

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

ORIGINAL APPLICATION NO. 578 of 2022

IN THE MATTER OF:

Ram Singh...

..... Applicant

Versus

State of Uttarakhand and others...
Respondents

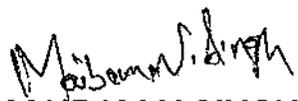
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Dated: 24th April, 2023

KMVN.



(AJIT RAJESH & MAIBAM N SINGH)
 Counsel for Respondent No.4,

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

IN

ORIGINAL APPLICATION NO. 578 of 2022

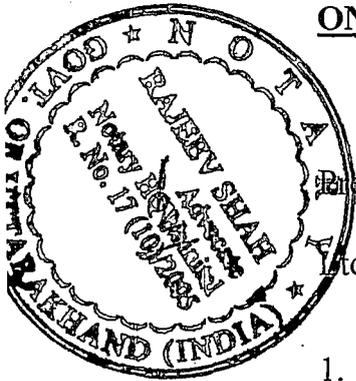
IN THE MATTER OF:

Ram Singh ... Applicant

Versus

State of Uttarakhand and others... Respondents

AFFIDAVIT IN COMPLIANCE OF ORDER DATED 02.01.2023
ON BEHALF OF KUMAON MANDAL VIKAS NIGAM.



I, Vineet Tomar S/o Shri Ashok Tomar, aged about 35 years, presently posted as Managing Director, in the Kumaon Mandal Vikas Nigam Ltd. Nainital, Uttarakhand, do hereby solemnly affirm as under:-

1. That I am well versed with the facts of the case and competent to swear this affidavit on behalf of the answering respondent/ Kumaon Mandal Vikas Nigam in the above mentioned Original Application.

11/02/23

Rajeev Shah
RAJEEV SHAH
Advocate
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Reg. No. 17 (10) 2005

2. That at the very outset, it is submitted herein that no sooner the interim order passed by the Hon'ble Tribunal was communicated to the respondents vide communication dated 04.02.2023, the respective lease holder Shri Ganesh Singh Dugtal was immediately informed to stop the operation of the FRP Huts with immediate



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effect. True copy of the order issued to the lease holder Shri Ganesh Singh Dugtal dated 04.2.2023 is being filed herewith and marked as

ANNEXURE - R-1.

3. That apart from the aforesaid the Member Secretary Uttarakhand Pollution Control Board has written a letter to the answering respondent Corporation on 09.12.2022 to comply the orders of the Hon'ble Tribunal.

That it is submitted herein that immediately the aforesaid communication was responded and the necessary communications were issued to the Uttarakhand Pollution Control Board intimating that the concerned agency is not the Kumaon Mandal Vikas Nigam who is the project proponed but it is a case that the piece of land was given by the District Magistrate to the Tourism Department and further the ADB (Asian Development Bank) funded UEAP (Uttarakhand Emergency Assistance Project) project was construed and completed under the authority and proprietorship of the Uttarakhand Tourism Development Board True copy of the communication dated 09.12.2022 is being filed herewith and marked as ANNEXURE -R-2.

5. That the State of Uttarakhand was carved out as 27th State on 09.11.2000 and the topography of the State is characterized by hilly



Part-II

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terrain, rugged and rocky Mountains, deep valleys, high peaks, sharp streams and rivulets, rapid soil erosion, frequent landslides and widely scattered habitations and further 93% of the lands in the State of Uttarakhand is mountainous and further 64% is covered by the forest. Most of the part of the State is high Himalayan peaks and glaciers, while the lower foothills are densely forested.



6. That apart from the peculiar geographical location there is peculiar aspect of the migration the persons residing in the hill, inasmuch as, there are meager facilities, lack of opportunity of employment and poor connectivity.

7. That it is further submitted that the State is prone to all kind of disasters be it, earthquake soil erosion, heavy rain falls, landslides, cloudbursts and flash-floods and even forest fires and time and again the State has to face loss of infrastructure facilities, and life of persons.

8. That considering these peculiar aspects every time when the policies for the development activities are conceived, these numerous aspects, the authorities consider and further due to the peculiar geographical location and tough working conditions in the hill area even for construction and operation of a small project several agencies are

required to be roped in.

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Part-III

9. That the State of Uttarakhand has formulated the policies and schemes in such a manner that with regard to the decision regarding setting up of infrastructures facilities in connection with the tourism activities any communication with the State Government regarding the mode and manner for providing land finances and other facilities, Uttarakhand Tourism Development Board is the agency concern.



That even post creation of the project, maintenance and its operation is also a herculean task and the KumaonMandalVikas Nigam and GarhwalMandalVikas Nigam are the government companies, which are entrusted with the responsibility to maintain and operate such infrastructure facilities, like tourist rest houses.

10-2-13

11. That the peculiar facts applicable in the present set of circumstances are that in June 2013 affectively all the hill districts of the State of Uttarakhand have suffered un-precedent damages due to disasters and the Uttarkashi, Chamoli, Rudraprayag, Pithoragarh and Bageshwar were amongst most adversely affected districts in the disasters of June, 2013.

12. That considering the impact of the disasters, State of Uttarakhand as well as the Government of India has approached the Asian Development Bank for the assessment of the damages and for

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reconstruction and in response thereto a Joint Rapid Damage and Assessment Team has carried out the inspection of the area affected between 29th July till 7th August 2013.



13. That post inspection and assessment of the situation the Asian Development Bank (ADB) sponsored project agency, Uttarakhand Emergency Assistance Project (UEAP), has provided for the construction of FRP Huts and Hybrid huts, in two disaster affected districts of Kumaon Region which are made up of eco-friendly fiber reinforced plastic.

