The entire process is manual with no energy consumption. The soaps are 100% vegetarian with no added colours, chemicals etc. We use locally grown ingredients.

The soap packaging is also natural as we use no plastic whatsoever and our gift boxes are made from recycled paper.

Thus we preserve the purity of our campus and also provide to the world an eco-friendly alternative.



The final product –  
Soap gift boxes, soap bars

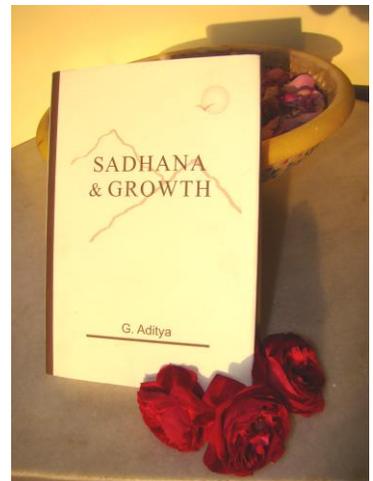


Pouring soaps into the mould

## PUBLICATIONS

The words and talks of our Teacher and Guide are being recorded and transcribed by the sadhaks with a view to publication for the benefit of humanity. Besides regular publishing on our website we have published two books and audio CDs; others are in the pipe line.

The Ashram has also made a documentary film, 'Tripathagamini' on the Ganga which deals with culture



Published books

and environmental conservation of the endangered river.

## **SOCIAL ACTIVITY: THE LARGER COMMUNITY AND THE ASHRAM**

The Ashram is primarily a field for sadhana and our daily programme is open to all who would wish to participate and have the sincerity, dedication and spiritual drive. Locals and people from across the globe are part of our community. We have provided education and an opportunity for some local children to stay in the Ashram in the gurukula tradition.

We have also provided assistance for them to participate in mountaineering activities

with the Nehru Institute of Mountaineering, Uttarkashi.

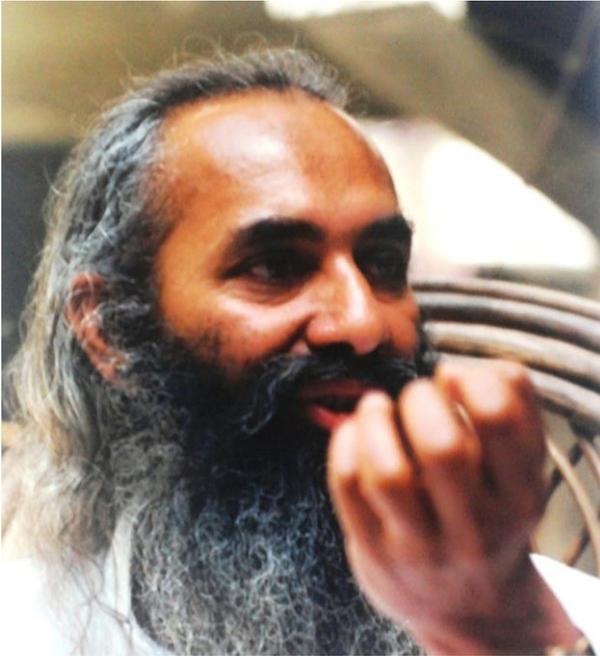
Serious environmental issues like dams on the Ganga etc, have motivated us to take up these issues for the preservation of Culture, Environment and Water sustainability for the present and future generations. Through soap-making and other activities we provide some employment and try to employ women or others in a difficult situation on priority.



A meeting with local village women



The president meeting local villagers in Huri village



G. (Giridhar Aditya) Founder



P. (Priyadarshini) President



*Do you not see the waters of the rivers and the streams – where do they begin?*

*They begin with a drop – but they have faith that one day they will be the ocean.*

G.

**ARYA VIHAR ASHRAM**

GRAM SAINJ, BISHANPUR  
UTTARKASHI 249194  
UTTARAKHAND

**POSTAL ADDRESS**  
ARYA VIHAR ASHRAM  
P.O. Box No 7 G.P.O.  
UTTARKASHI 249193  
UTTARAKHAND  
INDIA

**TEL.** +9101374236221  
**MOBILE** +919927561512

**WEBSITE** [www.aryamaan.org](http://www.aryamaan.org)  
**EMAIL ADDRESS** [aryavihar@gmail.com](mailto:aryavihar@gmail.com)









**Waste Warriors Society**  
136/2/2 Shivam Vihar,  
Rajpur Road, Jakhan,  
Dehradun, Uttarakhand - 248001

Name of Issuer: Waste Warriors Society

Date of Issue: 25th October 2022

**TO WHOM IT MAY CONCERN**

This is to certify and acknowledge the efforts made by Arya Vihar Ashram towards solid waste management in the remote areas of Uttarkashi, Uttarakhand.

Arya Vihar Ashram, Gram Sainj, Uttarkashi has been transporting their segregated ashram waste from Uttarkashi, Uttarakhand to our Material Recovery Facility at Dehradun, Uttarakhand periodically since 2018, where this segregated waste is further processed and sent to the respective end-recyclers for recycling.

Waste Warriors Society appreciates and encourages these efforts to ensure proper disposal of waste being generated in the Indian Himalayan region.

For Waste Warriors Society

Date: 25th October 2022

Name: Yuvraj Singh

Designation: Plant Manager





# The **CLEAN HIMALAYA** Society (Regd.129)

Dedicated to Preserving the Sanctity and Cleanliness of the Ganga and Himalayas and Reducing Global Warming

(Winner World Bank IDM 2007 Award)

20th September, 2022

To Whom It May Concern:

This is to certify that **Arya Vihar Ashram**, Gram Sainj, Uttarkashi has been transporting their segregated, inorganic waste from Uttarkashi to The Clean Himalaya Society workshop (for inorganic waste collection and storage) in Tapovan near Rishikesh periodically since 2010. This ashram is the only institute from Uttarkashi bringing their waste to us.

The inorganic waste The Clean Himalaya Society collects, primarily in Tapovan, is collected by vendors from Haridwar for further processing and recycling.

As we are dedicated to preserving the sanctity and cleanliness of the Ganga and Himalaya, we appreciate and encourage any institution who shares our concern and love for this holy region.

Yours sincerely,

For The Clean Himalaya Society (Regd.)

*Swami Amritarupananda*

Secretary

*20<sup>th</sup> September, 2022*

23 Feb. 22

LBC  
02/LBCकृपया SDM भदवाड़ी से  
जॉय रिपोर्ट ऑफ करजिलाधिकारी  
उत्तरकाशी

02/03/22

To,

District Magistrate  
District Uttarakashi  
UttarakhandSub: Complaint against Arya Vihar Ashram, village Saunj, Gangotri Road,  
Uttarakhand

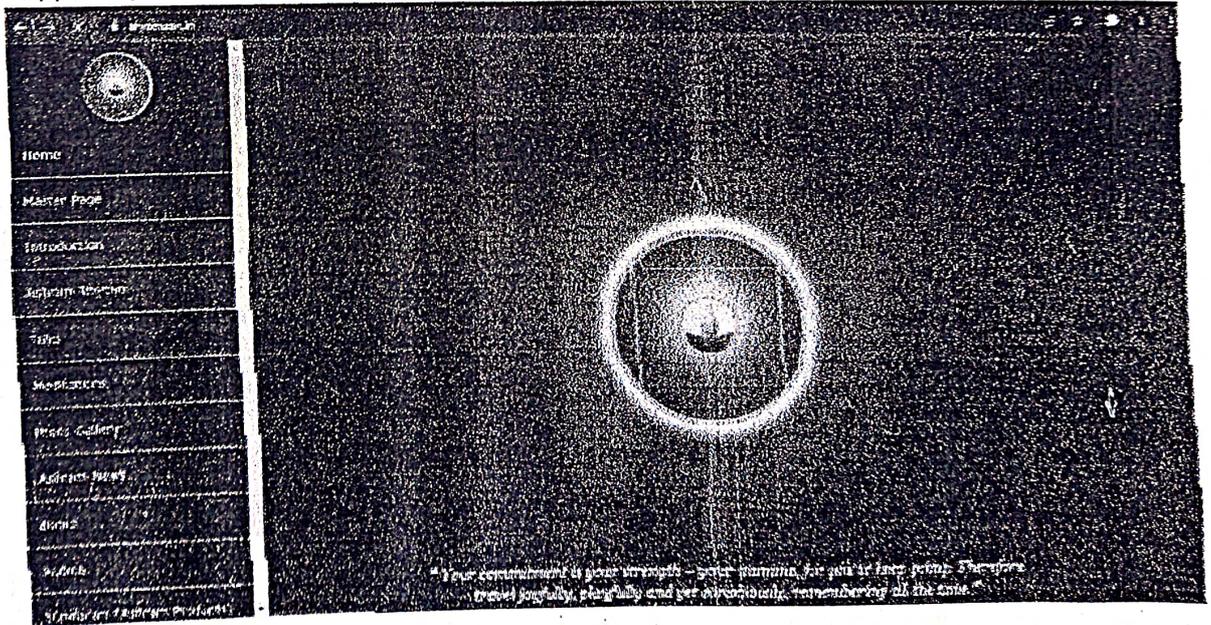
Sir,

SUNDRAM UDYOG, A SOAP MANUFACTURING UNIT WITHIN ASHRAM

The Arya Vihar Ashram is engaged in illegal activities of the money-making unit by establishing Sundram Udyog, a soap manufacturing unit within Ashram itself.

They admit on their website as below

<https://aryamaan.in/>



सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

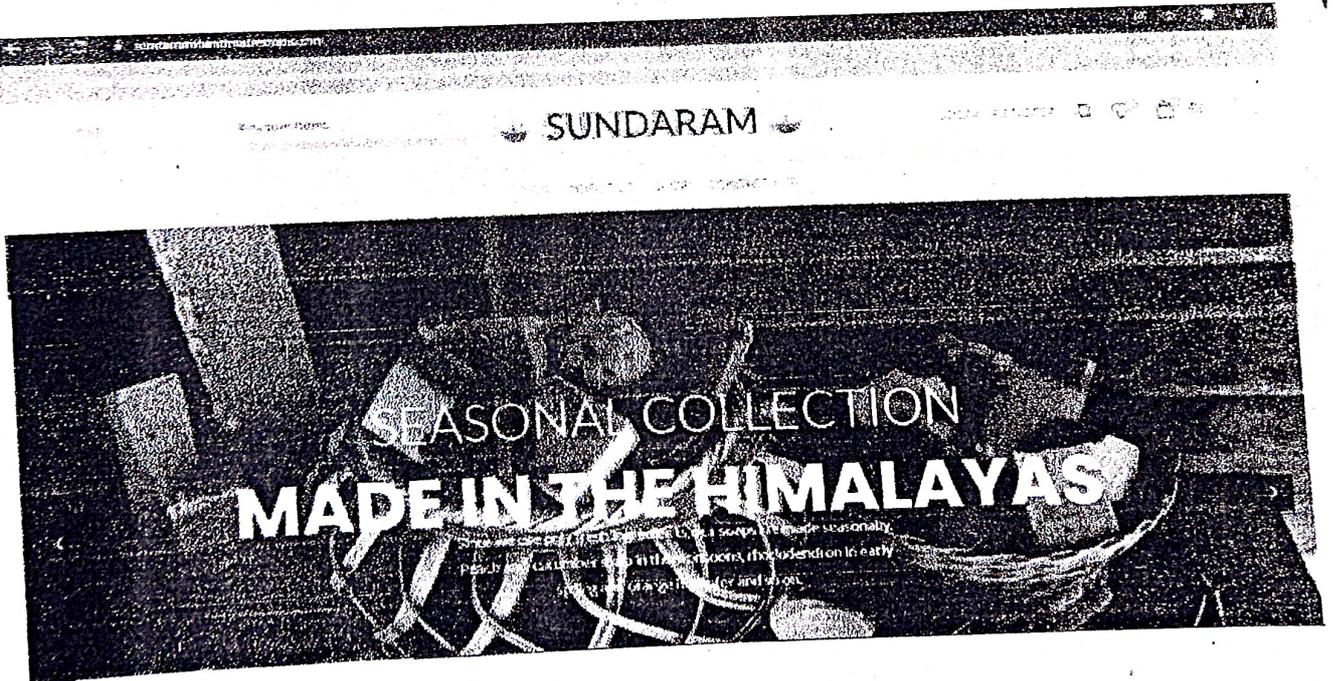
gpk

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदवाड़ी, उत्तरकाशी

facial cream, Body Butter. They declare it on their website – “Sundaram(Ashram Products)”. The site itself says, “Made in the Himalayas”. They say on their website SOAPS, BUTTERCREAM and other such beauty products are made from vegetables and fruit procured from the ashram, using the cold process method. We like to bring to your kind notice that the cold process method use sodium hydroxide which is a Base in chemical terminology, is mixed with oil, fatty acids for saponification. **Wastewater from soap and oil making unit represents a heavy pollution source on their receiving water body.**

As the ashram is on the bank of river Ganga in village Saunj which is a controlled Eco-sensitive Zone, where such a heavily polluting industry is strictly prohibited.

