

BEFORE THE NATIONAL GREEN TRIBUNAL NEW DELHI.

Original Application No. 652 of 2022

IN THE CASE OF:

R.D Singh Bandral

.....Petitioner

Versus

Union of India and others

..... Respondents

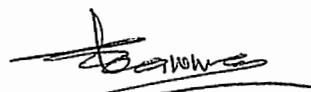
INDEX

S.No	Particular	Page Numbers
1.	Status report	1 - 4
2.	Affidavit in support of status report	5
3.	Annexures - R1, R2, R3, R4 & R5 (Copy of the site plan & map and communication dated 12.05.2023).	6 - 10

Through Counsel.

Dated: -22 .05.2023

Place: -



(G.M. KAWOOSA)

Additional Standing Counsel

Mobile/ Whatsup No. 98102-71255

E.Mail: gmkawoosa@yahoo.com

BEFORE THE NATIONAL GREEN TRIBUNAL NEW DELHI.

Original Application No. 652 of 2022

IN THE CASE OF:

R.D Singh Bandral

.....Petitioner

Versus

Union of India and others

..... Respondents

IN THE MATTER OF: Affidavit in terms of order dated
26.04.2023.

MAY IT PLEASE YOUR LORDSHIPS,

The respondent No. 7 most respectfully
submits as under:

1. That the answering respondent respectfully submit that presently posted as Development Commissioner (Works) and holding the additional charge of Chief Engineer, PW(R&B) Department, Jammu thus is filing the present / instant Affidavit.
2. That the answering respondent submit that being law abiding citizen and have great regards for the orders/directions of the Hon'ble Court of Law. In case by an act of the answering respondent whether inadvertently or otherwise, if any delay is caused in filing the reply/response in OA No. 652/2022 titled 'R.D Singh Bandral V/s Union of India and others', the answering respondent unconditionally apologize.

3. That the answering respondent submit that the above titled Original Application is pending disposal in the Hon'ble Court and this Hon'ble Court vide its Order dated 26.04.2023 was pleased to issue certain directions, the operative part of which is reproduced as below: -

“Accordingly, you are hereby summoned to appear before the Hon'ble Tribunal on 24.05.2023 at 10.30 AM at National Green Tribunal, Faridkot House, New Delhi and to produce the relevant record for your examination in the case on affidavits and cross examination by the applicant and or other respondents if so required, in terms of order dated 17.04.2023.

If you fail to comply with this order without lawful excuse, you will be subject to the consequences of non-attendance as laid down in para 7 of aforesaid order dated 17.04.2023”.

4. That the answering respondent submit that the proposed road Chattergala to Kailash Kund via Seoj-Dhar is a special facilitation for pilgrimage of Jammu and Kashmir to the religious Kailash Kund, destination of District Doda and also from the State of Himachal Pradesh. It is also an alternate connectivity and shortest access between the twin Districts of Udhampur and Doda in Jammu & Kashmir. Moreover, the nomadic families can also avail the facility to reach out to the far-flung areas of Chattergala and Seoj-Dhar during summers. In addition to the above the proposed road takes off from Chattergala of District Doda passing through the beautiful area at high altitude under a cover of beautiful fog at some places and connecting Seoj-Dhar having huge potential of winter games like Gulmarg which will attract the tourists from across the country.