14. That while the idea of the construction of FRP Huts and Hybrid Huts was initiated their need was considered by not only the Department of Tourism but the disaster management authority of the State of Uttarakhand, inasmuch as, these remotes hill area of the State of Uttarakhand are not connected through the modes of telecommunication and it was idea of the State Government that these huts will primarily be created to be used at the time of disaster.

10-1-13

15. That however, the disaster is not regular event and cannot be predicted and hence in order to maintain and up-keep of such huts, some mechanism was to be adopted and it was decided that these

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huts will be used to accommodate the tourists except in the case of disaster.

16. That it is a policy decision on the part of the State Government that at the time of disaster these huts will be transferred to the disaster management authority and the district administration.



That it is submitted that this important aspect was there even at the time of preparation of the detail project report and for facility of the learned Tribunal the relevant part of the Clause -9 is quoted herein under:-

“ 9. OPERATION & MAINTENANCE

B. Regarding FRP Huts/HYBRID Huts proposed other than within the premises of TRH it is proposed to lease out the developed asset for tourism business and day to day operation and maintenance to local people/local stakeholders committee. A MOU in this regard is proposed between the state authority (SDMA/UTDB) & local people/local stakeholders committee with following provisions:

a. The day to day operation and maintenance of the FRP Huts/HYBRID Huts shall be the responsibility of respective local people/local stakeholders committee.

b. During normal course of time the FRP Huts/HYBRID Huts can be utilized by the local people/local stakeholders committee for the benefit of Tourism.

Page - 17

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[Handwritten Signature]

c. During natural calamity/emergence time the district administration will have the sole right for use of FRP Huts/ HYBRID Huts and local people/local stakeholders committee will abide by the instructions of the SDMA & District Administration regarding the use of FRP Huts/ HYBRID Huts.

d. The local people/local stakeholders committee will be required to pay lease rental charges to state authority (SDMA/UTDB)"



18. That it is submitted herein that these huts were constructed for strengthening of disaster and risk management system of the state and for day to day operations and maintenance these FRP huts were handed over to Kumaon Mandal Vikas Nigam Limited and as per the provisions of DPR Kumaon Mandal Vikas Nigam Limited allotted these FRP Huts to local residents for the purpose of operation and maintenance through fair and transparent tender process.

Page - VII

19. That it is also relevant to mention herein that this particular Dugtu Village was identified and selected on the recommendation of the District Administration, and the Uttarakhand Tourism Development Board and the requisite land was transferred by the State Government.

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 21-11-2023
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20. That it is a small establishment and the land allotted or utilized is not in forest area even then for raising construction of even such eco-friendly huts NOC from the department of forest was taken.

21. That it is submitted that these are not accessible area and considerable time was utilized when the proposal is conceived processed and finalized and this particular case when all these steps have been taken there were certain ecological disturbance in the land so identified there was a landslide over the portion of it and the rest part of it was sloppy which would have required more disturbance to ecology for construction and hence in the close vicinity of the aforesaid place , huts were constructed.

22. That the authority concerned at the time of identifying this alternate location in the close vicinity of the original location must have completed paper formalities at the said point of time itself , however, for the reasons best known to them the paper formalities were not completed, however, it is relevant to mention herein that both the aforesaid places are the Government land, situated within the territorial limits of the same village and further having identical or substantially same ecological parameters and it can never be said that by construction of such eco-friendly huts ecological parameters of the area concerned are changed.



Post-VII

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23. That it is also submitted herein that on considering the aforesaid anomaly so crept in, Kumaon Mandal Vikas Nigam Limited intimated to Uttarakhand Tourism Development Board and thereafter by the District Tourism Development Officer Pithoragarh, wherein, the request to the Collector District - Pithoragarh was made that the land over which the FRP Huts are constructed are transferred in favour of the Tourism Department and accordingly after completing all the requisite formalities the office of the District Magistrate Pithoragarh vide order dated 19.04.2023 has transferred the land over which the FRP Huts are being constructed in favour of the Department of Tourism. True copy of the relevant communication issued by the KMVN and District Tourism Development Officer Pithoragarh are being filed herewith and marked as ANNEXURE-R-3.



Page-17

24. That it is also relevant to mention herein that by the order the land earlier allotted has been cancelled and hence the aforesaid anomaly so crept in stand rectified now. True copy of the order dated 19.04.2023 passed by the District Magistrate Pithoragarh is being filed herewith and marked as ANNEXURE- R-4 .

25. That it is submitted that appropriate steps for taking NOC as per the new allotment of the Khasra number is also undertaken and

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further the appropriate steps have also been undertaken for obtaining CTE/ CTO from the Uttarakhand Pollution Control Board. True copy of the relevant document is being filed herewith and marked as ANNEXURE-R-5.

26. That it is submitted that there are very limited numbers of tourists visiting the aforesaid places, inasmuch as, 81 tourists visited in the year 2018, 100 tourists in the year 2019, 14 tourists in the year 2021 and 458 tourists in the 2022, inasmuch as, the aforesaid place is the base camp of the Panchachuli.



27. That it is submitted that probably due to some local issues either with the persons operating these huts or for the reasons best known to them, frivolous complaint has been preferred before the Hon'ble National Green Tribunal, which was also considered by the committee constituted by the Hon'ble National Green Tribunal.

Part - X

28. That it is also submitted that the idea that was in the mind of the authorities of the State Government when the project was conceived affectively was considered by the committee constituted by Hon'ble National Green Tribunal, inasmuch as, the committee acknowledged that the aforesaid place is situated in Darma Valley of Pithoragarh situated in close proximity to China and further is not connected with the metaled roads. Further no proper telecommunication

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 20/11/2023
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facilities are available and in the case of un-precedent disaster it is not easy to reach this particular place.

