

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

MA No. 34/2024 IN
Original Application No. – 58 of 2015

IN THE MATTER OF:

Ramesh Chand & Ors

.....Petitioners.

Versus

Union of India & others.

.....Respondents

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Dated-
Place-


Deputy Commissioner,
Deputy Commissioner,
District Sirmour,
District Sirmour at Nahan.
(Respondent No. 04)

Through


Divyanshu Kumar Srivastava
Advocate-D/1383/2015
AoR, Supreme Court of India
D-8, Jangpura Extension, New Delhi
Dksrivastava0511@gmail.com

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**REPLY/RESPONSE OF THE RESPONDENT NO. 04 (DEPUTY
COMMISSIONER, SIRMAUR, HP, IN TERMS OF ORDER DATED
22-08-2025**

MOST RESPECTFULLY SHOWETH:

- 1 That the instant matter was listed on 22-08-2025 on which dated this Hon'ble Tribunal was passed the direction as mentioned below-

“ The Tribunal in the proceedings dated 23-04-2025 had granted time to the counsel for the state to file Affidavit of the Respondent No.- 4 alongwith all the supporting material and map disclosing if the flood plain zone of river salani has been defined and demarcated at the ground level. No. such affidavit has come on record . learned counsel appearing for the state submits that the Affidavit has been filed day before yesterday. The Registry is directed to examine and place the affidavit, if filed on record. Counsel for the state is also directed to supply a copy of the affidavit to all the concerned parties within one week”.

- 2 That the Hon'ble Green Tribunal intimated in the order of dated 22-08-2025, Affidavit of the Respondent No. 4 , alongwith all supporting material and map disclosing if the flood plain zone of river Salani has been defined and demarcated at the ground level. **No such affidavit has come on record.** In compliance of order dated 23-04-2025

Affidavit alongwith all supporting documents was already sent on 04-08-2025 through the concerned counsel (Annexure-R-I).

3. That as per the affidavit submitted by the Respondent No. 4 (Deputy Commissioner) on 04-08-2025 to the Hon'ble National Green Tribunal, No application for demarcation of Flood Plain Area/ Land situated in village Ambwala, Sainwala was ever filed for demarcation by any interested party so far neither any such demarcation was conducted in respect of **Flood Plain Zone till date.**

4. That, in compliance to order, dated 22-08-2025, the report was again sought from the Superintending Engineer, Jal Shakti Circle, Nahan, District Sirmour, vide letter dated 19-09-2025.
“ Demarcation of the flood plain zone of river Salani, District Sirmour may kindly be conducted at the earliest. “

5. That as per the report submitted by the Superintending Engineer, Jal Shakti Vibhag, Circle, Nahan, District Sirmour vide letter dated 30-09-2025 (Annexure-R-II), the detailed project report for “ Flood Plain Zoning of Markanda river and its tributaries” amounting to Rs. 143.36 lakh has been submitted to the SDMA (HP State Diaster Management Authority) by the Executive Engineer, Jal Shakti Division, Nahan vide proposal ID 156 dated 28-04-2025 through online portal of SDMA for necessary approval and arranging of funds but the proposal was returned back by the SDMA through online with some observations. The observations have been attended by the concerned consultant and re-submitted through online portal on 29-09-2025. The river Salani, which is a tributary of river Markanda, is proposed for flood plain zoning, which will be marked after obtaining the necessary approval/ arranging of the funds from the competent authority.


Deputy Commissioner
District Sirmour,

That the Report/Response on behalf of the Respondent No. 04 (Deputy Commissioner, District Sirmaur) is submitted before Hon'ble NGT with the request that the report may kindly be taken on record for consideration please.


Deputy Commissioner,
District Sirmaur,
District Sirmaur at Nahan.
(Respondent No. 04)

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TRIBUNAL, NEW DELHI

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3.	Report of Executive Engineer, Jal Shakti Division, Nahan, District Sirmaur, vide office letter No. PW-JSV-DB Nahan/2025-701 dated 28-04-2025 Annexure R-2	8-9

Date: 04.8.25
Place: Nahan

Deponent

Through

Deputy Commissioner
District Sirmaur (H.P.)