Chief Engineer
PW (R&B) Department
Jammu

5. That the answering respondent submit that the road project Chattergala to Kailash Kund for a length is 11.00 km and width is 06 meters via Seoj-Dhar was sanctioned under CRF scheme and the project of road was allotted to M/S D.K Projects R/o. H.No. 29 Rama Lane, Talab Tillo, Jammu vide No. CEJ/G/20566-68 dated 25.02.2019 amounting to the tune of Rs. 10,74,26,248/-.
6. That the answering respondent submit that the main objectives of this road is to provide the connectivity during yatra to avoid human wildlife conflict, improving awareness, safety and reducing collisions. Moreover, the road is passing on rising gradient in some stretches. Further to avoid huge cutting of earth on uphill side which may cause damage to the forest land for which the proposed road has been proposed from higher altitude to lower altitude in descending gradient and the earthwork cutting material shall be dumped at already identified locations shown in the map. The copy of the site plan and map are enclosed and marked as **Annexure-R1, R2, R3 & R4.**
7. That the answering respondent submit that the matter has already been taken-up with the Forest Department for according forest clearance of the proposed road from Chattergala to Kailash Kund via Seoj Dhar which is still awaited. For ready reference the copy of communication no. 236-237/CS dated 12.05.2023 of Executive Engineer, PWD(R&B) B.C Road Division Bharderwah is enclosed and marked as **Annexure - R5.**


Chief Engineer
PWD (R&B) Department
Jammu

8. The answering respondent further humbly submit that the execution of the road work shall be taken-up only after the clearance of the Forest Department which will also remain subject to the directions of National Green Tribunal.
9. Hence the report is submitted.

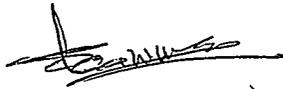
An affidavit duly sworn and attested is also enclosed herewith.

It is, therefore, most respectfully prayed that in view of the submissions made hereinabove, the report may kindly be taken on record in the interest of justice.

Dated: 22-05-2023

Place:


Chief Engineer
Answering Respondents
PW (R&B) Department
Jammu
Parkash Chander Tanoch
9419160609
Chief Engineer,
PW (R&B) Department,
Jammu
Through Counsel


(G.M. KAWOOSA)
Additional Standing Counsel
Mobile/ Whatsup No. 98102-71255
E.Mail: gmkawoosa@yahoo.com

BEFORE THE NATIONAL GREEN TRIBUNAL NEW DELHI.

Original Application No. 652 of 2022

IN THE CASE OF:

R.D Singh Bandral

Versus

Union of India and others

IN THE MATTER OF: Affidavit Accompanying the
Status Report

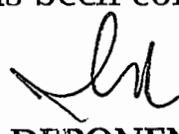
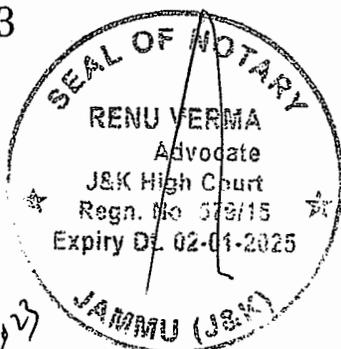
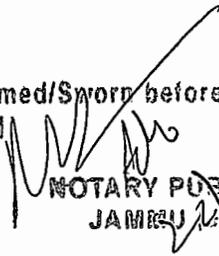
AFFIDAVIT

I, Parkash Chander Tanoch Aged 59 yrs S/o Sh. Sundru Tanoch R/o Village Barolla A/p Nilli Nahllah Tehsil & District Udhampur, presently posted as Development Commissioner (Works) and holding the additional charge of Chief Engineer, PW(R&B) Department, Jammu, do hereby solemnly affirm and declare that I have gone through the contents of the accompanying Compliance report in the above titled petition made in Para No. 1 to 8 and the same have been read over and explained to me, the same are true and correct as per my knowledge derived from the official records maintained in the office and those made in Preliminary Para's 1 to 8 are believed to be true on the basis of legal advice.