29. That the committee has further considered that in order to provide opportunity of employment, steps must be taken for making home stays and to promote adventure tourism. The recommendation that has been made with regard to the establishment of check post for keeping eye on fire accident has no concern with the answering respondent, and has to be considered by the concern forest Department.

30. That only issue that required deliberation before the National Green Tribunal is that the said committee has recommended that these huts to be shifted to the Khasra numbers mentioned in the document of land transfer, however, considering the aforesaid anomalies it was felt that the necessary and appropriate steps be taken for the transfer of land over which the FRP Huts are constructed and accordingly the District Magistrate Pithoragarh vide order dated 19.04.2023 has transferred the land in favour of the Department of Tourism and further cancelled the earlier land allotment made and by such action the anomaly so crept in stands rectified.

31. That it is no-body's case that these aforesaid locations are far apart from each other having different ecological parameters and infact



17-10-23

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 Reg. No. 17 (10) 2005

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both the aforesaid pieces of land are situated in the same Village Dugtu, having identical ecological parameters and shifting it to original place is not viable and raising such construction again will create ecological disturbances only.

32. That the aspect of forest fire will be considered by the concern Forest Department, however, the issue of construction of such FRP Huts is to be considered not only by Kumaon Mandal Vikas Nigam but also by all other concern agencies in promoting the tourism activities in the State of Uttarakhand.

33. That it is also relevant to highlight herein that the tourism at such high altitude has to be understood in a totally different context, inasmuch as, the said tourism activities are not to be compared with tourism activities in other hill stations like Nainital or Mussoorie but affectively the nature loving persons, having great respect for the nature visits such inaccessible areas, inasmuch as, such areas are not only inaccessible, there is risk of life in reaching there, staying there having no facilities having no modes of telecommunication and it can never be said that such tourists cause damage to the eco - system.

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Deponent



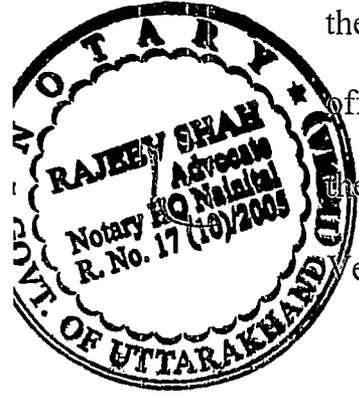
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Advocate
Nainital
R. No. 17(10) 2005

Verification

I, the abovenamed deponent, do hereby verify that the contents of the above affidavit from para no. 1 to 33 are true and correct as per the office record and no part is false and nothing material has been concealed therefrom.

Verified at NAINITALI on 21 April, 2023.



[Signature]
Deponent



L.T.G of Deponent

Post - XIII
1981-1991

verified that Sri/Smt. *[Signature]* *[Name]* is the Deponent identified by *[Signature]* Sworn & Verified the Contents of the Affidavit at *[Signature]* on Date *[Signature]*

[Signature]
RAJEEV SHAH
Notary HQ Nainital
Reg. No. 17 (10) 2005

TIME - 2:00 P.M.

Present by
Posted as
Managing
Director
in the name
of *[Signature]*
NAINITALI

[Signature]

पत्रांक 5144/6-पंचाचूली

75

दिनांक:

Annexure R-1 - 14
4-2 2023

श्री गणेश सिंह दुग्ताल
पुत्र श्री ईश्वर सिंह
निवासी-ग्राम कुमचिया
पो0ऑ0 तेजम, धारचूला
जनपद पिथौरागढ़ ।

विषय: मा0 एन0जी0टी0 में विचाराधीन मूल आवेदन सं0 578/2022 राम सिंह बनाम उत्तराखण्ड राज्य एवं अन्य विषयक ।

मा0 एन0जी0टी0 में विचाराधीन उक्त मूल आवेदन सं0 578/2022 राम सिंह बनाम उत्तराखण्ड राज्य एवं अन्य, जिसमें आप भी पक्षकार हैं, में पारित आदेश दिनांक 02.01.2023 का सन्दर्भ ग्रहण करने का कष्ट करें । उक्त के क्रम में अवगत करना है कि जनपद पिथौरागढ़, तहसील धारचूला, ग्राम दुग्ता में एफ0आर0पी0 हट्स को संचालन हेतु आपको वर्ष 2021 में दिया गया है ।

उक्त एफ0आर0पी0 हट्स के सम्बन्ध में मा0 एन0जी0टी0 में विचाराधीन पूर्व वर्णित वाद में पारित आदेश दिनांक 02.01.2023 जिसकी छायाप्रति संलग्न है, के आलोक में आपको निर्देशित किया जाता है कि ग्राम दुग्ता, तहसील धारचूला में निर्मित एफ0आर0पी0 हट्स का संचालन मा0 एन0जी0टी0 में सुनवाई हेतु नियत अग्रिम तिथि तक तत्काल प्रभाव से स्थगित करना सुनिश्चित करें ।

संलग्न- यथोपरि ।



प्रतिलिपि-
प्रतिलिपि-

पर्यटन विकास अधिकारी, नैनीताल को अनुपालनार्थ ।

प्रबन्धक, पर्यटक आवास गृह, धारचूला को इस निर्देश के साथ कि इस पत्र की प्रति सम्बन्धित को हस्तगत कर एफ0आर0पी0 हट्स का संचालन अग्रिम नियत तिथि तक बन्द करवाना सुनिश्चित करें ।

(ए0पी0 बाजपेयी)
महाप्रबन्धक (प्रशासन)

महाप्रबन्धक (प्रशासन)