Divyanshu Kumar Srivastava
Advocate-D/1383/2015
AoR, Supreme Court of India
D-8, Jangpura Extension, New Delhi 110014
9711872319
Dksrivastava0511@gmail.com

Attested
SUSHANT
(Signature)
Oath Commissioner
Nahan (H.P.)
4.8.25

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

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.....Applicant

Versus

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Affidavit in compliance to order, dated 23-04-2025, passed by the Hon'ble Principal Bench National Green Tribunal, New Delhi MA No. 34/2024 in Original Application No. 58/2015, titled as Ramesh Chand & others Vs Union of India & Ors. on behalf of respondent No.4, the Deputy Commissioner, District Sirmaur at Nahan, Himachal Pradesh.

I, Priyanka Verma, presently posted as Deputy Commissioner, District Sirmaur at Nahan, Himachal Pradesh, solemnly affirm and declare as under:-

1. That the instant matter was listed on 23-04-2025 on which date this Hon'ble Tribunal was pleased to direct to ascertain as to whether the demarcation of the flood plain zone of the river Salani has been done or


Deputy Commissioner
District Sirmaur (H.P.)

Attested
SUSHANT
(Advocate)
Deputy Commissioner
Nahan (H.P.)
6. 8.25

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2. That in compliance to order, dated 23-04-2025, the report was sought from the Tehsildar Nahan, District Sirmaur as to whether the demarcation of the flood plain of the concerned river has been done or not.
3. As per report submitted by the Tehsildar Nahan, vide his office letter No. Reader/TN/2025-1642 dated 30-04-2025 (Annexure R-1), the demarcation of the entire land comprising of Khasra Numbers 720/5, 721/5, 1271/6, 6/1, 1273/723/9, 1,8, 718/4, 3, 1266/419/4, 552/2 and 614/46/3, Kita 12 measuring 65-17 bigha situated in village Ambwala-Sainwala applied by the interested party (s), was carried on 05-04-2015 by the concerned field kanungo, Nahan. District Sirmaur.
4. The land under demarcation, situated in village Ambwala, Sainwala, the classification of land comprising of Khasra No. 6/1, measuring 7-4 Bigha, was "Gair Mumkin Nadi" and that of Khasra number 8, measuring 0-4 Bigha was "Gair Mumkin Burd" at the time of demarcation.
5. That as per the report of Tehsildar, Nahan, no application for demarcation of Flood Plain Area/ Land situated in village Ambwala Sainwala was ever filed for demarcation in their office by any interested party so far neither any such demarcation was conducted in respect of flood plain area till date.
6. That a report was also called from the Superintending Engineer Jal Shakti Vibhag, Sirmaur, HP. As per the report of the Superintending Engineer, JSV, Sirmaur the detailed project report for "Flood Plain Zone of Markanda river alongwith its tributaries in Sirmaur, District of Himachal Pradesh" amounting to Rs. 143.63 Lakh has been submitted to the Project Director, (PMU) SDMA, Himachal Pradesh Secretariat, Shimla by the Executive Engineer, Jal Shakti Division, Nahan, vide letter No. PW-JSV-DB-Nahan/2025-701

Deputy Commissioner
District Sirmaur (H.P.)

Attested
SUSHANT
Oath Commissioner
Nahan (H.P.)
24.8.25

dated 28-04-2025 (Annexure R-2) for necessary approval from the State Disaster Management Authority (SDMA). The river Salani is a tributary of river Markanda, is proposed for flood plain zoning, which will be marked after obtaining the necessary approval/ arranging of the funds from the competent authority.

- 7. That the compliance of the direction of Hon'ble Tribunal has been ensured in true letter and spirit.

VERIFICATION

I, the above named deponent, do hereby verify that the contents of Para Nos. 1 to 7 of my above affidavit are believed to be true and correct to the best of my knowledge and belief and no part of it is false and nothing has been concealed therein.