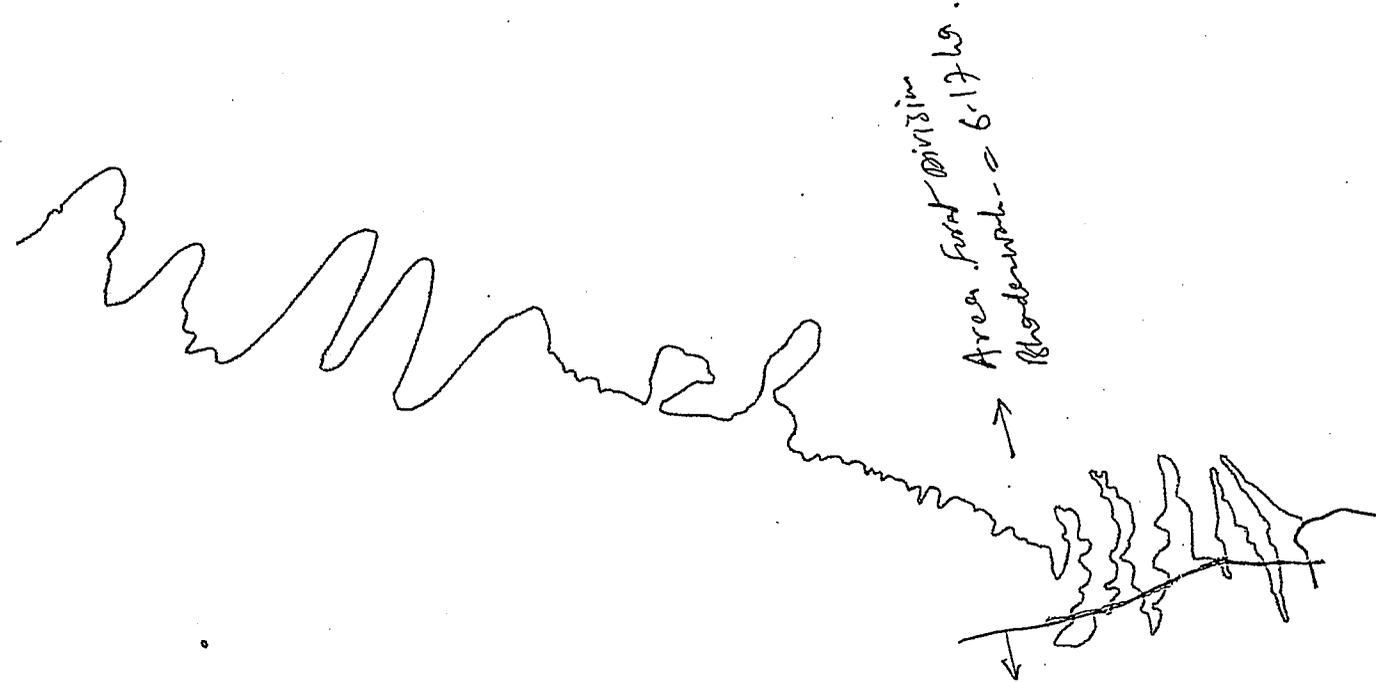
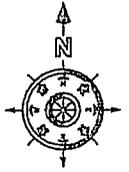
I solemnly swear/affirm that the affidavit is true, no part of this is false and nothing has been concealed.

Dated: 22 .05.2023

Place:


DEPONENT
Parkash Chander Tanoch
9419160609Solemnly Affirmed/Sworn before me
Hence Attested

NOTARY PUBLIC
JAMMU

INDEX MAP FOR CONSTRUCTION OF ROAD FROM CHATTERGALA TO KAILASH KUND VIA SAOJDHAR
LENGTH = 11.00 KM, UNDER PWD(R&B) B.C. ROAD DIVISION BHARDERWAH, DISTRICT DODA.



Handwritten signature and initials

Handwritten signature
Assistant Executive Engineer
B.C. Road Sub-Division
Bhadarwah

Handwritten signature
Executive Engineer
Bhadarwah Chamba Road Division
BHADARWAH