Notary HQ Nainital
Reg. No 17 (10) 2015

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पत्रांक 4/50 /6-

दिनांक 9 दिसम्बर, 2022

ANNEXURE-R-2-15

सेवा में,

सदस्य सचिव

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
देहरादून ।

विषय: मा0 एन0जी0टी0 में योजित मूल आवेदन सं0 578/2022 में राम सिंह बनाम उत्तराखण्ड राज्य में पारित आदेशों के अनुपालन के सम्बन्ध में ।

महोदय,

कृपया उपरोक्त विषयक अपने कार्यालय के पत्र संख्या यूकेपीसीबी/एच.ओ./सा0-183-620/2022/1339 दिनांक 21.11.2022 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा मा0 एन0जी0टी0 में योजित मूल आवेदन संख्या 578/2022 राम सिंह बनाम उत्तराखण्ड राज्य में पारित आदेश दिनांक 12.9.2022 के क्रम में गठित संयुक्त कमेटी की रिपोर्ट संस्तुति के अनुपालन अथवा संस्तुतियों के क्रम में अपना प्रतिउत्तर मा0 एन0जी0टी0 में दाखिल करने हेतु प्रेषित की गयी है ।

उक्त के क्रम में अवगत करना है कि ग्राम दुग्तू तहसील धारचूला में निर्मित एफ0आर0पी0 हट्स का निर्माण उत्तराखण्ड पर्यटन विकास परिषद द्वारा Uttarakhand Emergency Assistance Program (UEAP) जो कि ए0डी0बी0 द्वारा सहायित कार्यक्रम था, के अन्तर्गत निर्मित किया गया । उक्त कार्यक्रम के अन्तर्गत जनपद बागेश्वर एवं पिथौरागढ़ में विभिन्न स्थानों पर एफ0आर0पी0 हट्स का निर्माण किया गया । ग्राम दुग्तू में निर्मित एफ0आर0पी0 हट हेतु जिलाधिकारी पिथौरागढ़ द्वारा पर्यटन विभाग के नाम भूमि हस्तान्तरित की गयी थी । इस प्रकार ए0डी0बी0 सहायित यू0ई0ए0पी0 प्रोजेक्ट के अन्तर्गत निर्मित उक्त परिसम्पत्ति उत्तराखण्ड पर्यटन विकास परिषद के स्वामित्व की है ।

अतः उक्त तथ्यों को दृष्टिगत रखते हुए मा0 एन0जी0टी0 द्वारा पारित आदेशों के क्रम में समिति की आख्या के अनुपालन इत्यादि के सम्बन्ध में उत्तराखण्ड पर्यटन विकास परिषद, देहरादून से पत्राचार करने का कष्ट करें ।



WSP

ATTESTED

Rajeev Shah
RAJEEV SHAH
Advocate
21-11-2022

Notary HQ Nainital
Reg. No 17 (10) 2005

भवदीय,

(विनीत तोमर)
प्रबन्ध निदेशक

o/c

सेवा में,

मुख्य कार्यकारी अधिकारी
उत्तराखण्ड पर्यटन विकास परिषद
देहरादून ।

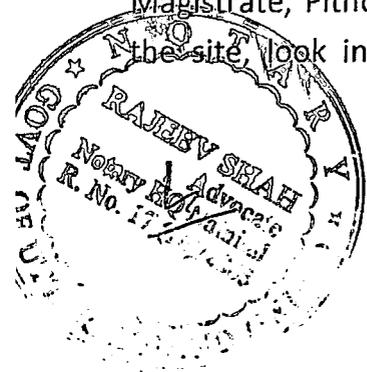
विषय: मा0 एन0जी0टी0 में योजित मूल आवेदन सं0 578/2022 में राम सिंह बनाम उत्तरा
पारित आदेशों के अनुपालन के सम्बन्ध में ।

महोदय,

कृपया उपरोक्त विषयक सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड के पत्र संख्या एन0जी0टी0/एच.ओ./सा0-183-620/2022/1339 दिनांक 21.11.2022, जिसकी छायाप्रति संलग्न है, का सन्दर्भ ग्रहण करने का कष्ट करें, उक्त पत्र में उनके द्वारा शिकायतकर्ता श्री राम सिंह, निवासी दुग्गू तहसील धारचूला जनपद पिथौरागढ़ द्वारा प्रेषित शिकायती पत्र 25 अप्रैल, 2022 के क्रम में मा0 एन0जी0टी0 में योजित मूल आवेदन संख्या 578/2022 में पारित आदेश दिनांक 12.9.2022 के अनुपालन में गठित संयुक्त कमेटी की आख्या अनुपालन अथवा मा0 एन0जी0टी0 में प्रतिउत्तर दाखिल करने हेतु प्रेषित की गयी है । शिकायतकर्ता श्री राम सिंह, निवासी दुग्गू तहसील धारचूला द्वारा अपने शिकायती पत्र में (जिसकी छायाप्रति संलग्न है) मुख्यतः यह शिकायत की गई है कि वर्ष 2016-17 में 12000 फीट ऊंचाई वाले एल्पाइन क्षेत्र ग्राम दुग्गू में 5 एफ0आर0पी0 हट्स निर्मित किये गये हैं, जिस हेतु जिलाधिकारी, पिथौरागढ़ द्वारा पर्यटन विभाग के नाम ग्राम दुग्गू तहसील धारचूला के खतौनी खाता संख्या 59 श्रेणी-9(3)ड बंजर काविल आवाद के खेत सं0 2630 मध्ये 0.100 हैक्टे0 भूमि हस्तान्तरित की गई है । वर्ष 2017 में उक्त एफ0आर0पी0 हट्स संचालन हेतु श्री गणेश सिंह दुग्गू को दिये गये, वर्ष 2017-18 से 2019-20 तक उक्त क्षेत्र में लगभग 50000 पर्यटकों द्वारा भ्रमण किया गया । उक्त क्षेत्र कस्तूरी मृग एवं हिमालयी औषधीय पादकों का क्षेत्र होने का उल्लेख किया करते हुए, 2018 में पर्यटकों द्वारा आगजनी के कारण 7 हैक्टे0 क्षेत्र में वनाग्नि की घटना होने का उल्लेख करते हुए मा0 उच्च न्यायालय द्वारा पारित आदेशों के क्रम में वन एवं ग्लेशियर क्षेत्र होने के कारण मानवीय गतिविधियों को न बढ़ाने का उल्लेख करते हुए पर्यटकों की सुविधा हेतु एफ0आर0पी0 हट्स को अन्यत्र स्थानान्तरित करने का अनुरोध किया गया है ।

