

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

**IN  
ORIGINAL APPLICATION No. 44/2024**

**IN THE MATTER OF :**

JOT SINGH BISHT

-----Applicant

**Versus**

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE  
CHANGE, REGIONAL OFFICE, 25, SUBHASH ROAD,  
DEHRADUN AND ORS.

-----Respondents

**INDEX**

<b>S. No.</b>	<b>Particulars</b>	<b>Page No.</b>
1.	<b><u>REPLY TO I.A. NO. 216/2025 BY RESPONDENT NO. 01, MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, REGIONAL OFFICE, DEHRADUN</u></b>	1-4
2.	<b>Proof of Service</b>	5-6

**Filed by**

*S. Chandra Jha*

**SOMESH CHANDRA JHA**

**(COUNSEL FOR RESPONDENT NO. 1)**

**NEW DELHI:**

**DATED:** 22.04.2025

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

**IN  
ORIGINAL APPLICATION No. 44/2024**

**IN THE MATTER OF :**

JOT SINGH BISHT

-----Applicant

**Versus**

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE  
CHANGE, REGIONAL OFFICE, 25, SUBHASH ROAD,  
DEHRADUN AND ORS. -----Respondents

**REPLY TO I.A. NO. 216/2025 BY RESPONDENT NO.  
01, MINISTRY OF ENVIRONMENT, FOREST AND  
CLIMATE CHANGE, REGIONAL OFFICE,  
DEHRADUN**

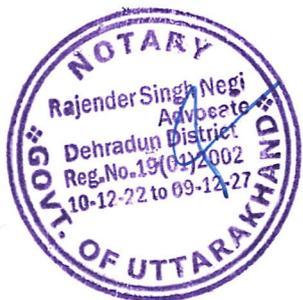
**MOST RESPECTFULLY SHOWETH:**

I, Neelima Shah (Female) aged about 37 years D/o Shri M. L. Shah, presently working as Assistant Inspector General of Forests (AIGF), in the Ministry of Environment, Forest and Climate Change, Regional Office, 25, Subhash Road Dehradun do hereby solemnly affirm and state on oath as under:-



*[Handwritten signature]*

1. That I am duly authorized and competent to swear this affidavit and as such conversant with the facts of the present case.
2. That the Hon'ble NGT vide order dated 27.03.2025 has directed answering Respondent No. 1 herein and 3 to file the reply to I.A. No. 216/2025 within one month which is filed by Rail Vikas Nigam Limited (Respondent No. 4).
3. That as per the above directions, the answering respondent has perused the I.A. filed by Respondent No. 4 and it has come to the notice that the Respondent No. 4 is praying from this Hon'ble Tribunal to permit him to reuse of the excavated muck which was sealed by communication dated 11.07.2024 passed by the District Magistrate, Rudraprayag as well as the road leading to the dumping site at Chopra Gadera in the Village Jawadi, thereby allowing the same for re-use for construction related activities and to relocate the excess muck from the said site.
4. In this context, the Answering Respondent No. 1 herein submits that as per the prayer made by Respondent No. 4, it is evident that the excavated muck has been sealed by the State authorities and land being the subject matter of State Government, the State Government is competent to take decision whether the excavated muck may be reused and



*[Handwritten signature]*

relocated from the said site or not as per the existing rules, regulations & guidelines.

5. It is pertinent to mention here that prior approval of Central Government under Section-2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is required for carrying of any non-forestry activity on forest land. However, the Respondent No. 4 has dumped the muck in the forest land at Chopra Gadhera in Village Jawadi, District Rudrprayag without taking prior approval of the Central Government, therefore, it is a violation of Van (Sanrakshan Evam Samvardhan Adhiniyam, 1980) and as per the Para 10 (2) (v) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the office of answering respondent has reported violation to the Ministry of Environment, Forest & Climate Change, New Delhi for taking appropriate action in the matter in accordance with Van (Sanrakshan Evam Samvardhan Adhiniyam, 1980).

6. It is therefore humbly requested to this Tribunal that the reply affidavit on behalf of answering respondent (Respondent No. 1) may kindly be taken on record.

7. That in view of the foregoing submissions, this Hon'ble Tribunal may be pleased to pass such or further orders as it may deem fit in the given circumstances of the

Case.



  
**DEPONENT**

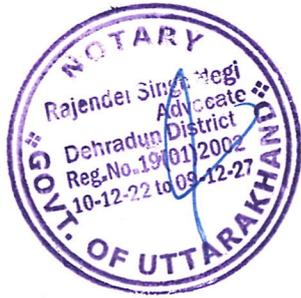


**VERIFICATION:**

Verified at Dehradun, Uttarakhand on this day 22 of 04, 2025 that the contents of the above affidavit are true and correct to my knowledge and are based on official records, no part of it is false and nothing material is concealed there from.

*lll*

**DEPONENT**



*Sr. No 1972/2025*

This affidavit is sworn before me by  
Shri/Smt. *Aleelina Shah*  
who is identified by Shri *Ram Singh Bari*  
at Dehradun on *22/04/2025*

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

*lll*

1534

5

**Proof of Service**

Sanjeev Yadav &lt;lordhanuman475@gmail.com&gt;

**Fwd: In Ref: Jot Singh Bisht v. State of Uttarakhand & ors. ( OA No. 44 of 2024)**

1 message

**Somesh Chandra Jha** <advocatescjha@gmail.com>  
To: Sanjeev Yadav <lordhanuman475@gmail.com>

Wed, Apr 30, 2025 at 11:11 AM

Somesh Chandra Jha  
Advocate-On-Record  
Office:  
405, Nilgiri Apartments  
[9-Barakhamba Road,](#)  
[New Delhi, 110001](#)  
Tel: 011-23320014 (O)

Chamber:  
105, New Lawyer's Chamber  
Supreme Court of India  
New Delhi-110001  
Mobile: +91-9999374946

----- Forwarded message -----

From: **Somesh Chandra Jha** <advocatescjha@gmail.com>  
Date: Thu, 24 Apr 2025 at 7:49 PM  
Subject: In Ref: Jot Singh Bisht v. State of Uttarakhand & ors. ( OA No. 44 of 2024)  
To: <[judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)>

Dear Sir,

Please find attached a copy of the reply to I.A. No. 216/2025 being filed on behalf of MoEFCC, i.e., Respondent No.1 in the captioned case. The same may kindly be taken on record.

Regards  
Somesh Chandra Jha  
Advocate-On-Record  
Office:  
405, Nilgiri Apartments  
[9-Barakhamba Road,](#)  
[New Delhi, 110001](#)

Tel: 011-23320014 (O)

Chamber:  
105, New Lawyer's Chamber  
Supreme Court of India  
New Delhi-110001  
Mobile: +91-9999374946



**Reply Affidavit (3).pdf**

3535K