See the side below, which is from their website showing the soap industry with the name - “Sundaram”



[www.sundaramhandmadesoaps.com](http://www.sundaramhandmadesoaps.com)

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

*[Handwritten signature]*

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदवाड़ी, उत्तरकाशी

Secondly, we all know historically how various NGOs, particularly those who received foreign funds were involved in stalling the development projects undertaken by either State or Central Government of India until the Ministry of Home Affairs decided to plug loopholes through amendments in FCRA 2020.

In the above context, we would like to take cognizance of a person named Hemant Dhayani from Arya Vihar Ashram located in Uttarkashi.

HEMANT DHYANI AND ARYA VIHAR ASHRAM

The ashram to which Hemant Dhayani is affiliated is - Arya Vihar Ashram, Uttarkashi - Gangotri Rd, Didsari, and Uttarakhand - 249194. This is registered as a trust and claims to be a yoga and meditation centre. It has FCRA reg. No. 347980008.

Hemant Dhayani also claims himself to be a member of the High Power Committee (HPC).

We believe they are misusing foreign donations. As per its FCRA returns filed they have only spent on food and maintenance within the ashram under the head, "social purpose". They are putting large proportions of donations as FD's. They have not spent a single rupee for the people and the village where it is situated. As per FCRA rule, the foreign contribution is to be spent for predefined purposes only. **FCRA prohibits parking foreign money in Fixed Deposits.**

We also believe they have used in the past and are still using foreign funds to halt projects of national importance.

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

*[Handwritten Signature]*

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदवाड़ी, उत्तरकाशी

FCRA Annual Returns for the financial year 2020-2021 has been Submitted on 10/12/2021

(d) Total Foreign Contribution (a+b+c) (Rs.): 8102299.00

\* i.e. interest accrued on foreign contribution, or any other income derived from foreign contribution.  
e.g. sale proceeds from assets created from foreign contribution, or interest thereon during the year, income from property/activities.

(ii) (a). Donor wise detail of foreign contribution received:

Sr.No	Name of donor	Institutional/Individual	Detail of the donor: official address, email address, website address	Purpose for which received (social/cultural/educational/religious/political/other)	Specific activity / project	Amount in Rs.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	PATRIZIA METONE	Individual	VIA M. ANTONIO TRIDENTO, Italy, Email Id., Website Address:	Social	Maintenance and food dept.	34650.00
2	ANDRÉ SENFT	Individual	SCHWENNINGEN AUF FRANKFURTER GEBIRGE, Germany, Email Id., Website Address:	Social	Maintenance and food dept.	22470.00

Page 1 of 5

FCRA Annual Returns for the financial year 2020-2021 has been Submitted on 10/12/2021

Sl No.	Name of the person/association	Date	Purpose	Amount
(1)	(2)	(3)	(4)	(5)
(e) Total utilisation in the year (Rs.) (b+c+d) 678367.00				

Details of unutilised foreign contribution:

(i) Total foreign contribution invested in term Deposits (Rs.):

Sr. No.	Details	Total (in Rs.)
(i)	Opening Balance of FD	6000000.00
(ii)	FD made during the year	0.00
(iii)	Less: realisation of previous FD	6000000.00
	Closing balance of FD	0.00

(ii) Balance of unutilised foreign contribution, in cash form, at the end of the year (Rs.):

(a) Cash in hand: 70.00

(b) in FC designated bank account: 0.00

FCRA Annual Returns for the financial year 2020-2021 has been Submitted on 10/12/2021

Page 3 of 5

Above are a screenshot of FCRA Annual Returns for the financial year 2020-2021 submitted on 10/12/2021.

Please observe the pattern of using foreign contributions. They have been used for food and maintenance. Are foreign contributions made for food only, in the ashram? Can this be said as social work, serving food to residents in the ashram?

सूचना अधिकारी अधिनियम के अन्तर्गत नियमित  
सत्य प्रतिलिपि  
*[Signature]*

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदवाडी, उत्तरकाशी

They have not spent a single rupee to benefit the district or state in which they are located. What way they are contributing to society? They are utilising these funds for their own personal interest

They have the same pattern in FCRA returns of previous years, available on the FCRA website.

### Summary

In cognizance of the facts of Hemant Dhayani and his association with Arya Vihar Ashram, which itself involved in activities deterrent to Eco-sensitive Zone in contradiction to what they preach. This shows utter disloyalty to the nation, self-interest and trying to have a monopoly over the hilly terrain of Uttarakhand.

The anti-national instincts and activities of Arya Vihar Ashram envisage strict action with immediate effect.

### Prayer

1. An enquiry and fact-finding committee be set up to find the role of Hemant Dhayani in and Sundram Udyog.
2. The accounts of Arya Vihar Ashram be frozen till the inquiry is complete.
3. Arya Vihar Ashram be sealed so that fact of the existence of a soap factory is not tempered on the ground.

Yours Faithfully,

*[Handwritten Signature]*  
**Bhumesh Ramola**  
 Village Aungi,  
 P.O. Uttarakashi,  
 Uttarakhand

सूचना अधिकारी अभिनिर्दिष्ट को अन्तर्गत निर्गत  
 सत्य प्रतिलिपि

*[Handwritten Signature]*  
 सहायक लोक सूचना अधिकारी  
 कार्यालय उप जिलाधिकारी  
 भदवाड़ी, उत्तरकाशी

Annexure R/1-14

## Saura Cottages Pvt. Ltd.

Village Saura, Gangotri Road,  
Uttarakashi, Uttarakhand

2 March 2022

To,

District Magistrate  
Uttarakashi

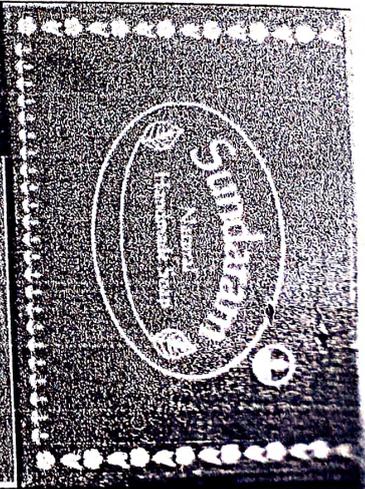
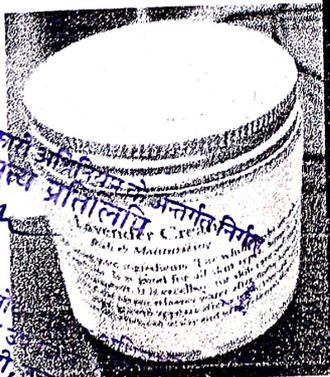
00/LBC - PLS  
R-  
2/3/22 from  
बिलासिकारी  
असुर

**Sub: Requesting action against Shri Arya Vihar Ashram for violation of Eco-sensitive guidelines**

Dear Sir,

We would like to bring to your kind notice that Shri Arya Vihar Ashram, village Sainj, Uttarkashi - Gangotri Rd, Didsari, Uttarakhand - 249194, registered as a trust. They claim themselves to be a yoga and meditation centre but are illegally running the Soap manufacturing industry in the grab of Ashram. There is an industry in the name "Sundram Udyog" as evident in photographs available on the 'Arya Vihar Ashram' Website itself: <https://aryamaan.in/>

As per their website, they claim their products are made from vegetables and fruit grown inside the ashram. They use the cold process method to make soap. We like you to note that the cold process method is a chemical reaction in which sodium hydroxide(Base) is mixed with oil, fatty acids for saponification. Making soap releases toxic chemical waste which they are discharging either in the ground or the river secretly, anyway waste has to go somewhere.





# Saura Cottages Pvt. Ltd.

Village Saura, Gangotri Road,  
Uttarakashi, Uttarakhand

Above are portraits of actual products manufactured in an ashram on an industrial scale, which we are herewith enclosing with this complaint letter, all are made at Sundram Udyog in Arya Vihar Ashram.

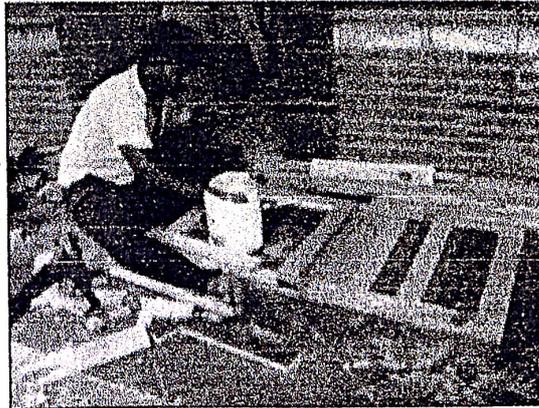
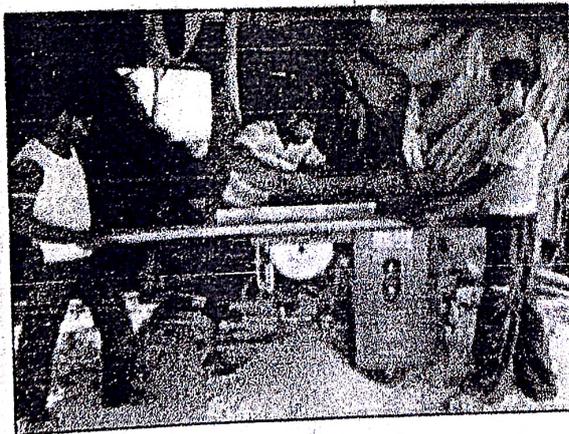
Please note, The ashram is making soap even when it is located in ESZ which was declared on 18-12-2012 :

"under Sub-section (1) read with clause (v) and clause (xiv) of Sub-section (2) of Section (3) of the Environment (Protection) Act, 1986, Govt. of India vide its notification no. S.O. 2930(E) dated 18, December 2012 has declared an area of 4179.56 sq. km. comprising a total stretch of about 100 km. of river Bhagirathi, covering its entire watershed from Gaumukh to Uttarkashi, as an Eco-sensitive Zone from Ecological and Environmental Conservation point-of-view".

Kindly see below the photo gallery of Arya Vihar Ashram from seeing the archive, which they deleted.

See the pictures of Construction Work:

as far as the outside is concerned, there is not much new to write about, except that finally a team of six carpenters has arrived middle of September and the noise of the machines can be heard from morning till night. They are working on cupboards, tables and beds for the new house and it feels good to see the daily progress after all these months.