उक्त शिकायती पत्र के क्रम में मा0 एन0जी0टी0 द्वारा दिनांक 12 सितम्बर, 2022 को आदेश पारित किये गये, जिसकी छायाप्रति संलग्न है, जिसमें उनके द्वारा मुख्यतः यह उल्लेख किया गया है-

3. Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of representative of Principal Chief Conservator of Forests (HoFF), Government of Uttarakhand, State PCB and District Magistrate, Pithoragarh and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant, associate the



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78 applicant and representative of the concerned project proponent, verify the factual position and submit its report within one month. The State PCB will be the nodal agency for coordination and compliance. 17

4. In case that Joint Committee observe any violation of consent conditions/environmental norms then it shall forward a copy of its report to-

(i) the concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee of file objections against the observations/recommendations in the report of the Joint Committee and also file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and

(ii) the Principal Chief Conservator of Forests (HoFF), Government of Uttarakhand, State PCB and District Magistrate, Pithoragarh to enable them to take appropriate remedial action by giving notice to/ hearing the concerned project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and submit their action taken report within one month from the date of receipt of a copy of the report of the Joint Committee.

5. Reports/Objections/reply/Response may be filed within stipulated period as directed above by e-mail a judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List for further consideration on 21.11.2022.

7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Principal Chief Conservator of Forests (HoFF), Government of Uttarakhand, State PCB and District Magistrate, Pithoragarh by e-mail for compliance.

मा10 एन0जी0टी0 द्वारा पारित आदेश के कम में गठित समिति द्वारा निम्न संस्तुतियां की गई है—

1- शिकायती स्थल 05 एफ0आर0पी0 झोपड़ियों (पंचाचूली बेस कैम्प) दारमा घाटी में पिथौरागढ़ के सीमांत क्षेत्र में स्थित है। उक्त स्थल पक्के सड़क मार्ग से दूर है, जिस कारण यहां बेहतर संचार सुविधायें 24 घंटे उपलब्ध नहीं हैं तथा किसी प्रकार की अप्रिय घटना/ आकस्मिकता/आगजनी होने पर तुरन्त राहत पहुंचा पाना संभव नहीं है। इस हेतु जिला प्रशासन व सम्बन्धित विभागों में समन्वय होना आवश्यक प्रतीत होता है।

2- एफ0आर0पी0 झोपड़ियों को वर्तमान स्थान से विस्थापित कर उत्तराखण्ड शासन तथा जिलाधिकारी से स्वीकृत भूमि (ग्राम दुग्तू पट्टी दुग्तू के गैर जमींदारी विनाश खाता संख्या- 59, श्रेणी-09(3)ड बंजर काबिल आबाद के खेत नं0 2630 मध्य 0.100 हैक्टे0) में स्थानान्तरित कर पर्यटन विभाग/कुमाऊँ मण्डल विकास निगम को समस्त सम्बन्धित विभागों से अनुमति प्राप्त कर संचालन करने हेतु निर्देशित किया जाना उचित होगा।

दारमा घाटी के प्रवेश द्वारा पर फॉरेस्ट की चौकी की स्थापना किया जाना आवश्यक है, जिसके द्वारा पर्यटकों की आणजाही पर निगरानी रखने तथा उनकी संख्या को नियंत्रित किया जाना आवश्यक है



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4- सीमांत/दूरस्त क्षेत्र होने के कारण गांवों से पर्यटकों को आकर्षित करने के लिए स्थानीय लोगों को स्वरोजगार प्रदान करने हेतु उचित स्थलों पर होम स्टे, साहसिक कार्यों में प्रोत्साहन देने पर विचार किया जा सकता है ।

समिति द्वारा प्रस्तुत संस्तुतियों के क्रम में अनुपालन आख्या एवं प्रतिउत्तर मा0 एन0जी0टी0 में दाखिल किया जाना है । समिति द्वारा प्रस्तुत आख्या के बिन्दु संख्या-2 एवं 4 का सम्बन्ध पर्यटन विभाग से है शेष बिन्दु जिला प्रशासन एवं वन विभाग से सम्बन्धित है । समिति द्वारा अपनी आख्या के बिन्दु संख्या-2 में ग्राम दुग्तू में निर्मित 5 एफ0आर0पी0 हट्स को वर्तमान स्थान से विस्थापित कर जिलाधिकारी पिथौरागढ़ द्वारा पर्यटन विभाग के नाम हस्तान्तरित खाता संख्या-59, श्रेणी-09(3)ड बंजर काबिल आबाद के खेत नं0 2630 मध्य 0.100 हैक्टे0 में स्थानान्तरित करने का सुझाव देते हुए अपनी आख्या के पृष्ठ-4 के बिन्दु संख्या 4 में यह उल्लेख किया गया है कि उक्त एफ0आर0पी0 हट जिलाधिकारी पिथौरागढ़ एवं प्रभागीय वनाधिकारी, पिथौरागढ़ द्वारा स्वीकृत स्थल पर निर्मित न कर स्वीकृति स्थल से दूर बनाकर उल्लंघन किया गया है ।