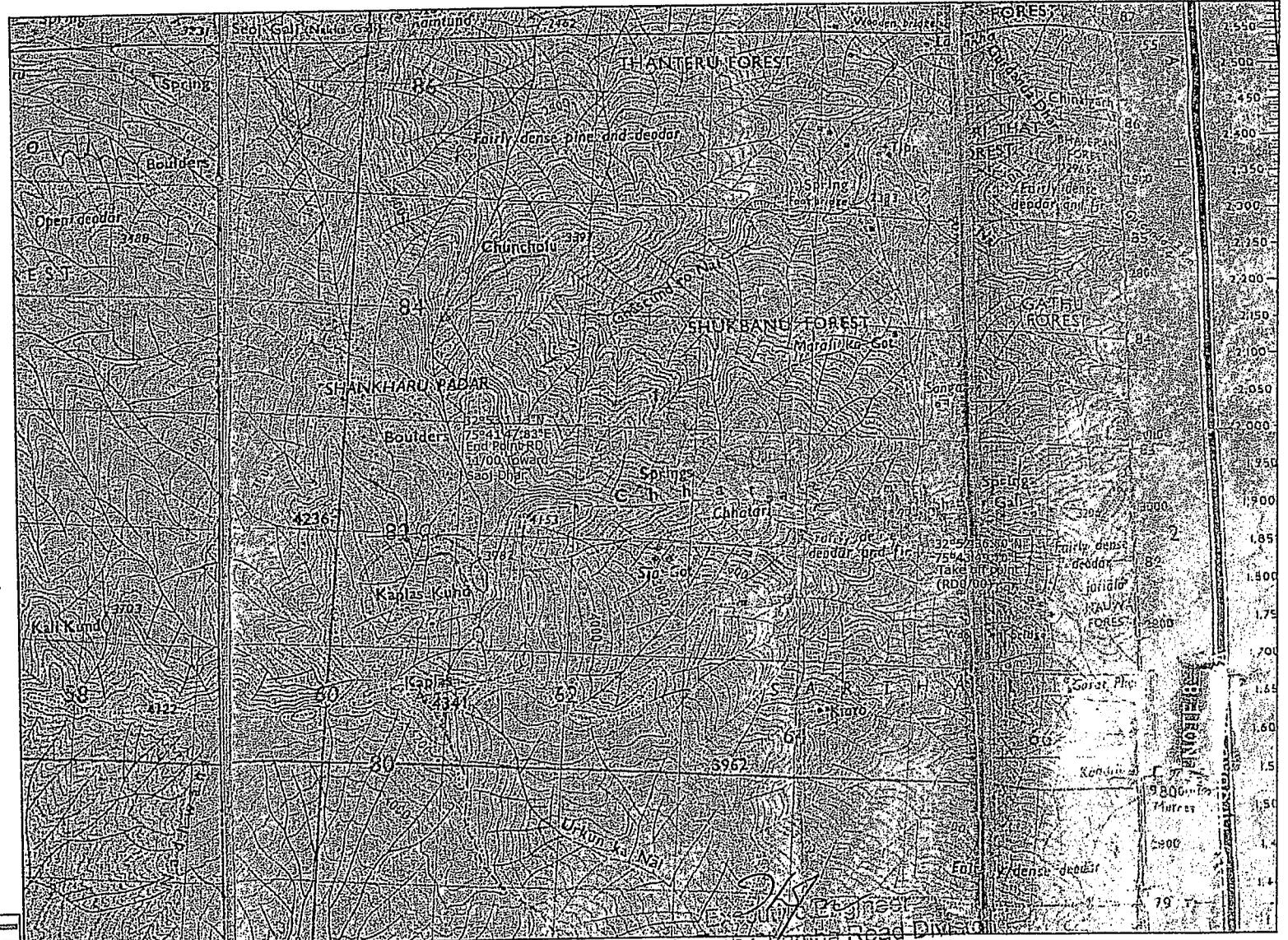
Handwritten signature
TC

LEGEND:-

1.	FOREST LAND	
2.	DUMPING POINT	
3.	OTHER ROADS	

**TOPOSHEET MAP CONSTRUCTION OF ROAD FROM CHATTERGALA TO KAILASH KUND VIA SAOJDHAR
LENGTH = 11.00 KM, UNDER PWD(R&B) B.C. ROAD DIVISION BHARDERWAH, DISTRICT DODA.**