Few people will stay back in the ashram to take care of the construction work, sweating in spite of the cold to finish the new house, in time at least for spring, so that finally all residents can shift into rooms, leaving the old tents to the memory of the past. This year we are having only very few outside workers, so the job has been left almost entirely on our own shoulders, a real self-made house.

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

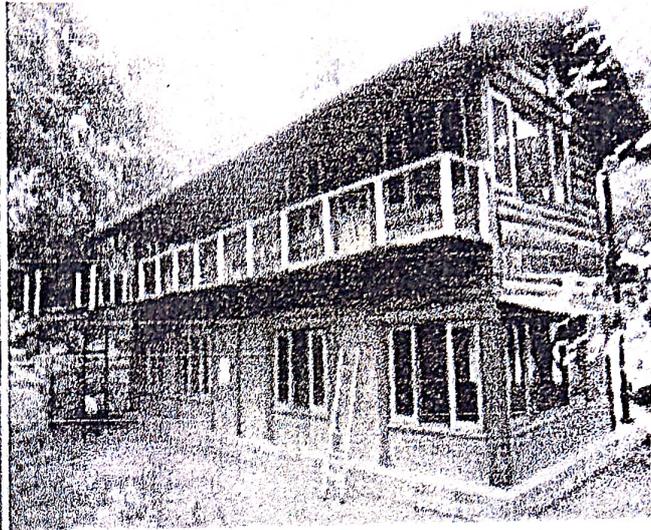
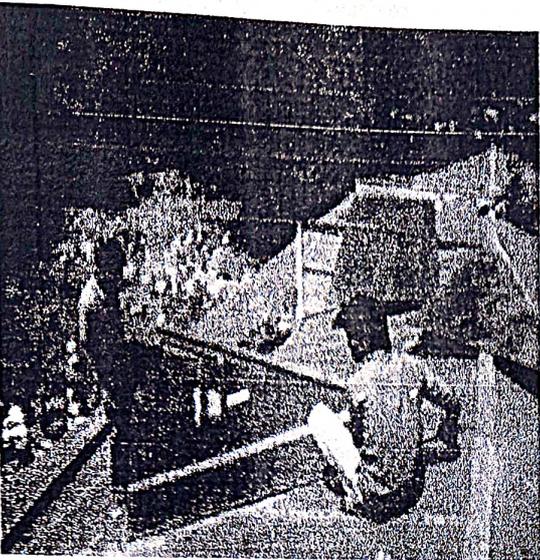
*Signature*

सहायक लोक सूचना अधिकारी  
भदवाड़ी, उत्तरकाशी-121003

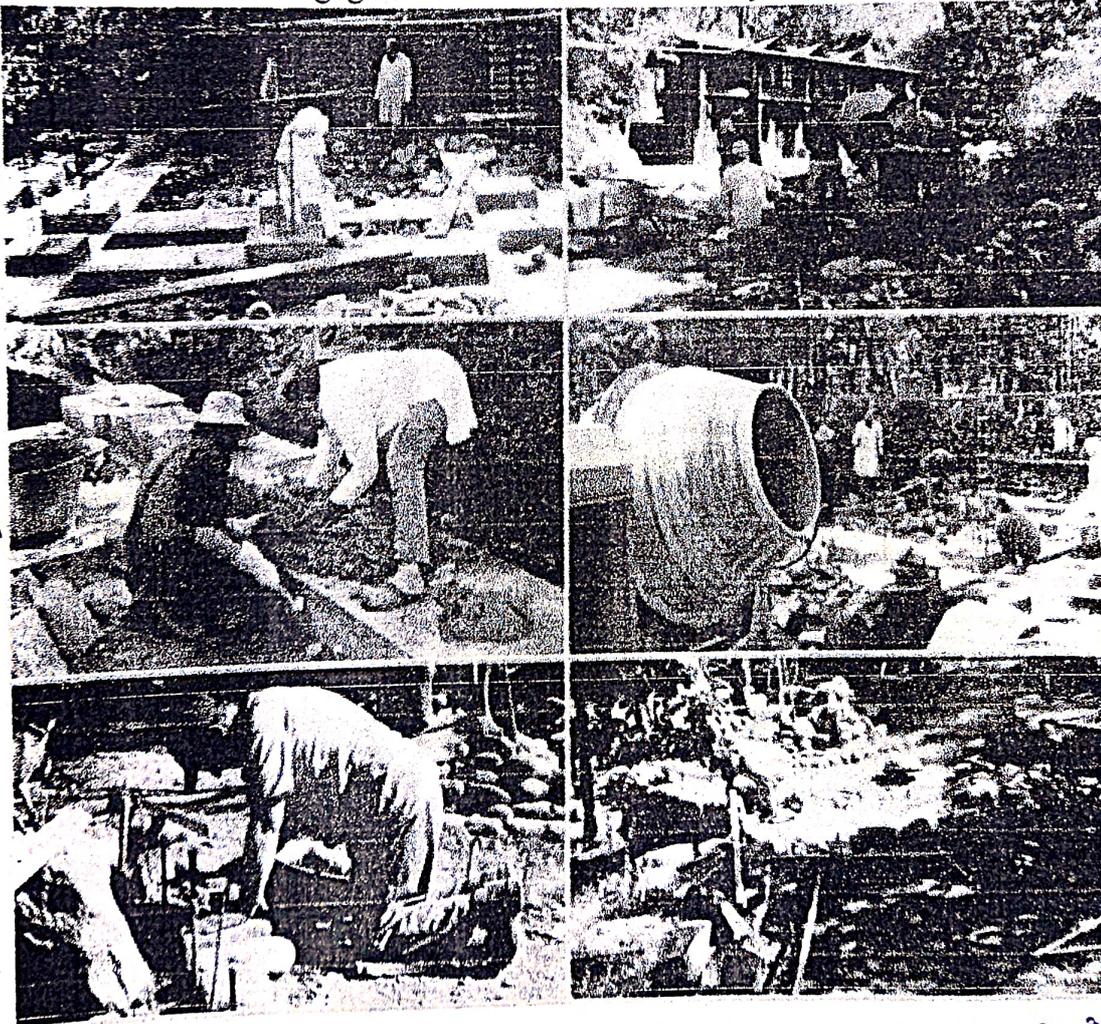
Adminstration Office: Ganesh Villa, 153, Sector 46, Faridkot, Punjab, India-151003  
Email : ajaysingh114@gmail.com

# Saura Cottages Pvt. Ltd.

Village Saura, Gangotri Road,  
Uttarakashi, Uttarakhand



The ashram is itself engaged in construction work. They have made a double-storey house.

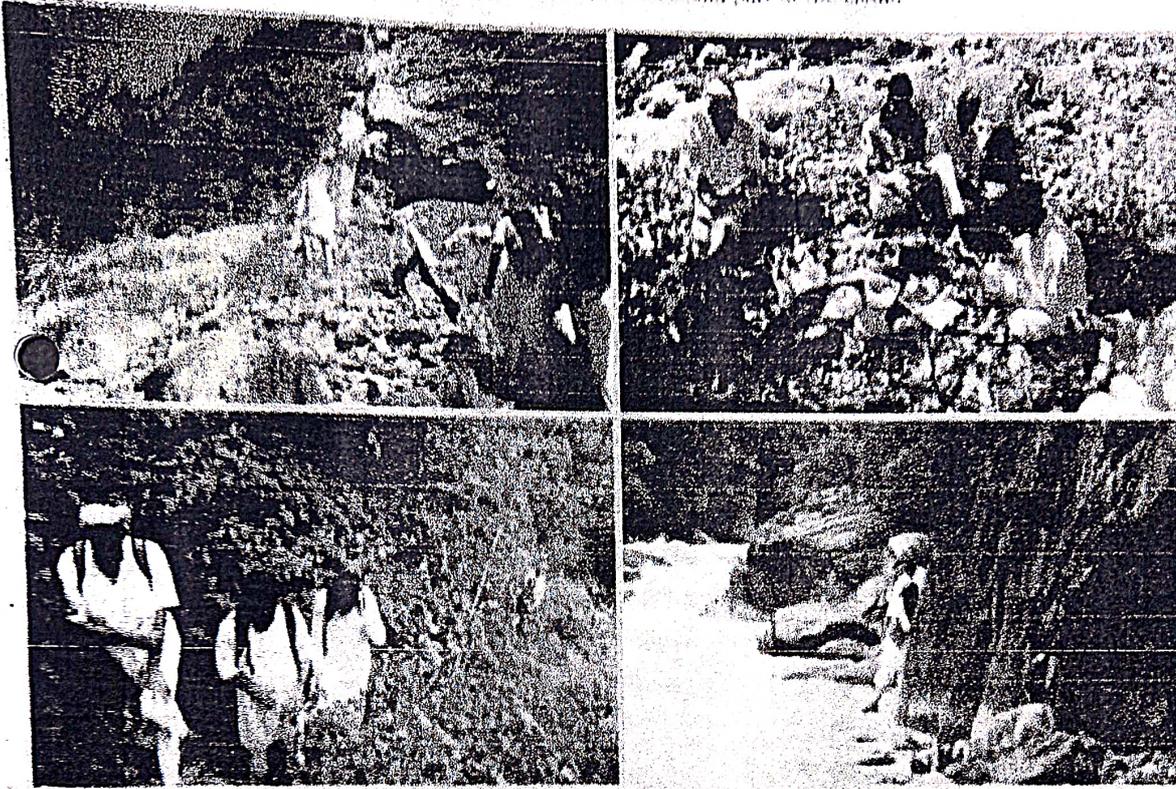


Adminatration Office: Ganesh Villa, 153, Sector 46, Faridabad, Haryana- 121003  
Email : ajaysingh114@gmail.com

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिक्रिया  
*ajk*  
सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदवाड़ी, उत्तरकाशी

Village Saura, Gangotri Road,  
Uttarakashi, Uttarakhand

is ashram only allows foreigners. Their presence near border all-time jeopardises security  
for a week, often ending late in the evening with the Master pouring on us all his love and compassion. We had also a  
series of beautiful walks in the mountains towards Gangotri, carrying with us the previously prepared food for the picnic by  
train flowing just on the way, giving us a needed break before second part of the climb.



**Oct 16: Doing Picnic in Border and Army area without permission by foreign nationals. A threat to national security posed by Arya Vihar Ashram. They are above law and do whatever they want to destroy nature. It is get good foreign funding for Racist Ashram.**

They have undertaken diversion of the river to circumvent the 100-metre distance clause in the Honourable NGT order dated 15-12-2017.

The area of Arya Vihar Ashram falls within 50 metres, as if just on the bank of the river, which may be verified anytime.

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भटवाड़ी, उत्तरकाशी

# Saura Cottages Pvt. Ltd.

Village Saura, Gangotri Road,  
Uttarakashi, Uttarakhand

## Prayer

Please take appropriate against Ashram in accordance with the law.

Yours Faithfully,

Ajay Singh  
Director

9873081306

ATTACH:- SOAP 9WVOICE

सूचना अधिकारी अधिनियम के अन्तर्गत निर्गत  
सत्य प्रतिलिपि

सहायक लोक सूचना अधिकारी  
कार्यालय उप जिलाधिकारी  
भदमाड़ी, उत्तरकाशी

Adminatration Office: Ganesh Villa, 153, Sector 46, Faridabad, Haryana- 121003  
Email : ajaysingh114@gmail.com

Annexure ①

Date - 15<sup>th</sup> March 2022

To,

The Under Secretary FCRA  
The Ministry of Home Affairs,  
FCRA Wing, 1st Floor,  
Major Dhyan Chand National Stadium,  
Near Pragati Maidan,  
New Delhi  
110001

U/S (FC)



For MHO,  
BHO, PI  
20/3/22

US(MHO)-E  
28/3/22

**Subject** - Illegal funding and violations of various sections of FCRA ACT 2010 by Sri Arya Trust, Owned and operated by Arya Vihar Ashram, Uttarkashi, Uttarakhand.