समिति द्वारा प्रस्तुत आख्या के अवलोकन से प्रथम दृष्टया स्पष्ट है कि समिति द्वारा ऐसा कोई तथ्य अपनी निरीक्षण आख्या में उल्लिखित नहीं किया गया है, जिससे पर्यावरणीय नियमों एवं आदेशों का उल्लंघन परिलक्षित होता है ।

ग्राम दुग्तू तहसील धारचूला में निर्मित उक्त 5 एफ0आर0पी0 हट के सम्बन्ध में निर्माण कक्ष, कुमाऊँ मण्डल विकास निगम द्वारा उपलब्ध करायी गयी सूचना के अनुसार अन्य स्थानों के साथ-साथ उक्त हट्स का निर्माण यू0टी0डी0बी0 (उत्तराखण्ड पर्यटन विकास परिषद देहरादून) द्वारा ए0डी0बी0 द्वारा प्रायोजित (UEAP) Uttarakhand Emergency Assistance Project (Tourism Sector, Programme) के अन्तर्गत कुल कुमाऊँ में जनपद बागेश्वर में 9 स्थल व जनपद पिथौरागढ़ में 17 स्थल एफ0आर0पी0 हट्स लगाये जाने हेतु चयनित एवं नियुक्त सलाहाकार द्वारा योजना तैयार की गई। योजना में बागेश्वर में 9 स्थल सूपी, पखवा, झूनी, धाकुड़ी, कफनी, बदिआकोट, पिण्डारी, बोडबडला, व कथलिया तथा जनपद पिथौरागढ़ में 16 स्थलो पर निम्नानुसार चयनित किये गये। गूंजी, बूंदी, कालापानी, नाबीढांग, मालपा, मांगती, मरतोली, पांछू, ब्रफूँ, उर्थी, बालिंग, लीलम, पांगू, सिरखा, गाला व कुट्टी चयनित किये गये थे। प्रोग्राम मैनेजर पी0आई0यू0 (टूरिज्म कुमाऊँ) द्वारा अपने पत्रांक 95/PIU/UEAP(T)KMVN/2016-17 Dt. 20 may 2016 अनुसार जनपद बागेश्वर एवं पिथौरागढ़ में स्थलो में परिवर्तन हेतु प्रोग्राम डायरेक्टर UEAP देहरादून को प्रेषित किया गया जिसमें अवगत कराया गया कि जनपद पिथौरागढ़ में 16 स्थल के स्थान पर 17 स्थलो हेतु ए0डी0बी0 द्वारा स्वीकृति प्राप्त हुई तथा कुल एफ0आर0पी0 हट्स की संख्या में (100 नग) में परिवर्तन नहीं हुआ है साथ ही पूर्व चिन्हित स्थलो में मार्गों के क्षतिग्रस्त होने तथा प्राप्त भूमि में फिजिविलिटी (उपयोगी) न होने के कारण स्थल परिवर्तित किये गये,जिनका विवरण निम्नानुसार है ।

जनपद	पूर्व में स्वीकृत	परिवर्तित स्थान
बागेश्वर	पखवा, बोडबडला, कथलिया, पिण्डारी, कफनी एवं धाकुरी	जैकुनी, सोराग, बाछमतोक धाकुरी, फुरकिया, साराग, तोक धूर व तीख
पिथौरागढ़	पांगू, पांछू, सिरखा, लीलम, मांगती एवं उर्थिंग	गनघर, रालम, टोला, नारायण आश्रम दुग्तु एवं वेदांग

31 मई 2016 को एच0पी0सी0 (पत्र संलग्न) की बैठक की कार्यवृत्त पृष्ठ संख्या 4 व 5 में उपरोक्तानुसार स्थान परिवर्तन की स्वीकृति प्रदान की गई। इसी क्रम में जिलाधिकारी पिथौरागढ़ द्वारा ग्राम दुग्तू जनपद पिथौरागढ़ में पर्यटन विभाग के नाम 0.100 हेक्टेयर भूमि हस्तान्तरित किये जाने हेतु सम्बन्धित को निर्देशित किया गया। जिसमें 05 नग एफ0आर0पी0 हट्स तथा 03 नग टायलेट बनाये गये।



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निगम द्वारा ए0डी0बी0 में कार्य योजित अवर अभियन्ता द्वारा ततसमय सम्बन्धित राजस्व कार्मिक द्वारा चिन्हित भूमि एफ0आर0पी0 हट्स के निर्माण हेतु उपलब्ध कराई गई जिसे निगम द्वारा 10 अक्टूबर 2018 में पूर्ण कर लिया गया। इसकी सूचना प्रोग्राम डायरेक्टर ए0डी0बी0 UEAP देहरादून को प्रेषित की गई।

योजना गठित किये जाते समय योजना के संचालन हेतु डी0पी0आर0 में निम्नानुसार प्राविधान किये गये हैं:-

9. OPERATION & MAINTENANCE

A. Regarding FRP Huts/HYBRID Huts proposed in the premises of TRH it is proposed to lease out the development asset for tourism business and day to day operation and maintenance to respective TRH. A MOU in this regard is proposed between the state authority (SDMA/UTDB) & TRH authority with following provisions:

a- The day to day operation and maintenance of the FRP Huts/HYBRID Huts shall be the responsibility of respective TRH.

b- During normal of time the FRP Huts/HYBRID Huts can be utilized by the TRH authorities for the benefit of Tourism.

