

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

**Original Application No- 902/2024**

**IN THE MATTER OF:**

**Ram Saran Gusain.**

**.....APPLICANT**

**VERSUS**

**State of Uttarakhand & Others**

**.....RESPONDENTS**

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**PLACE: DEHRADUN**

**DATE:- 08.11.2024**

**PRESENTED BY:-**

  
**AAKASH JAIN**

  
**RESPONDENT NO. 6**

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**REPLY FILED ON BEHALF OF RESPONDENT NO 6 AGAINST THE  
ORIGINAL APPLICATION NO. 902/2024**

**MOST RESPECTFULLY SHOWETH:**

1. That the present application has been filed by the applicant making baseless allegations against the Respondents & more particularly against the answering Respondent for so called illegal mining activity and excavating sand bajri from River bed of River Ganga at Triveni Ghat Rishikesh.
2. That the present application filed by the applicant is liable to be dismissed as the same is frivolous, misconceived and not maintainable against the Respondent No. 6
3. That it is most respectfully submitted that the answering Respondent is a bonafide lessee who submitted its bid in the auction in response to e-tender floated for removal & transportation of muck/silt deposited due to flood at platform of Triveni Ghat Rishikesh by the office of District Magistrate

*Alcoba*  
21/11/24

Dehradun (Mining Division) in October 2023. As the answering Respondent submitted the highest bid, a Letter of Intent dated 06.11.2023 was issued by the office of District Magistrate Dehradun (Mining Division). The answering Respondent deposited an amount of Rs 119,695/- (One Lakh Nineteen Thousand Six Hundred Ninety Five Rupees) with the State Government of Uttarakhand in November 2023. **(Annexure-1)**

4. That the contract granted to the answering Respondent was granted after the submission of all the relevant documents and requisite fee as directed by the office of District Magistrate Dehradun (Mining Division) by the answering Respondent & permission for removal & transportation of muck/silt deposited was granted to the answering Respondent by the concerned authorities.
5. That the only work of the answering Respondent was to collect the muck/silt deposited on the platform of Triveni Ghat and to transport the same.
6. That the time limit for completion of collection and transportation work as per the LOI dated 06.11.2023 was from 07.11.2023 to 16.11.2023.
7. That it is pertinent to mention during that time Deepawali celebrations were on its peak as such the answering Respondent was unable to complete the allotted work within the fixed time due to which a further time of 8 days from 18.11.2023 to 25.11.2023 was granted by the office of District Magistrate Dehradun (Mining Division) to the Respondent No. 6 for completion of the work. **(Annexure-2)**
8. That the answering Respondent Completed the contracted work on 23.11.2023.

Alakh  
Jain

9. That the contract between the authorities and answering Respondent was only for collection and transportation of the muck/silt deposited on the platform of Triveni Ghat Rishikesh and no mining action of any kind or excavation of sand, bajri from river bed of River Ganga was done by the answering Respondent also no heavy machines were used by the answering Respondent on site.
10. That the office of District Magistrate Dehradun (Mining Division) granted the contract to Respondent No.6 after submission of all the documents and completion of all the formalities as directed by the office of District Magistrate Dehradun (Mining Division). Also, all the work done by the Respondent No. 6 was strictly under the supervision of the office of District Magistrate Dehradun (Mining Division).
11. That the JCB used by answering Respondent was only used for collection of muck/ silt and no machines were ever used inside the River Ganga by the answering Respondent.
12. That all the collection and transportation of the muck/silt deposited on the platform of Triveni Ghat Rishikesh was carried out by the answering Respondent strictly in accordance with the directions passed by this Hon'ble Tribunal from time to time & the guidelines issued by the State Government as well as other authorities.
13. That the instant application is devoid of any merit & the same has been filed by the applicant for gaining cheap publicity & as such the same may be dismissed with exemplary cost by this Hon'ble Tribunal.

*Alkesh Jain*

**PRAYER**

It is, therefore prayed that this Hon'ble Tribunal, after considering all the facts and circumstances in the present case as well as the reply of the answering Respondent, be pleased to kindly dismiss the present Original Application and pass any other orders in favor of the Respondents which it may deem fit.

**PLACE: DEHRADUN****DATE:-08.11.2024****PRESENTED BY:-****AAKASH JAIN****RESPONDENT NO. 6**



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**AFFIDAVIT IN SUPPORT OF REPLY**

**AFFIDAVIT OF MR. AAKASH JAIN S/O SHRI MUKESH KUMAR JAIN**  
**R/O 344 SHYAMPUR, TEHSIL RISHIKESH, DISTRICT DEHRADUN**  
**UTTARAKHAND**

**....DEPONENT**



the Deponent named above do hereby solemnly affirm and declare as

1. That the Deponent is the Respondent No. 6 in the above noted Original Application and I am fully acquainted to the facts deposed below.

2. That the contents of paragraphs 1 to 13 of the Reply are true to my personal knowledge based on documents as well as the Prayer are true and that I have not suppressed any material facts.

3. That the contents of the Reply filed along with may be read and treated as part of this Affidavit.

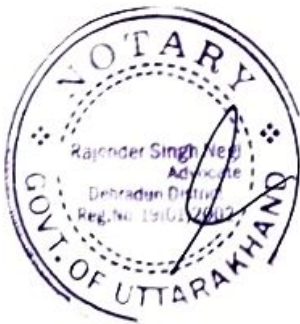
*Aakash Jain*  
....DEPONENT

**VERIFICATION:-**

I, the Deponent named above do hereby verify that the contents of the above affidavit in paras 1 to 3 are true to my personal knowledge. No part of it is false and nothing material has been concealed. So help me God.

Verified at Dehradun on 08.11.2024

*Aakash Jain*  
....DEPONENT



Sr. No. 68 48/24

This affidavit is sworn before me by  
Shri. Aakash Jain  
who is identified by Shri. Siddhant Mohan Koley  
at Dehradun on 8/11/24  
Adv

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

Identified by  
*Jain*  
Siddhant M. Koley  
Advocate  
CK-46/20