Dear Sir,

We the residents of Syaba Village, Gangotri Road Block Bhatwari, Dist- Uttarkashi through our learned counsel would like to bring to your kind notice about the unlawful and illicit foreign funding received by Shri Arya vihar trust through its trustee Hemant Dhyani, from various foreigners whose residential addresses and contact numbers are suspicious and seems to be misleading and should be verified. The funds received are utilized in mislaying activities and are not used for the purpose they are intended for as shown by Ashram's trust in their statements. All the funds are used under the head of 'food and maintenance' as shown under FCRA returns filed but the Ashram has failed to justify how such a big amount are only used under these two heads only. All the FDs are made in Mutual Funds which is a clear violation of rules 4 FCRR, 2011.

Over the years it has been seen that the Arya Vihar Ashram and Hemant Dhyani had been trying to put a stop to each and every developmental activity initiated by the government for the area. Siyaba road construction work for the development of roads of Siyaba village had also been stopped due to the intervention of Arya Vihar Ashram and Hemant Dhyani. These protests are undertaken so that the illegal activities of Ashram go unnoticed and are not highlighted before the government.

Copy of returns filed has been attached with the application herewith.

Further, it has been stated under Section 14(d) that The central Government has the power to cancel the license if,

"The holder of the certificate has violated any of the provision of this act or rules or order made thereunder"

An inquiry should be made to verify the actual sources of funds (including person name, addresses, contact number etc) from which fund is being generated to stop the laundering of funds. That Sri Arya trust through its trustees had not been involved in any reasonable activity of charity and development for

*[Handwritten signature]*

*[Handwritten signature]*

अन्य सं० 8 - 13/11/15-03-2022

which it has been granted FCRA registration instead followed stunned behaviour and imply their resources to stop the progress of any projects or recreational activity in that area. Hence such trust has not worked for the development of society and area and had tried to restrain the government actions, hampering the progress of the state. Due to these actions of the trust transportation and road connectivity in the area are lacking behind and hence creating problems for people to reach school and hospitals.

Further Section 14(e) of ECRA Act 2010 states,

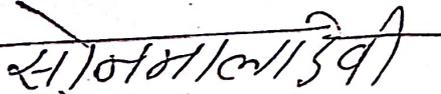
"If the holder of the certificate has not been engaged in any reasonable activity in its chosen field for the benefit of the society for the 2 consecutive years or has become defunct "

We would like to bring to your notice about Soap manufacturing plant in name of Sundram Udyog operating in an Eco-sensitive Zone by Sri Arya Vihar Ashram in its premiss itself. Ms Mallika Bhanot is an active trustee of Ashram as she is a direct Marketing agent for Sundram Udyog Products. Incidentally, she has found a place for herself as a member of the 'Bhagirathi Eco-Sensitive Zone' Committee. Being an NGO, Ashram receives foreign funding for predesignated social work but they have illicitly diverted foreign funds to establish Soap Industry.

Ms Mallika Bhanot volunteered with Ganga Avahan, a forum that monitors ESZ, to stop the Char Dham Pariyojana by Uttarakhand Government which aims to "improve the connectivity to all four shrines - Kedarnath, Badrinath, Yamunotri and Gangotri creating Chardham pilgrimage.

In light of the above statements we request to kindly set up an inquiry on Ashram and trust, audit its accounts and cancel the certificate of same with immediate effect in the light of the above facts so that miscarriage of law is not done or take any other appropriate action which the Central Government deems fit.

Yours Faithfully



सोनमाला देवी  
प्रधान  
ग्राम पंचायत स्यावा  
दि०ख०-मटवाडी उ०फ०

**IMPORTANT & URGENT****Date:** 31.07.2021

To,

1. The Chief Secretary, State of Uttarakhand  
Chairman, Monitoring Committee, Bhagirathi Eco Sensitive Zone
2. Shri Hem Pande, Co-Chair, Monitoring Committee, Bhagirathi Eco Sensitive Zone

**Subject- On ground violation and non-compliance of Bhagirathi Eco Zone (BESZ) Notification along with other laws in force.**

Dear Sir,

Kindly refer the order No. 3236/सात-भू.क्र.पत्रा./2018-19, dated 20.02.2021 issued by the District Magistrate Uttarkashi in which permission was granted to a non-resident of Uttarakhand to buy 0.659 hectare agriculture land in BESZ for construction of a resort. This permission order is based on wrong and misleading submission where it states that '*Distance of river Bhagirathi is about 100 m north of this land*'. In fact the pictures below show that the entire land is in fact just adjacent to the active flood plain of river Bhagirathi.



**View of the land from Gangotri Highway (red encircled) sold out to a non-resident, the land is just adjacent to the active flood plain of river Bhagirathi. The land was permitted to sale by showing its distance 100 m away from the river.**

Thereafter its land use was also changed to facilitate the construction through a letter dated 17.05.2021 by district administration. It is not only in gross violation of BESZ notification but also violates the bye-laws of the state itself which prohibit construction close to the river flood plain. In this regard, kindly note the following:

1. Subsequent to the various order passed by Hon'ble NGT, State of Uttarakhand through its order No. 1995/V-2/2017-58 (आ०)/2014 dated 29.11.2017 declared the area up to 100 m distance from the middle of the river as 'prohibited zone' in hilly terrain . The order quotes as under;

पर्वतीय क्षेत्र

(क) प्रतिबन्धित जोन: -

ट्रिब्यूनल द्वारा गंगा नदी के मध्य से 100 मीटर तक के क्षेत्र को प्रतिबन्धित जोन निर्धारित किया गया है। पर्वतीय भू-भाग की स्थलाकृति एवं नदी प्रवाह के दृष्टिगत इस क्षेत्र के प्रतिबन्धित क्षेत्र का निर्धारण निम्नानुसार निर्धारित किया जाता है :-

1- नदी के मध्य से 100 मीटर अथवा पच्चीस साल के अन्तराल के आधार पर (floods upto 25 year frequency) बाढ़ प्रभावित क्षेत्र में से जो अधिक हो, के अनुसार प्रतिबन्धित जोन का निर्धारण किया जायेगा।

2- प्रतिबन्धित क्षेत्र में किसी भी प्रकार का नवनिर्माण अनुमन्य नहीं होगा एवं उक्त क्षेत्र में वृक्षारोपण/ तटबन्ध/नदी तटीय विकास/स्नानघाट निर्माण/बाढ़ प्रबन्धन कार्य/मार्ग/सेतु निर्माण व अन्य अवस्थापना सुविधाओं के विकास कार्य एवं तत्सम्बन्धी निर्माण आदि अनुमन्य होंगे। इस क्षेत्र में बाढ़, भूस्खलन, नदी कटान आदि आपदाओं की दृष्टि से स्थल के सुरक्षित होने की स्थिति में विद्यमान निर्माण की मरम्मत एवं जीर्णोद्धार नियमानुसार अनुमन्य होंगे तथा ऐसे निर्माणों का विस्तार अथवा किसी प्रकार का नव निर्माण अनुमन्य नहीं होगा। यदि इन निर्माणों/ परिसरों में समुचित ठोस अपशिष्ट निस्तारण व सीवेज ट्रीटमेंट व्यवस्था अनुपलब्ध हो तो यह व्यवस्था सुनिश्चित कराई जानी आवश्यक होगी।

3- इस क्षेत्र में Dump Sites/ Landfill Sites निषिद्ध होंगे।

नोट- उक्तानुसार परिभाषित प्रतिबन्धित जोन का निर्धारण उत्तराखण्ड बाढ़ मैदानी परिक्षेत्रण अधिनियम, 2012 के अधीन सिंचाई विभाग द्वारा किया जायेगा।

2. Thereafter, Hon'ble NGT in its order dated 15.12.2017 in the matter of MC Mehta Vs Union of India & Ors (OA No 200 of 2014), categorically directed as under;

*"...we reiterate that in the area falling within 50 mtrs from edge of the river in the hilly terrain no construction would be permitted, nor any other activity carried out and it shall be treated as Prohibitory Zone. Beyond 50 mtrs and up to 100 mtrs in the hilly terrain it shall be treated as Regulatory Zone. Regulatory activity shall be notified by the State and till that time there shall be no construction activity permitted in that area...."*

3. Further on, ‘**House construction and development bye laws**’ of Department of Housing, Uttarakhand Govt. in its Part-1, chapter iv, section 4.4 titled ‘Site location- other parameters’ in 2019, also categorically stated that minimum 30-30 m from river boundaries shall be left for dense plantation. Thereafter the boundary of any plot can be started. The rule quotes as under:

(III) जल स्रोत से दूरी :

जल स्रोत से निम्न दूरी उपरान्त भू-खण्ड सीमा का निर्धारण होगा।

- (i) नदी के तट से न्यूनतम 30.0–30.0 मीटर व भूगर्भीय जल स्रोतों से न्यूनतम 10.0–10.0 मीटर पर सघन वृक्षारोपण हेतु क्षेत्र छोड़ा जाना अनिवार्य होगा व किसी भी प्रकार का निर्माण अनुमन्य नहीं होगा।

Therefore allowing the land use change of the above land for construction is not only a blatant violation of the State laws in force but it also redicules the very spirti of the **Bhagirathi Eco Sensitive Zone Notification**. **If such activities can be done even inside the BESZ what would be condition in the rest of the hilly areas of the State ? In this context it is worth mentioning ongoing state wide concern for demanding strong land-law (bhu-kanoon) against such abuse of land use change. Recently, our Prime Minister has also acknowledged the concern of land degradation in the country and need to restore the degraded lands.**

4. Besides, any activities related to tourism and landuse change should be in compliance with the following clauses of the BESZ notification.

Clause 2.12 states as under:

*“No change of land use from green uses such as horticulture areas, agriculture, tea gardens, parks and others like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conversion of such lands may be permitted to meet the local needs including civic amenities and other infrastructure development in larger public interest and national security with the prior approval of State Government with due study of Environmental Impacts and complying with their mitigation options and subject to finalisation of Zonal Master Plan.”*

Clause 2.14 states that *“There shall be no consequential reduction in Green area such as forest area, agricultural area, etc.”*

Clause 2.18 (v) states as follows:

*“Till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the Monitoring Committee only after a detailed examination and shall subject to the guidelines laid down by the State Government and the Central Government in this regard.”*

Since, such landuse change for expansion of tourism activity has neither been permitted by the monitoring committee nor is the part of ZMP which is submitted for approval and the matter is still pending before the Supreme Court. Hence, such landuse change for tourism construction is based on falsification of facts and in direct violation of NGT’s order, State Laws and Bhagirathi Eco Sensitive Zone Notification.

## 5. Other unregulated harmful activities:

**A. Construction at vulnerable locations:** News reports of recent years are the testimony of the fact that the area falling in Bhagirathi Eco Sensitive Zone witnessed comparatively far less events of landslides, road blockages, cloudbursts or flash floods than to the other similar Badrinath, Kedarnath or Yamunotri valleys in past few years. This is perhaps due to protection of watershed area from various exploitive activities which are prohibited through notification. Thriving wildlife was also reported by forest department due to lock down period.

But unfortunately it is not with the case of regulated activities such as construction of roads and hotel/resorts etc. For last few years the haphazard unregulated construction activities have been happening inside the BESZ especially in case of construction of village roads and hotel/resorts. Such harmful construction activities will not only harm the ecology but can be proven disastrous. It is pertinent to mention here the recent cloud burst in the ongoing monsoon on 19<sup>th</sup> July near village Mandow in BESZ which claimed 3 lives, is perhaps due to close proximity of the habitation to the stream which was hit by the cloudburst.