c- During natural calamity/emergence time the district administration will have the sole right for use of FRP Huts/HYBRID Huts and TRH authority will abide by the instructions of the SDMA & District Administration regarding the use of FRP Huts/ HYBRID Huts.

d- The TRH will be required to pay lease rental charges to state authority (SDMA/UTDB)

B. Regarding FRP Huts/HYBRID Huts proposed other than within thw premises of TRH it is proposed to lease out the developed asset business and day operation and maintenance to local people/local stakeholders committee. A MoU in this regard is proposed between the state authority (SDMA/UTDB) & local people/local stakeholders committee with following provisions:

a. The day to day operation and maintenance of the FRP Huts/HYBRID Huts shall be the responsibility of respective local people/local stakeholders committee.

b. During normal of time the FRP Huts/HYBRID Huts can be utilized by the local people/local stakeholders committee for the benefit of Tourism.

c. During natural calamity/emergence time the district administration will have the sole right for use of FRP Huts/HYBRID Huts and local people/local stakeholders committee will abide by the instructions of the SDMA & District Administration regarding the use of FRP Huts/ HYBRID Huts.

d. The local people/local stakeholders committee will be required to pay lease rental charges to state authority (SDMA/UTDB)

ए0डी0बी0 की योजना महत्वपूर्ण व समयबद्ध होने के कारण प्रोग्राम डायरेक्टर UEAP देहरादून के निर्देशानुसार निगम द्वारा निगम को ही हस्तान्तरित कर दी गई। तत्पश्चात वर्ष 2020 में पंचाचूली बेस कैम्प ग्राम दुर्गु में निर्मित उक्त एफ0आर0पी0 हट्स को वार्षिक किराये के आधार पर संचालन हेतु निविदा के माध्यम से श्री गणेश सिंह निवासी उमचिया, पो0आँ0 तेजम, धारचूला को 7 वर्षों हेतु किया गया, जिसके अनुबन्ध के समाप्त होने की तिथि 31.12.2026 है। इस प्रकार उपरोक्त तथ्यों से स्पष्ट है कि ए0डी0बी0 सहायतित यूईएपी योजनान्तर्गत निर्मित उक्त परिसम्पत्ति का स्वामित्व पर्यटन विभाग का है, जिस कारण मा0 एन0जी0टी0 द्वारा दिये गये निर्देश के क्रम में गठित समिति द्वारा प्रस्तुत संस्तुतियों के बिन्दु सं0-2 जिसमें समिति द्वारा उक्त एफ0आर0पी0 हट्स को पर्यटन विभाग के पास देकर भूमि में हस्तान्तरित करने हेतु अनुसंशा की गयी है, का परीक्षण करने पर यह ज्ञात हुआ है कि जो भूमि



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पर्यटन विभाग के नाम हस्तान्तरित की गई है, उसका वर्ष 2015 में सड़क निर्माण के दौरान कुछ भाग सड़क में कट गया है, अधिकतर भाग मलवे से दबा है तथा शेष भूमि ढालदार होने के कारण एफ0आर0पी0 हट्स के निर्माण हेतु उपयुक्त नहीं है साथ ही यह भी ज्ञात हुआ है कि जिस भूमि पर उक्त एफ0आर0पी0 हट पूर्व से निर्मित है तथा जो भूमि पर्यटन विभाग के नाम हस्तान्तरित की गई है, दोनों भूमि राज्य सरकार के स्वामित्व की श्रेणी 9 (3) ड बंजर काविल आवाद तथा एक ही खाते की है एवं राजस्व विभाग के नियंत्रण एवं प्रबन्धन की है, मात्र भूमि के खसरा संख्या में अन्तर के दृष्टिगत जिलाधिकारी पिथौरागढ़ एवं जिला पर्यटन विकास अधिकारी, पिथौरागढ़ के माध्यम से जिस भूमि पर वर्तमान में एफ0आर0पी0 हट निर्मित है उसे भी पर्यटन विभाग के नाम हस्तान्तरित तथा पूर्व में हस्तान्तरित भूमि का परित्याग किये जाने की कार्यवाही की जा सकती है, ताकि समिति द्वारा बिन्दु संख्या-2 में उल्लिखित आपत्ति का निराकरण कर मा0 एन0जी0टी0 के सम्मुख प्रतिवाद किया जा सके । क्योंकि समिति द्वारा प्रस्तुत संयुक्त निरीक्षण आख्या के अवलोकन से स्पष्ट है कि समिति द्वारा अपनी आख्या में यूईएपी योजनान्तर्गत निर्मित पूर्व वर्णित एफ0आर0पी0 हट्स के निर्माण से पर्यावरणीय नियमों के किसी प्रकार से उल्लंघन होने सम्बन्धी तथ्य का उल्लेख नहीं किया गया है ।

अतः उपरोक्तानुसार आख्या संलग्नकों सहित इस अनुरोध के साथ प्रेषित है कि ए0डी0बी सहायतित यूईएपी परियोजना के उद्देश्यों के मध्यनजर तथा समिति द्वारा अपनी आख्या में आवंटित भूमि के स्थान पर अन्यत्र निर्माण किये जाने के अतिरिक्त अन्य किसी विसंगति अथवा पर्यावरणीय नियमों का उल्लंघन होने का उल्लेख नहीं किया गया है । जिसका निराकरण एफ0आर0पी0 हट्स के निर्माण स्थल की भूमि का पर्यटन विभाग के नाम हस्तान्तरण कर किया जा सकता है । अतः यदि महोदय सहमत हों तो अपने स्तर से वर्तमान में निर्मित हट्स की भूमि को पर्यटन विभाग को हस्तान्तरित करने तथा पूर्व आवंटित भूमि का परित्याग की कार्यवाही करने हेतु जिला पर्यटन विकास अधिकारी, पिथौरागढ़ को तथा जिलाधिकारी पिथौरागढ़ को भूमि पर्यटन विभाग के नाम आवंटित करने हेतु निर्देशित करने का कष्ट करें । इसके साथ ही पर्यटन विभाग की ओर से मा0 राष्ट्रीय हरित अधिकरण में प्रतिवाद करने हेतु सम्बन्धित को निर्देशित करने का कष्ट करें ।