TOPOSHEET NO. 43 P/9



[Signature]
Assistant Executive Engr.
B.C. Road Sub-Division
Bhadarwah

[Handwritten notes]
Assistant Executive Engr.
B.C. Road Sub-Division
Bhadarwah

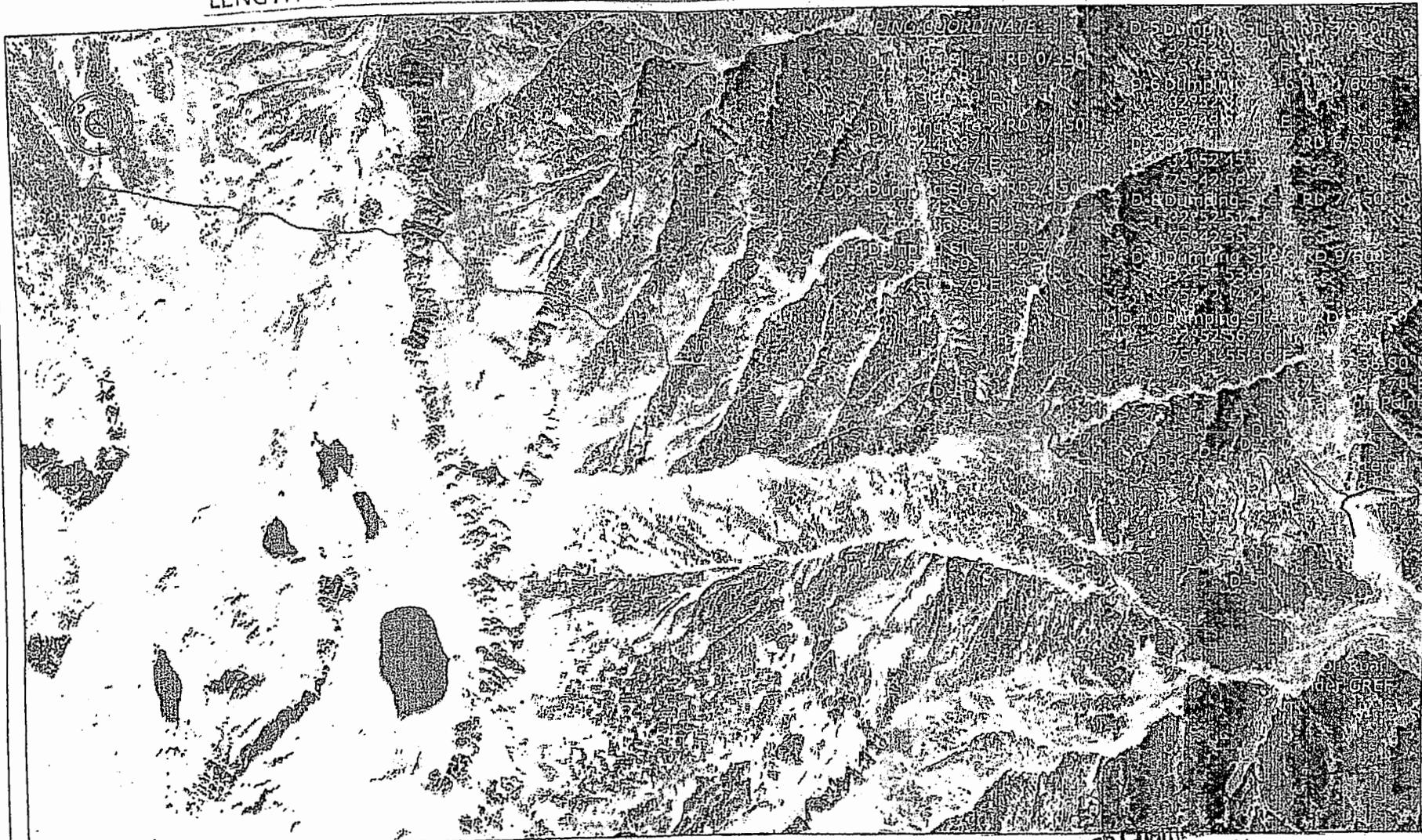
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LEGEND:
FOREST LAND (6 M WIDE)

[Signature]
Bhadarwah Chamba Road Division
BHADARWAH

[Handwritten signature]

97
 GPS MAP FOR CONSTRUCTION OF ROAD FROM CHATTERGALA TO KAILASH KUND VIA SAOJDHAR
 LENGTH = 11.00 KM, UNDER PWD(R&B) B.C. ROAD DIVISION BHARDERWAH, DISTRICT DODA.