It is disastrous that such non-compliance of the laws, lack of proper on-ground monitoring have encouraged people and authorities for such haphazard and vulnerable construction.



**A stream in Village Mandow which hit by cloudburst on 19<sup>th</sup> July claimed 3 lives (left). A recently constructed hotel adjacent to a similar stream in Maneri along the Gangotri Highway (right).**

Number of examples can be seen where unregulated construction of hotel/resorts in close proximity of streams (gaad/gederas), rivers and natural drains are left unchecked. Besides, consideration of land use change or tourism carrying capacity as envisioned in BESZ notification is not at all considered. All such activities need to be checked and rectified by Monitoring Committee via detail on-ground monitoring for ensuring disaster resiliency and protection of ecology as well.

## B. Haphazard construction of hill roads in violation of BESZ guidelines:

Earlier also I had reported about road construction activities which were allowed in violation of BESZ notification. I was informed that construction activities were stayed thereafter on Bayna-Syaba road by the MoEF&CC and State forest department as well. The Notification as well as proposed ZMP also accepts that EIA is compulsory for any significant land use change specially in case of road construction. The clause 2.19 of notification gives detail guidelines for hill roads construction. But the following procedures are not being followed.

- i. **No EIA being carried out:** Unfortunately not a single EIA was carried out as per the standard protocol in compliance of BESZ notification.
- ii. **DPRs not following guidelines as per clause 2.19:** The detailed project reports (DPRs) of sanctioned village roads do not follow the guidelines of BESZ notification. The notification clearly says that ‘mass balancing cut and fill’ method would be adopted and debris would be subsumed in construction via using bio-engineering technique. But DPRs of these roads follows ‘cut and dump’.



‘Cut and dump’ in village road construction can be seen in BESZ almost everywhere.

- iii. **The fact that the road is within BESZ was concealed and Monitoring committee was bypassed while applying for clearances:**

The state forest department as well as regional office MoEF&CC ignored this crucial violation done by the project authorities that many road project proposals were submitted without being scrutinized by Monitoring Committee and therefore were erroneous and flawed. One such complaint made by me against the proposal No FP/UK/Road/29432/2017 (Syaba-Bayna road project) was considered by the MoEF&CC. Subsequently, an inquiry had been initiated and through its letter dated 01.07.2020 it was acknowledged by MoEF&CC that Notification was violated while taking the clearances. The project construction was stayed thereafter by MoEF&CC. However, final decision on the alternate alignment and restoration of illegally excavated forest area is pending before the Monitoring Committee.

**6. Works of larger public interests are pending and delayed:**

On one side such unregulated haphazard activities are ending up in disaster and thereby putting more work and financial load on govt. as well as society besides harming the ecology and rendering the region more vulnerable, other hand several important aspects are being ignored or handled in a very casual or irresponsible manner. Solid waste management is a challenge not only for the municipal area of Uttarkashi but for the entire watershed from Gaumukh to Uttarkashi where residents and floating population of tourists generate significant amount of solid waste. Monitoring committee along with locals and administration need to find out a solution of this burning concern. Besides, schemes like roof top solar, organic farming, horticulture, native bee farming projects which are being encouraged by govt. itself everywhere, have unfortunately did nil progress in BESZ. Needless to say that without ensuring active participation of locals, objective envisioned in the BESZ for sustainable development cannot be fulfilled.

**Conclusion:**

In the light of the above facts Monitoring Committee is requested to act on the followings:

- i.** Cancellation of land use change permission in the above-mentioned case under order No. 3236/सात-भू.क्र.पत्रा. /2018-19, dated 20.02.2021 and take action as per the law against the culprit for falsifying the facts.
- ii.** To carry out the EIA as per the standard procedure set by MoEF&CC for the activities of land use change in case of village road construction, solid waste management site or any other similar activities.
- iii.** For construction of any village road ‘mass balancing cut and fill’ method using bio-engineering technique as per guidelines outlined in BESZ notification shall be strictly followed by all DPRs.

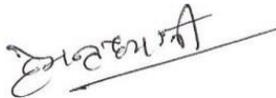
- iv. To disqualify all such commercial complexes for commercial activities which have constructed the buildings in close proximity of water streams or rivers after the declaration of BESZ especially after June 2013 disaster.

Finally an assessment of ecological restoration in a way by compensatory afforestation, soil conservation, CAT plans of natural streams as envisaged by the notification in its clause 2.4 must be carried out by Monitoring Committee time to time. Active participation and suggestions from local residents and villagers for various schemes should be encouraged. Site visit and interaction by the experts of Monitoring Committee with locals could help in effective implementation.

In the era of increasing impacts of climate change in the Himalayas, our efforts should be towards sustainable approach and thereby making the Bhagirathi Eco Zone as an ideal for other similar Himalayan valleys to adopt the same. Thanks.

Hoping for prompt response:

With due regards:



Dr. Hemant Dhyani  
Resident of BESZ and Member,  
High Powered committee (HPC), Chardham Project,  
Sri Arya Vihar, Village-Sainj,  
Block-Bhatwadi, Uttarkashi

**Copy to:**

1. Members, Monitoring Committee, BESZ
2. District Magistrate, Member Secretary, Monitoring Committee, BESZ
3. Regional office, MoEF&CC, 25-Subhash Road, Dehradun
4. Divisional Forest Officer, Uttarkashi

**IMPORTANT & URGENT****Date:** 04.03.2022

To,

1. The Chief Secretary, State of Uttarakhand  
Chairman, Monitoring Committee, Bhagirathi Eco Sensitive Zone
2. Shri Hem Pande, Co-Chair, Monitoring Committee, Bhagirathi Eco Sensitive Zone

**Subject-**On ground violation and non-compliance of Bhagirathi Eco Zone (BESZ) Notification along with other laws in force.

**Reference:**1. My earlier letter dated 31.07.2021 regarding the above-mentioned subject.

2. My letter dated 19.02.2022 to SDM Bhatwari regarding ongoing violations

Dear Sir,

Kindly refer to my earlier letter to the monitoring committee in which I brought before the monitoring committee **an order No. 3236/सात-भू.क्र.पत्रा. /2018-19, dated 20.02.2021** issued by the District Magistrate Uttarkashi. Through this order permission was granted to a non-resident of Uttarakhand to buy 0.659 hectare agriculture land in BESZ for tourism related construction activities. This permission order was based on a wrong submission where it falsely stated that *'Distance of river Bhagirathi is about 100 m north of this land'*. In fact the latest joint inspection conducted by the SDM Bhatwari on 23.02.2022 clarifies that the entire land is *'within 50 m of river edge.'* This is also evident from the pictures below that show that entire land is directly adjoining the river Bhagirathi.



**View of the land from Gangotri Highway (red encircled) sold to a non-resident, the land is directly adjoining the river Bhagirathi. The land was permitted to sale by showing its distance 100 m away from the river.**

Based on this faulty and wrong evaluation the land use was also changed from green agricultural usage to permit construction through a letter dated 17.05.2021 by the district administration. I have stated in my letter exactly how such a permission is in gross violation of BESZ notification as well as other laws in force. State of Uttarakhand through its order No. 1995/V-2/2017-58 (आ०)/2014 dated 29.11.2017 declared the area up to 100 m distance from the middle of the river as 'prohibited zone' in hilly terrain.

However, I have not received any response from the Monitoring Committee, but following developments have come to my notice.

1. SDM Bhatwari took cognizance of BESZ notification and revoked its own earlier order of land use change and through his new order dated 07.09.2021, he restored the land status back to its original form i.e. agricultural land.
2. In spite of cancellation of land use change permission, the land owner started construction activities on this land. A complaint of this violation was again sent by me to SDM Bhatwari and the Monitoring Committee on 19.02.2022.
3. Subsequent to this, SDM Bhatwari constituted a joint inspection committee. The committee revealed the fact that **the entire land in fact falls within 50 m from the edge of the river**. SDM therefore ordered to stay construction on 24.02.2022

एव नाला नहीं है। एव विवाद रहित भूमि है। प्रस्तावित भूमि के मध्य व किनारे कोई भागीरथी नदी का बहाव है। प्रस्तावित भूमि के उत्तर दिशा की ओर लगभग 100 मीटर की दूरी पर

**Excerpt from order passed by DM dated 20.02.2021 granting permission of land sale on the basis that land is located 100 m north of the river Bhagirathi**

गया तथा संयुक्त निरीक्षण आख्या अधोहस्ताक्षरी को प्रस्तुत की गई। गठित समिति द्वारा प्रस्तुत संयुक्त निरीक्षण रिपोर्ट के अनुसार आपके नाम दर्ज ग्राम सौरा में दर्ज सम्पूर्ण 0.659 हे० भूमि भागीरथी नदी के मध्य बिन्दु से 100 मी० की दूरी के अन्तर्गत है तथा भूमि नदी किनारे से भी 50 मी० की दूरी के अन्तर्गत स्थित है।

**Excerpt from SDM order dated 24.02.2022 issuing stay on construction on the basis that entire land falls within 50 m from the edge of the river.**

The above report dated 24.02.2022 proves that the earlier order **No. 3236/सात-भू.क्र.पत्रा./2018-19**, passed by DM, Uttarkashi on 20.02.2021 granting permission to purchase the land for resort purposes was wrong. Moreover, this order does not comply with the BESZ notification which details the provisions for tourism related activities under clause 2.18. Clause 2.18 of the notification states as under:

- i. *“The Tourism Master Plan shall also form a component of the Zonal Master Plan and shall be based on a detailed Carrying Capacity Study of the Eco-sensitive Zone, which may be carried out by the State Government.*
- ii. *All new tourism activities, development for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this Tourism*

*Master Plan.*

*iii. ....*

*iv. Till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the Monitoring Committee only after a detailed examination and shall be subject to the guidelines laid down by the State Government and the Central Government in this regard.”*

### **Other unregulated harmful activities:**

I also mentioned and brought before your notice about other harmful and unregulated activities which I have received no response. In fact all the following illegal activities are going on unabated.

#### **A. Construction at vulnerable locations:**

It is disastrous that such non-compliance of the laws, lack of proper on-ground monitoring have encouraged people and authorities for such haphazard and vulnerable construction.



**A stream in Village Mandow which was hit by cloudburst on 19<sup>th</sup> July 2021 claimed 3 lives (left). Currently under construction hotel adjacent to a similar stream in Maneri along theGangotri Highway (right).**

Number of examples can be seen where unregulated construction of hotel/resorts in close proximity of streams (gaad/gederas), rivers and natural drains are left unchecked. Besides, consideration of land use change or tourism carrying capacity as envisioned in BESZ notification is not at all considered. All such activities need to be checked and halted along with appropriate action for violations to ensure proper compliance and the conservationist spirit and letter of the notification.

#### **B. Haphazard construction of hill roads in violation of BESZ guidelines:**

The clause 2.19 of notification gives detailed guidelines for hill roads construction. But the following procedures are not being followed.

- i. **No EIA being carried out:** Unfortunately not a single EIA was carried out as per the standard protocol in compliance of BESZ notification.
- ii. **DPRs not following guidelines as per clause 2.19:** The detailed project reports (DPRs) of sanctioned village roads do not follow the guidelines of BESZ notification. The notification clearly says that ‘mass balancing cut and fill’ method would be adopted and debris would be subsumed in construction via using bio-engineering technique. But DPRs of these roads follows ‘cut and dump’.



**‘Cut and dump’ in village road construction can be seen in BESZ almost everywhere.**

- iii. **The fact that the road is within BESZ was concealed and Monitoring committee was bypassed while applying for clearances:**

**Conclusion:**

In the light of the above facts Monitoring Committee is requested to act on the followings:

- i. Cancellation of order No. 3236/सात-भू.क्र.पत्रा. /2018-19, dated 20.02.2021 since it is proven that it is based on faulty data and in violation of BESZ notification.