Verified at Nahan on 04 -08-2025.

Through Counsel

Deponent.
Respondent No-04
Deputy Commissioner,
Sirmaur

Deputy Commissioner
District Sirmaur (H.P.)

*Identified the Deponent
By Sh. Raghubir
Clerk at D.C. Office, Nahan*

Attested
SUSHANT
(Advocate)
Oath Commissioner
Nahan (H.P.)
4-8-25

Certified that the above was declared on oath before me at 4 on this day 8 of 2025 by Sh./Smt. Deponent deponent who is person I know me identified by Sh Raghubir and the contents of the same were read over & explain to the deponent who finally understand the same

[Signature]
Oath Commissioner
Date 4-8-25

No. JSV-CN-WS-(R)-NGT OA 58/15/25-428889

Dated:- 30/09/2025

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(Annexure - R-II)

The Deputy Commissioner,
District Sirmour at Nahan (HP).

Subject: -

Regarding to conduct demarcation of flood plain zone of river Salani, as per directions of Hon'ble NGT.

Reference:-

Your office letter No. DC-Dev (NGT OA No. 58/2015)-2024-9511 dated 19.09.2025.

On the subject cited above, kindly refer to your letter referred above vide which it has been directed to conduct demarcation of the flood plain zone of river Salani, District Sirmour at the earliest.

In this connection, as per report submitted by the Executive Engineer, Jal Shakti Division, Nahan, it is submitted that the detailed project report for "Flood plain zoning of Markanda river and its tributaries" amounting to Rs. 143.36 lakh has been submitted to the SDMA (HP State Disaster Management Authority) by the Executive Engineer, Jal Shakti Division, Nahan vide proposal ID 156 dated 28.04.2025 through online portal of SDMA for necessary approval and arranging of funds. But the proposal was returned back by the SDMA through online with some observations. The observations have been attended by the concerned consultant and re-submitted through online portal on 29.09.2025. The river Salani, which is a tributary of river Markanda, is proposed for flood plain zoning, which will be marked after obtaining the necessary approval/arranging of the funds from the competent authority.

This is for favour of information and taking further necessary action please.


Superintending Engineer,
Jal Shakti Circle, Nahan.

Copy to the Executive Engineer, Jal Shakti Division, Nahan w.r.t. his office letter No. 4834 for information and necessary action.

Superintending Engineer,
Jal Shakti Circle, Nahan.

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.....Petitioner

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.....RESPONDENTS

AFFIDAVIT

I, Priyanka Verma, Aged 39 years, at present serving as Deputy Commissioner, District Sirmour, Himachal Pradesh, do hereby solemnly affirm and state on oath as under:

4. That I am the Respondent No. 4 in the captioned matter and I am well conversant with the facts and circumstances of the case and as such I am competent to swear this Affidavit.
5. That I have read over and understood the contents of the accompanying application and state that the contents thereof are true and correct to the best of my knowledge and belief.
6. I state that the annexures annexed to the Application are true copies of their respective originals.

Deputy Commissioner,
District Sirmour.

ATTESTED 18/12/20
(Jaspreet Singh Sharma)
Advocate &
Oath Commissioner
Nahan H.P. (India)

VERIFICATION

I, the above-named Deponent, do hereby verify that the contents of the above Affidavit/ reply/ response are true and correct. No part of it is false and nothing material has been concealed there from.

Verified at Nahan on this the 6th day of October 2025.

*Identified the deponent
(Sh. Anant Sharma J-04-17)*

[Signature]
DEPONENT
Deputy Commissioner
District Sirmour,

Certified that the above presented on oath before me on 6th days at Nahan Deponent who is identified by Anant Sharma the contents of the same & have been read over and explained to the deponent which have been admitted correct & true of the affidavit & making it there of hence attested

[Signature]
ATTESTED
(Jagdev Chandra Sharma)
Attorney &
Oath Commissioner
Nahan H.P. (India)