GPS COORDINATES PASSAGE SITE		
P-1	32°52'30.19"N	75°43'46.25"E
P-2	32°52'33.92"N	75°43'40.38"E
P-3	32°52'33.97"N	75°43'38.94"E
P-4	32°52'29.24"N	75°43'32.78"E
P-5	32°52'29.23"N	75°43'31.54"E
P-6	32°52'29.03"N	75°43'25.79"E

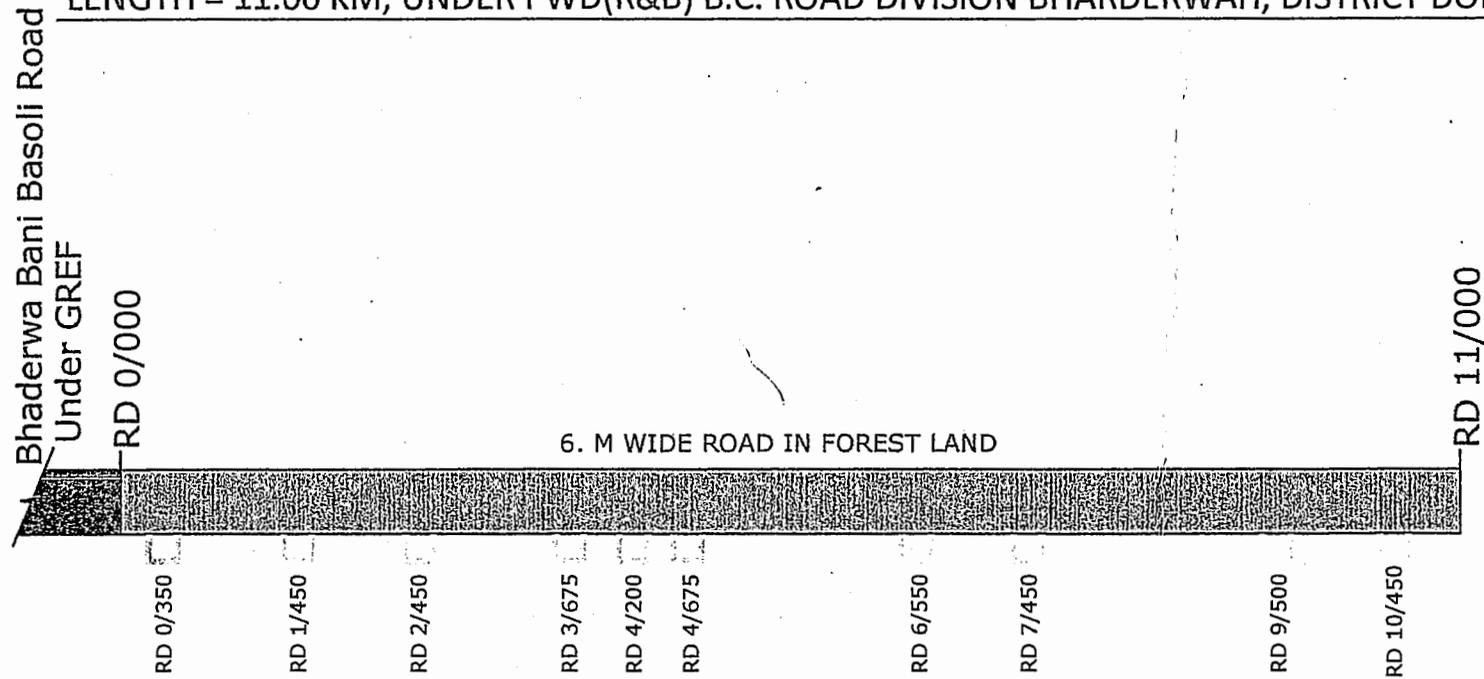
P-7	32°52'30.53"N	75°43'23.15"E
P-8	32°52'33.67"N	75°43'21.84"E