- ii. To carry out the EIA as per the standard procedure set by MoEF&CC for the activities of land use change in case of village road construction, solid waste management site or any other similar activities.
- iii. For construction of any village road 'mass balancing cut and fill' method using bio-engineering technique as per guidelines outlined in BESZ notification shall be strictly followed by all DPRs. No blasting and double connectivity be permitted in keeping with the protective spirit of the BESZ especially considering the high seismicity and vulnerability. In this spirit the State disaster mitigation center also recommended ban on blasting activities in the State.
- iv. To disqualify all such commercial complexes for commercial activities which have constructed the buildings in close proximity of water streams or rivers after the declaration of BESZ.

Hoping for prompt response:

With due regards:



Dr. Hemant Dhyani  
Resident of BESZ and Member,  
High Powered committee (HPC), Chardham Project,  
Sri Arya Vihar, Village-Sainj,  
Block-Bhatwadi, Uttarkashi

**Copy to:**

1. Members, Monitoring Committee, BESZ
2. District Magistrate, Member Secretary, Monitoring Committee, BESZ
3. Regional office, MoEF&CC, 25-Subhash Road, Dehradun
4. Divisional Forest Officer, Uttarkashi
5. SDM, Bhatwari, Uttarkashi.

## कार्यालय उप जिलाधिकारी, भटवाडी, उत्तरकाशी।

संख्या 441 / पी0ए0-विविध पत्रा0 / 2020-21

दिनांक 24 फरवरी, 2022

श्री अजय सिंह पुत्र विरेन्द्रपाल सिंह,  
निवासी-122 सेक्टर-46 फरीदाबाद,  
हरियाणा।

श्री हेमन्त ध्यानी, निवासी आर्य विहार आश्रम, ग्राम सैज तहसील भटवाडी, जिला उत्तरकाशी के शिकायती प्रार्थना पत्र दिनांक 19.02.2022 के कम गठित समिति द्वारा दिनांक 23.02.2022 को संयुक्त निरीक्षण किया गया तथा संयुक्त निरीक्षण आख्या अधोहस्ताक्षरी को प्रस्तुत की गई। गठित समिति द्वारा प्रस्तुत संयुक्त निरीक्षण रिपोर्ट के अनुसार आपके नाम दर्ज ग्राम सौरा में दर्ज सम्पूर्ण 0.659 हे० भूमि भागीरथी नदी के मध्य बिन्दु से 100 मी० की दूरी के अन्तर्गत है तथा भूमि नदी किनारे से भी 50 मी० की दूरी के अन्तर्गत स्थित है।

भागीरथी इको सेंसिटिव जोन के अन्तर्गत नदी से 100 मी० अन्दर बिना अनुमति के निर्माण कार्य किया जाना प्रतिबन्धित है। आपके द्वारा बिना अनुमति खसरा नं०-6088, 6089, 6090 मध्ये निर्माण कार्य प्रारम्भ किया गया है। अतः गठित समिति द्वारा प्रस्तुत संयुक्त निरीक्षण रिपोर्ट के कम में उक्त भूमि पर निर्माण कार्य को तत्काल प्रभाव से रोक लगायी जाती है।

उप जिलाधिकारी,  
भटवाडी।

- प्रतिलिपि:-1- राजस्व उप निरीक्षक सौरा को इस निर्देश के साथ प्रेषित की आदेश की एक प्रति खातेदार श्री अजय सिंह पुत्र विरेन्द्रपाल सिंह, निवासी-122 सेक्टर-46 फरीदाबाद, हरियाणा हॉल निवास सौरा को अविलम्ब तामिल करायें।
- 2- तहसीलदार भटवाडी को इस निर्देश के साथ प्रेषित कि तत्काल मौके पर कार्य रूकवाना सुनिश्चित करें।
- 3- जिलाधिकारी महोदय, उत्तरकाशी की सेवा में सूचनार्थ प्रेषित।

उप जिलाधिकारी,  
भटवाडी।

**Office of the Sub-divisional Magistrate, Bhatwadi, Uttarkashi**

No. 441/ PA- Miscellaneous letter/ 2020-21

Date: 24<sup>th</sup> February 2022

Shri Ajay Singh  
S/o Virendrapal Singh  
R/o 122, Sector 46, Faridabad, Haryana

Following the complaint letter dated 19.02.2022 received by Sh.Hemant Dhyani, resident of Arya Vihar Ashram, Gram Sainj, Tehsil Bhatwadi, district Uttarkashi, a committee was constituted which surveyed the area on 22.02.2022 and the survey report was presented to the undersigned. According to the said report of a joint survey, complete land size of 0.659 hectares in Saura village, registered under your name is within 100mtr from the midpoint of river Bhagirathi and the land is also located within 50mtr from the river bank.

In Bhagirathi Eco-sensitive Zone any construction within 100mtr of the river, without prior permission is prohibited. You have started construction without permission on Khasras no. 6088, 6089, 6090. Therefore consequent to the report submitted by the joint committee, all constructions on the above-mentioned land must be stopped with immediate effect.

SDM, Bhatwadi

Copy to: 1. Revenue sub- inspector , Saura with directions to serve a copy of the order to the owner Sh.Ajay Singh, S/o Virendrapal Singh, R/o 122, sector 46, Faridabad, Haryana, without any further delay

2. Tehsildaar, Bhatwadi, with directions to ensure immediate stoppage of all works at the site.

3. District Magistrate, Uttarkashi, for information

SDM, Bhatwadi

\$~32

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 696/2019  
CRL.M.A. 38627/2019 (directions)

PARAMJIT SINGH AND ORS ..... Petitioner  
Represented by: Ms. Tanya Agarwal, Ms. Eliza Slram,  
Advts.

versus

VINOD KOTIYA AND ORS ..... Respondent  
Represented by: Mr. Rajesh Mahajan, ASC for State  
with Ms. Jyoti Babbar, Adv. with Insp.  
Arun Verma, PS Spl. Cell.  
Mr. Mayank Sapre, Mr. Kumar  
Shivam, Advts. for R-1.  
Mr. Kirtiman Singh, CGSC for  
R-2 to 4.

**CORAM:**  
**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**16.12.2021**

%

1. A status report has been filed under the signatures of the DCP concerned, Cyber Crime, Special Cell. However, a perusal of the status report reveals that the entire thrust of investigation is on obtaining the details of the registrants and for which obviously time is taken. However, no active steps have been taken by the investigating agency to ensure that the defamatory and malicious contents are taken down because after the URLs is blocked by Facebook, the said URLs are still active on Google and YouTube.

2. The DCP Cyber Crime, Special Cell will file a further status report as to the steps taken to ensure that the offending contents are taken down from the various sites.
3. List on 9<sup>th</sup> March, 2022.
4. Order be uploaded on the website of this Court.

**MUKTA GUPTA, J.**

**DECEMBER 16, 2021**  
**‘ga’**

1/71547/2022

संख्या: 1327 / 2022 / XX-5 / 03(57)2022

प्रेषक,

रिधिम अग्रवाल,  
अपर सचिव,  
उत्तराखण्ड शासन।

सेवा में,

जिलाधिकारी,  
उत्तरकाशी।

गृह अनुभाग-05

देहरादून, दिनांक: 19 अक्टूबर, 2022

विषय:-उत्तरकाशी स्थित श्री आर्य ट्रस्ट, आर्य विहार आश्रम के शिकायती पत्र के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक श्री हेमंत ध्यानी, श्री आर्य ट्रस्ट, आर्य विहार आश्रम, सैंज के पत्र दिनांक-31.07.2022 का संदर्भ ग्रहण करने का कष्ट करें।

02- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि श्री अजय सिंह, निवासी फरीदाबाद, हरियाणा द्वारा श्री आर्य ट्रस्ट, आर्य विहार आश्रम, सैंज, उत्तरकाशी के प्रकरण में श्री हेमंत ध्यानी के पत्र दिनांक-31.07.2022 में इंगित तथ्यों के आधार पर नियमानुसार कार्यवाही करें।

इस सम्बन्ध में संबंधित दोषियों के विरुद्ध अपेक्षित विधिक कार्यवाही करने का कष्ट करें।

भवदीया,

(रिधिम अग्रवाल)  
अपर सचिव।

पुष्ठांकन:-संख्या-<sup>1327</sup>XX-5/2022/03(57)2022, तददिनांक,

प्रतिलिपि:- पुलिस अधीक्षक, उत्तरकाशी को सूचनार्थ प्रेषित।

Signed by Ridhim Aggarwal

Date: 19-10-2022 11:29:00

(रिधिम अग्रवाल)  
अपर सचिव।

1/71547/2022

No.1327/2022/ XX-5/03(57)2022

From,

Riddhim Agarwal

Additional Secretary

Uttarakhand Secretariat

To,

District magistrate

Uttarkashi

Home section – 05

Dehradun Dt:19<sup>th</sup> October'2022

Subject: With regards to the complaint by Sri Arya Trust, Arya Vihar Ashram, located in Uttarkashi

Sir,

Kindly consider the letter dated 31/07/2022 by Sh.Hemant Dhyani, Sri Arya Trust, Arya Vihar Ashram, Sainj with regards to the above-mentioned subject.

02 – In this regard I have been directed to say that in the matter of Ajay Singh, resident of Faridabad, Haryana and Sri Arya Trust, Arya Vihar Ashram, Sainj, Uttarkashi, please conduct appropriate proceedings as per the rules by considering the facts laid out in the letter by Sh.Hemant Dhyani dated 31.07.2022.

In this regard, it is requested to conduct appropriate legal proceedings against the connected guilty individuals.

Sincerely

Riddhim Agarwal

Additional Secretary

No.1327/2022/ XX-5/03(57)2022

Copy to: SP, Uttarkashi, for information

Signed by

Riddhim Agarwal

Dt. 19/102022 11. 29.00

Riddhim Agarwal

Additional Secretary

1/71545/2022

संख्या: 1326 / 2022 / XX-5 / 03(57)2022

प्रेषक,  
रिधिम अग्रवाल,  
अपर सचिव,  
उत्तराखण्ड शासन।

सेवा में,  
पुलिस अधीक्षक,  
उत्तरकाशी।

गृह अनुभाग-05

देहरादून, दिनांक: 19 अक्टूबर, 2022

विषय:-उत्तरकाशी स्थित श्री आर्य ट्रस्ट, आर्य विहार आश्रम के शिकायती पत्र के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक श्री हेमंत ध्यानी, श्री आर्य ट्रस्ट, आर्य विहार आश्रम, सैज के पत्र दिनांक-31.07.2022 का संदर्भ ग्रहण करने का कष्ट करें।

02- इस सम्बन्ध में यह भी अवगत कराया गया है कि श्री अजय सिंह, निवासी फरीदाबाद, हरियाणा द्वारा श्री आर्य ट्रस्ट, आर्य विहार आश्रम, सैज, उत्तरकाशी के प्रकरण में गठित 07 सदस्यीय प्रशासनिक जांच रिपोर्ट दिनांक-27.05.2022 (प्रति संलग्न) तथा पुलिस उपाधीक्षक, उत्तरकाशी की जांच आख्या दिनांक-30.08.2022 (प्रति संलग्न) का संज्ञान लेने का कष्ट करें।

तत्क्रम में श्री हेमंत ध्यानी, श्री आर्य ट्रस्ट, आर्य विहार आश्रम, उत्तरकाशी के पत्र दिनांक-31.07.2022 की प्रति संलग्नकों सहित प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि उक्त प्रकरण में नियमानुसार यथोचित अग्रेत्तर कार्यवाही करने का कष्ट करें एवं तत्सम्बन्धी कृत कार्यवाही से शासन एवं शिकायतकर्ता को भी अवगत करायें।

भवदीया,

(रिधिम अग्रवाल)  
अपर सचिव।

पृष्ठांकन:-संख्या-<sup>1326</sup>XX-5/2022/03(57)2022, तददिनांक.

प्रतिलिपि:- जिलाधिकारी, उत्तरकाशी को सूचनार्थ प्रेषित।

Signed by Ridhim Aggarwal  
Date: 19-10-2022 11:26:51

(रिधिम अग्रवाल)  
अपर सचिव।

1/71547/2022

No.1326/2022/ XX-5/03(57)2022

From,

Riddhim Agarwal

Additional Secretary

Uttarakhand Secretariat

To,

Superintendent of Police

Uttarkashi

Home section – 05

Dehradun Dt:19<sup>th</sup> October'2022

Subject: With regards to the complaint by Sri Arya Trust, Arya Vihar Ashram, located in Uttarkashi

Sir,

Kindly consider the letter dated 31/07/2022 by Sh.Hemant Dhyani, Sri Arya Trust, Arya Vihar Ashram, Sainj with regards to the above-mentioned subject.

02 – In this regard I have been directed to say that in the matter of Ajay Singh, resident of Faridabad, Haryana and Sri Arya Trust, Arya Vihar Ashram, Sainj, Uttarkashi, please conduct appropriate proceedings as per the rules by considering the facts laid out in the letter by Sh.Hemant Dhyani dated 31.07.2022 and please apprise the administration and the complainant of the action taken.

Sincerely

Riddhim Agarwal

Additional Secretary

No.1326/2022/ XX-5/03(57)2022

Copy to: District magistrate, Uttarkashi, for information

Signed by

Riddhim Agarwal

Dt. 19/102022 11. 29.00

Riddhim Agarwal

Additional Secretary

# New Green Warriors.

Print

Date: Aug 29, 2010

Words: 790

Publication: Mail Today (New Delhi, India)

The new generation of environmental crusaders are using innovative means of protest to score significant victories

THE KURTA- CLAD, bespectacled Hemant Dhyani could pass off as any other JNU research scholar, but this 28- year- old does much more than pursue a doctoral degree in nano science and technology at the university. During the day, his research keeps him busy, but in the evenings he turns an activist, either making presentations from his laptop to parliamentarians on the damage hydroelectric projects can cause to the Ganga, or preparing RTI applications.

Over the weekends and holidays he is back in home state Uttarakhand organising demonstrations against dams, collecting visual proof of violations of environmental laws with his handycam, and trying to convince sadhus in Haridwar to join the struggle to save the river from turning into a trickle.

Dhyani is representative of the New Age green crusaders who've just tasted their first success with the scrapping of the Loharinag Pala hydroelectric project on the Bhagirathi.

This came days ahead of the decision on Vedanta's mining projects in Orissa -- giving hope to scores of organised movements against mining projects, thermal power plants, new ports or special economic zones all over the country ( see box).

Unlike the green movements of the 1970s and 1980s, which focused on the excesses of state- led industrialisation, the new environmental activists are targeting the excesses of free market- led industrial and mining development.

What is striking is the speed with which the movement against Loharinag Pala spearheaded by a little known group from Uttarkashi -- Ganga Ahvaan -- could achieve its goal just in four years. The struggles against the Tehri and Narmada projects went on for nearly three decades -- and still the dams were built.

In contrast to big names such as Sunderlal Bahuguna, Baba Amte and Medha Patkar, who led earlier movements, the seeds against the Loharinag Pala project were sown in 2006 by a sadhvi in Uttarkashi -- Priyadarshini Patel. The Englishspeaking, computer- literate 38- year- old initially organised small groups of women against the dams being built near the origin of the Ganga, and soon involved the more articulate local youth, such as Dhyani, who had been associated with her Arya Vihar Ashram. These young people became the face of the movement in Dehradun and Delhi.

This is how most of the groups are working in different parts of India.

There is an urban face and a rural face of the new movements. Young men and women, who are just matriculates, are becoming activists in rural areas and their counterparts in the cities are young professionals, who are well- connected with the movement on the ground.

The use of new communications technology -- mobile phones, digital cameras, handycams, laptops, electronic newsletters, Skype and online petitions -- are facilitating two- way connectivity and wide networking.

The most important tool -- which wasn't available to Bahuguna and Amte -- is the Right to Information Act.

New Age greens are effectively using it to mine information about environmental violations, feasibility of projects, forest clearances, compensation, and so on. " The data we gathered about other dams in the area -- which were all functioning much below their capacity -- using RTI helped us explode the myth that ' dams means development'," Dhyani points out. Even gram sabhas are using RTI to gather information about projects, passing resolutions against them and getting the minutes notarised so that they can be presented as evidence of villagers' opposition to a project.

Other factors are also at play.

" Today's movements are gaining strength from the work done by their predecessors," says Himanshu Thakkar of the South Asia Network on Dams, Rivers and People. " Also, there is increased consciousness among the people and their readiness to fight for their rights is evident everywhere. " At the same time, long- time watchers of green activism in the country say it would be premature -- and possibly inaccurate -- to dub the new movements as more successful just because a couple of big projects have been scrapped. In their view, movements like the Ganga Ahvaan are too narrowfocused and not bothered about similar destruction being wrought in the rest of Uttarakhand.

Comparisons with earlier movements may also be unjustified.

" Chipko made the question of environmental justice a national and even global issue, Narmada placed the issue of the suffering of the displaced on the public consciousness," explains environmental historian Ramachandra Guha.

Older movement, Guha says, played a major role in generating a national debate and raising public awareness on links between development, environmental sustainability and social justice. The new movements are reaping the benefits of this heightened awareness, but they are adding their bit by altering idiom and technology of protest.

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RAJYA SABHA

# Parliamentary Bulletin

PART- II

Nos.: 49573-49580]

WEDNESDAY, MAY 2, 2012

No.: 49573

*Legislative Section*

## Calling Attention Notice under Rule 180

The following notice of Calling Attention has been admitted under rule 180 of the Rules of Procedure and Conduct of Business in the Rajya Sabha for the date provisionally shown against it:—

Subject of Calling Attention	Provisional Date
Discrimination and racial profiling faced by the students from the north-eastern states in some parts of the country.	4 <sup>th</sup> May, 2012

No.: 49574

*Committee Co-ordination Section*

## Further Revised Programme for Election to Statutory Bodies

Attention of the Members is invited to Para No. 49556 dated April 27, 2012 whereby the Revised Programme for Election to various Statutory Bodies was notified.

Development Authority, motion in respect of which was adopted by the House on the 2<sup>nd</sup> May, 2012:—

1. Number of Members to be elected: One
2. Last date and time for receiving nominations: 7<sup>th</sup> May, 2012  
(Upto 3.00 P.M.)
3. Last date and time for receiving withdrawal of candidature: 9<sup>th</sup> May, 2012  
(Upto 3.00 P.M.)
4. Date and time of election: 15<sup>th</sup> May, 2012  
(Between 2.00 P.M. and 5.00 P.M.)
5. Place of election: Room No. 63, First Floor,  
Parliament House, New Delhi.
6. Method of election: Proportional representation  
by means of the single transferable vote.

**No.: 49576**

*Committee Co-ordination Section*

**Meeting of the Parliamentary Forum  
on Water Conservation and Management**

As intimated by the Lok Sabha Secretariat, the Speaker, Lok Sabha in consultation with the Chairman, Rajya Sabha has constituted the Parliamentary Forum on Water Conservation and Management with the broad aim and objective to identify and discuss the problems relating to water conservation and management and to equip the Members of Parliament with the information and knowledge related to the subject making them aware of the seriousness of the issues involved and enabling

them to adopt a result-oriented approach towards this critical issue. Shri Prabodh Panda, MP is the Member-Convener of the Forum.

2. A meeting of the Parliamentary Forum on Water Conservation and Management will be held **on Thursday, 3 May, 2012 at 1530 hrs. in Committee Room No. 074, Ground Floor, Parliament Library Building, New Delhi** wherein Shri Hemant Dhyani, Member, 'Ganga Ahvaan', will make a presentation on the subject 'Ecosystem of River Ganga – Current Policies and Developments'.

3. Members are requested to kindly make it convenient to attend the meeting.

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**No.: 49577**

*Committee Co-ordination Section*

**Result of election to the Central Supervisory Board**

Dr. Vijaylaxmi Sadho, Member, Rajya Sabha, who was nominated as a candidate for election to the Central Supervisory Board constituted under Section 7(1) of the Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, was duly elected to be a member of the said Board on the 2<sup>nd</sup> May, 2012.

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**No.: 49578**

*Committee Section (PPG)*

**Extension of time to the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for presentation of report.**

The Hon'ble Chairman, Rajya Sabha has granted extension of time to the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice till the 30<sup>th</sup> June, 2012 for presentation of Report on the Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011.

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At the outset, Shri Prabodh Panda, Member-Convener of the Parliamentary Forum on Water Conservation and Management welcomed the members of the forum, Special Invitee/other members and the representatives of the Ministries and 'Ganga Ahvaan'. In his opening observations, the Member-Convenor stated that the river Ganga, with a catchment area encompassing 26% of the country's landmass had immense socio-economic, ecological and environmental importance. He further stated that the gangetic river basin was the largest in India with about 43% of the country's population dependent on it. However, it was a matter of grave concern that in modern times, the Ganga was lost to pollution as well as problems associated with Geology. Animal and human remains, countless tanneries, chemical plants, textile mills, distilleries, slaughter houses and hospitals as well as sewage discharge contribute to the pollution of the Ganga. He drew attention towards the failure of Government in checking the pollution. He further stated that the National Ganga River Basin Authority (NGRBA) has been set up in February 2009 for rejuvenating the river and emphasized on the need for civil society groups to play a pivotal role in supplementing the efforts of the Government in maintaining the right ecological system in the gangetic basin area. Thereafter, the Member-Convener welcomed and invited Shri Hemant Dhyani, Member 'Ganga Ahvaan' to make his presentation on the subject, 'Ecosystem of River Ganga - Current Policies and Development'.

***[Power point presentation was made by Shri Hemant Dhyani on the subject 'Ecosystem of River Ganga – Current Policies and Development']***

In his presentation, Shri Dhyani emphasized on the fact that the Ganga, with its origin in the Himalayas was a national river. He highlighted certain issues adversely affecting the eco-system of the Ganga Basin area like the drying up of Mandakini Valley, the threat posed to environment/ecology due to construction of dams and mainly tunneling for run-of-the-river projects, siltation in the river and the adverse effect on agriculture and livelihoods due to the damage caused to the eco-system.

Shri Rewati Raman Singh, MP, Lok Sabha while appreciating Shri Dhyani's presentation stated that efforts should be made to save the

Ganga. He also added that the electricity generated from hydel projects being insignificant, alternatives thereto such as solar and wind energy etc., should be tapped.

Shri Pradeep Tamta, MP, Lok Sabha added that dams create many problems in the Himalayan region. For saving the Himalayas, it would be essential to save the rivers of the region. Alternatives could be explored for generating electricity and energy. While hydropower was essential, run-of-the-river schemes should be implemented. Shri Gorakh Nath Pandey, MP, too expressed similar views.

Shri Laxman Bhandari, Representative from 'Ganga Ahvaan' pointed out that dams have an adverse affect on human as well as the animal species.

Shri Inder Singh Namdhari, MP, Lok Sabha agreed with Shri Dhyani's presentation and stated that a clear plan should be pursued for protecting the environment. He also stated that disturbing the Ganga river basin area would have adverse implications of a very large-scale.