[Signature]
 Assistant Executive Engin.
 B.C. Road Sub-Division
 Bhadarwah

Bhadarwah Chamba
BHADARWAH
LEGEND:-

1.	FOREST LAND	—
2.	DUMPING POINT	—
3.	OTHER ROADS	—
4.	ANIMAL PASSAGE SITE	—

LAYOUT PLAN FOR CONSTRUCTION OF ROAD FROM CHATTERGALA TO KAILASH KUND VIA SAOJDHAR
 LENGTH = 11.00 KM, UNDER PWD(R&B) B.C. ROAD DIVISION BHARDERWAH, DISTRICT DODA.



FOREST AREA DETAILS

AREA DETAIL OF ROAD	LENGTH X WIDTH	AREA
RD 0/000 TO 11/000	11000M X 6M	66000 M ²
DUMPING AREA DETAILS	TOTAL AREA-A	66000 M²

RD 0/350	40M X 20M	800 M ²
RD 1/450	40M X 20M	800 M ²
RD 2/450	40M X 20M	800 M ²
RD 3/675	40M X 20M	800 M ²
RD 4/200	40M X 20M	800 M ²
RD 4/675	40M X 20M	800 M ²
RD 6/550	40M X 20M	800 M ²
RD 7/450	40M X 20M	800 M ²
RD 9/500	40M X 20M	800 M ²
RD 10/450	40M X 20M	800 M ²
	TOTAL AREA-B	8000 M²

TOTAL AREA = A+B= 66000+8000 74000 M² OR 7.4 HECTARES

LEGEND:-

1.	FOREST LAND	
2.	DUMPING SITE	
3.	OTHER ROAD	

Handwritten signature
Handwritten signature
Handwritten signature
 Assistant Executive
 B.C. Road Sub-Division
 Bhaderwah

Handwritten signature
 Bhaderwah Chamba Road Division
 BHADARWAH

Union Territory of Jammu and Kashmir
OFFICE OF THE EXECUTIVE ENGINEER PWD(R&B) B.C. ROAD
DIVISION BHADERWAH

E-Mail :- xenbhaderwahrb66@gmail.com

Ph./Fax No.:- 01997-244160

✓ The Chief Engineer

No.: 236-237/CS

PW (R&B) Department

Date: 12/05/2023.

Jammu

Sub: Submission of all the requisite documents required in the OA bearing no. 652/2022, titled RD Singh Bandral Vs Union of India & Others.

Sir,

Regarding the subject cited above, kindly find enclosed herewith the hard copy of all the requisite documents required in the OA quoted above which is pending adjudication before the Hon'ble National Green Tribunal Principal Bench, at Delhi which is directed to be further listed on 24-05-2023.

It is further submitted that all the requisite documents have already been submitted to the Forest Department for the purpose of Forest clearance in respect of the proposed road from Chattergalla to Kailash Kund via Seoj Dhar and the same is lying pending with the Divisional Forest Officer, Bhaderwah.

Hence, submitted for favor of information and necessary action please.

Yours faithfully

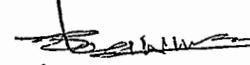
Encl:- Photocopies of

1. Para wise reply of OA
2. DPR
3. Allotment of contract
4. Maps


(Er. Tanzir Afzal Khan)
Executive Engineer
PWD(R&B) B.C. Road Division
Bhaderwah

Copy to the:-

1. Superintending Engineer PWD(R&B) Circle Doda for favor of information please.


TC