Shri S.P. Kakran, Member, Central Water Commission informed the Forum that the Central Electricity Authority examines techniques of hydropower development and the Ministry of Water Resources checks the structure of dams. He further stated that for meeting the growth requirements, hydropower cannot be neglected. He, however, added that a minimum quantity of water i.e., 'Aviral Dhara' should be allowed to flow in places where tunneling was done for implementing run-of-the-river schemes.

Shri Jagdanand Singh, MP, Lok Sabha did not express agreement with the view that dams were a cause of diminishing water level in the Ganga. He stated that dams in the Himalayas were a means of converting 'flood water' into 'utilizable water'. He further expressed the view that a holistic approach should be taken towards the Himalayan region as a whole and the river Ganga should not be viewed in isolation. He further added that water Management includes planning for floods as well as droughts.

Shri Sushil Kumar Singh, MP, Lok Sabha pointed out that the Himalayas were in a seismically sensitive zone and desired to know about

predictions on the possibility of earthquakes in the region. Dr. Meeta Khilani, representative from 'Ganga Ahvaan' stated that the intensity of earthquakes cannot be predicted.

Shri Rajendrasinh Ghanshyamsinh Rana, MP, Lok Sabha expressed the need for reviewing the projects under implementation in the Himalayan region.

Dr. Gyan Prakash Pilania, MP, Rajya Sabha stated that while there were many means of producing electricity, there was no alternative of the national river, Ganga.

Shri. R.J. Dutta Chowdhary, Deputy Director, Ministry of Drinking Water and Sanitation stated that dams were built for producing electricity and meeting the irrigation requirements, and there was no direct correlation between GDP rate and electricity consumption. A major portion of the growth in GDP was on account of the services sector, where consumption of electricity was minimal.

Smt. Sushila Bhandhari, representative from 'Ganga Ahvaan' stated that the Ganga and the Himalayas were precious to the country and it was essential to save the eco-system and environment of the region.

To sum up, Members of the Forum raised the following issues on which they desired appropriate remedial action :

- (i) Drying up of Mandakini Valley/other natural drainage systems due to Hydro-power projects leading to scarcity of water; and providing for 'Aviral Dhara' in such places.
- (ii) Threat posed to environment/ecology due to diversion of river water through tunnels and construction of dams.
- (iii) Effect on Agriculture due to drying up of river Ganga/other rivers.
- (iv) National/international norms pertaining to diversion of water in tunnels and their compliance in building hydro-electric projects.

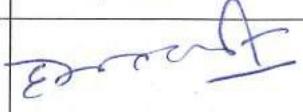
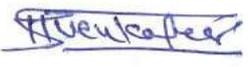
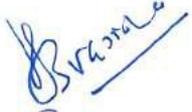
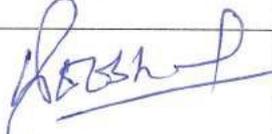
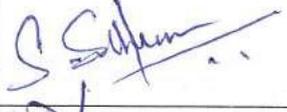
- (v) Review of Hydro-electric projects from geological, structural and environmental points of view.
- (vi) Maintaining a proper balance between Run of River (ROR) schemes and storage dams.
- (vii) Need to increase the quantum of utilizable water and save fresh water from draining into the sea.
- (viii) Making rivers pollution free.

In the end, Shri Prabodh Panda, the Member-Convener of the Forum thanked the Hon'ble Members, and the representatives of the Ministries and 'Ganga Ahvaan' who were present at the meeting.

***[The meeting then adjourned]***



Within the limited time at our disposal we the undersigned have tried to fulfill the responsibility laid upon us by the Ministry of Environment and Forests to the best of our abilities. We submit this Report to the Ministry with humility and gratefulness for the opportunity to serve the nation and in particular the people of Uttarakhand.

S.No.	Name	Affiliation	Signature
1.	Dr. Ravi Chopra, Chairman	Director, People's Science Institute, Dehradun	
2.	Dr. B.P.Das, Co-Chair	Expert Appraisal Committee (EAC) River Valley Projects, MoEF, New Delhi	
3.	Dr. Hemant Dhyani, Member	Ganga Ahvaan, Uttarkashi	
4.	Mr. Ajay Verma, Member	Water Resource Department (WRD), Uttarakhand	
5.	Dr. H.S. Venkatesh, Member	Rock Blasting & Excavation Engineering Department, National Institute of Rock Mechanics, Bangalore.	
6.	Dr. H.B. Vasistha, Member	Indian Council for Forest Research Institute, Dehradun	
7.	Dr. D.P. Dobhal, Member	Wadia Institute of Himalayan Geology, Dehradun	
8.	Dr. Navin Juyal, Member	Physical Research Laboratory, Ahmedabad	
9.	Dr. S. Sathyakumar, Member	Deptt. of Endangered Species Management, Wildlife Institute of India, Dehradun	
10.	Prof. Shekhar Pathak, Member	People's Association For Himalaya Area Research (PAHAR), Nainital/Pithoragarh	
11.	Shri Y.K. Singh Chauhan, Member Secretary	Ministry of Environment & Forests, RO, Lucknow	

NEWS / BLOGS / INDIA / How demolition of an entire village for a hydropower project scattered a community and razed its centuries-old existence to the ground

INDIA

# How demolition of an entire village for a hydropower project scattered a community and razed its centuries-old existence to the ground

October 29, 2021, 12:42 PM IST / Priyadarshini Patel in Voices, India, TOI

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Ten centuries ago, while travelling in the Himalayas, Indian philosopher Adi Shankaracharya established a village — Haat — on the banks of the Alaknanda. In the hamlet, he established a Laxmi-Narayan temple and settled a priest community, which came all the way from Bengal. This temple was the last stop for pilgrims en route Badrinath, those who could not manage the arduous trek offered their devotions here instead. Thus, the cultural significance of this historical and picturesque village, sequestered in the folds of the rising mountains, like all irreplaceable things, is priceless.

Nonetheless, 200 policemen, along with three bulldozers, tore down sixteen houses of the village last month to acquire land for the Vishnugad-Pipalkoti 444 MW hydro project (HEP), which is being developed by Tehri Hydro Development Corporation Limited (THDCL).

The villagers — who had been protesting against the project — were taken aback by the surprise move. Despite vociferous opposition, they were rendered shelterless in the wee hours of the day. They helplessly watched as their houses were reduced to rubble.

Land acquisition for this HEP began way back in 2009. An agreement was made with the then pradhan of the village. A deal was struck without taking consent of all stakeholders. The signatures of only 6-7 villagers were taken and no gram sabha resolution was passed on this critical agreement that would decide the fate of an entire community. Also, no legal aid was given to the villagers.

The first condition of this agreement was adherence to the 'National Rehabilitation and Resettlement Policy 2007' (NRRP). It was agreed that each family would receive a Rs 10 lakh compensation package, along with Rs 1 lakh per nail for land, and a fixed rate for building structures. With this, the THDC absolved itself of all other responsibilities. The villagers were left to relocate on their own. Consequently, they scattered in nearby areas.

Of course, none of the villagers even knew what the national rehabilitation policy stated as the document was never provided in Hindi. They blindly accepted this flawed agreement and acquiesced to the brutal uprooting of the centuries-old existence and rich tradition.

The very first objective of the NRRP, as stated is, "to minimise displacement and to promote as far as possible non-displacing or least displacing alternatives". No such alternatives were sought before destroying this heritage village. To prevent the breakdown of community, the policy further states that shifting of entire communities must take place "en masse in a compact area so that socio-cultural relations and social harmony amongst the shifted families are not disturbed".

Today, the entire community has been fragmented to the extent that they no longer belong to any village. They are not able to celebrate their local festivals together anymore or participate in a religious function or enjoy any other form of a community event.

Additionally, the policy also stipulates that the "provisions of drinking water, electricity, schools, dispensaries" and other such infrastructure are to be included in the resettlement plan. Another idealistic objective of the policy is "to provide a better standard of living".

The villagers who are left without a village waitfully point to the gym, offices, guest houses and the paved roads of the THDCL complex.

Ironically, their traditional homes built with slate, stone and surpassing workmanship were categorised as "kaccha" and they were given lower compensation. This is despite their traditional homes being earthquake-proof and adaptable to weather.

While it is true that the company has provided jobs to nearly 80 people, hardly 10 of them have been given permanent spots. However, each employee was mandatorily made to sign an affidavit stating that if he or any of his family members participated in protests, they would be removed from their job.

Consequently, the families of those who were given jobs are afraid and unwilling to speak openly about the injustice meted out to the entire village. The government has not bothered to explain to these hapless villagers that providing employment was not a favour but a mandatory clause for the acquiring body.

In fact, the rehabilitation policy has an entire chapter dedicated to just and fair grievance redressal mechanisms. The current pradhan, whose house was also demolished, has been leading the ongoing protest. Without home, hearth or village, these villagers have been running from pillar to post to seek help. They have been seeking some semblance of justice from the state chief minister, district magistrate, and the local courts. So far, the only outcome of these efforts has been a pile of FIRs slapped on the more persistent.

Vishnugad-Pipalkoti is located bumper to bumper immediately downstream of Tapovan-Vishnugad HEP. In the recent glacial-rock avalanche in Chamoli in February, floodwaters nearly destroyed Tapovan-Vishnugad, and reached right up to the site of Pipalkoti itself, proving that this site is highly vulnerable.

Besides, there have been serious objections to the construction of these projects and the matter is currently sub-judice in the Supreme Court. Over 60 prominent citizens, including scientists, judges, politicians and environmentalists, have written an open letter to the Prime Minister, terming these projects "self-defeating". The unrelenting exploitation of our environment and rivers is not a burden the Ganga-Himalaya can any longer bear.

The recent demolition of houses was entirely unwarranted and unjustifiable. The thoughtless act of ripping apart the social fabric and existence of this mountain village, of living history, is not how nations are built. Surely, the perversity of converting independent villagers into subservient employees of a company that they were forced to settle on their land is an injustice that cannot escape an ex-colonised state. For what amount of monetary compensation can fill the void that is Haat today? Or do we expect our megawatts to brighten the blinding darkness of destroyed culture? We cannot resurrect lost heritage. Like a rootless tree, humans also cannot survive for long if sundered from the sap and essence of their existence.

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## IN THE HON'BLE NATIONAL GREEN TRIBUNAL, PB, NEW DELHI

Case Number: O.A. 708/2022 of 20

In the matter of:-

Madan Singh Gusain

Plaintiff/ Petitioner/ Applicant/ Complainant

Versus

Arya Vihar Ashram

Respondent/ Defendant/ Opposite Party

Know all to whom these present shall come that I/We

Uday Mishra, Trustee of Respondentthe above named RESPONDENT do hereby appoint:

**MS. TANYA AGARWAL, ADVOCATE**  
**Q-2B, FIRST FLOOR, NEAR INOX EROS,**  
**JANGPURA EXTENSION, NEW DELHI-110014**  
**PHONE NUMBER: +91-9205868644, +91-7742672502**  
**LANDLINE NUMBER: 011-40366983**

(hereinafter called the advocate/s) to be my/our Advocate in the above-noted case and authorise them:-

To act appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried to heard and also in the appellate Court including High Court to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said cause.

To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be conferred to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorising him to exercise the power and authority hereby conferred upon the Advocate/s whenever he/she may think it do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to intents and purposes.

And I/We undertake that I/we or my/our duly authorised agent would appear in the Court on all hearings and will inform the Advocate/s for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and remain himself.

And I/we the undersigned do hereby agree that in the event of the whole of part of the fees agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once the fee is paid, I/we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the original fee shall be again paid by me/us for every three years or part thereof.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this \_\_\_\_ day of \_\_\_\_\_ of 20\_\_\_\_.

*Uday Mishra*  
 21/12/2022

Accepted, subject to the terms of fees.

*[Signature]*  
 Client