संलग्न- यथोपरि ।

भवदीय,

(विनीत तोमर)

प्रबन्ध निदेशक

प्रतिलिपि- जिलाधिकारी, पिथौरागढ़ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित ।

प्रतिलिपि- जिला पर्यटन विकास अधिकारी, पिथौरागढ़ को इस आशय से प्रेषित कि पर्यटन विकास परिषद से निर्देश प्राप्त कर भूमि हस्तान्तरण हेतु कार्यवाही करने का कष्ट करें ।



W.M.

ATTENDED
REQUESTED

RAJESH SHAH
Advocate 2023

Notary HQ Nainital
R. No. 17 (10) 2005

W.M.
प्रबन्ध निदेशक

राजस्व अनुभाग-2 उत्तराखण्ड शासन देहरादून के शासनादेश संख्या-1887/XVIII (II) /2015-18(169)/2015 दिनांक 30.07.2015, वित्त (वे.आ.-सा.नि.)अनुभाग-7 के शासनादेश संख्या-111/XXVIII(7)50(39)-15/2015 दिनांक 09.07.2015 तथा शासनादेश संख्या-496/XVIII(II)/2020-08(63)/2016 दिनांक 28.07.2020 में निहित प्राविधानों के आधार पर तहसील धारचूला के ग्राम दुग्ठू में निर्मित एफ.आर.पी. हट्स से सम्बन्धित ग्राम दुग्ठू पट्टी दुग्ठू तहसील धारचूला के गैर जमींदारी विनश खतोनी खाता संख्या-59 श्रेणी-9(3)ड वंजर काबिल आवाद के खेत नम्बर 2117 मध्ये रकवा 0.070 हे0 राज्य भूमि को वित्त अनुभाग-3 के शासनादेश संख्या-260/वित्त अनुभाग-3/2002 दिनांक 15.02.2002 एवं पर्यटन विभाग की सहमति के क्रम में निम्नलिखित शर्तों/प्रतिबन्धों के अधीन पर्यटन विभाग, उत्तराखण्ड को निःशुल्क हस्तान्तरण की स्वीकृति प्रदान की जाती है।

1. भूमि पर कोई धार्मिक अथवा ऐतिहासिक महत्व की इमारत, वृक्ष न हो।
2. जिस परियोजना के लिए भूमि हस्तान्तरित की जा रही है वह एक अनुमोदित परियोजना हो और उसके लिए शासन से सहमति प्राप्त हो चुकी है।
3. हस्तान्तरित भूमि यदि प्रस्तावित कार्य से भिन्न प्रयोजन के लिए उपयोग की जाये तो उसके लिए मूल विभाग से पुनः अनुमोदन प्राप्त करना होगा।
4. यदि भूमि की आवश्यकता न हो या 03 वर्षों तक हस्तान्तरित भूमि प्रस्तावित कार्य के लिए उपयोग में नहीं लायी जाती है तो वह मूल विभाग में स्वतः ही निहित हो जायेगी तथा आदेश दिनांक 1739/सात-86/2014-15 दिनांक 15.09.2015 द्वारा एफ. आर.पी. हट्स के निर्माण हेतु पर्यटन विभाग के नाम स्वीकृत खेत नम्बर 2630 मध्ये 0.100 हे0 भूमि सम्बन्धी स्वीकृति स्वतः निरस्त समझी जायेगी।
5. जिस प्रयोजन हेतु भूमि हस्तान्तरित की जा रही है उससे भिन्न किसी अन्य प्रयोजन हेतु किसी अन्य व्यक्ति, संस्था, समिति अथवा विभाग आदि को हस्तान्तरित नहीं की जायेगी।
6. जिस प्रयोजन हेतु भूमि आवंटित की जा रही है उसकी पूर्ति के उपरान्त यदि भूमि अवशेष पड़ी रहती है, तो मूल विभाग को उसे वापस लेने का अधिकार होगा।
7. प्रश्नगत भूमि पर वन संरक्षण अधिनियम 1980 के प्राविधान लागू होने की दशा में भूमि के उपयोग का परिवर्तन गैर वानिकी कार्य हेतु तभी अनुमन्य होगा जब उक्त अधिनियम के अन्तर्गत नियत प्राधिकारी से अनुमति प्राप्त कर ली जायेगी।
8. प्रश्नगत नॉन जेड.ए. भूमि आवंटन के पूर्व जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम की धारा 132 के समकक्ष एवं अन्य सुसंगत प्राविधानों का अनुपालन उप जिलाधिकारी द्वारा सुनिश्चित किया जायेगा।
9. इस संबंध में सिविल अपील संख्या-1132/2011(एस.एल.पी.)/सी संख्या-3109/2011 श्री जगपाल सिंह एवं अन्य बनाम पंजाब राज्य एवं अन्य तथा सिविल अपील संख्या-436/2011@SLP (C) NO.20203/2007 झारखण्ड राज्य व अन्य बनाम पाकुर जागरण मंच व अन्य में मा0 सर्वोच्च न्यायालय के आदेश दिनांक जनवरी 2011 एवं अन्य संगत निर्देशों का भी अनुपालन सुनिश्चित किया जायेगा।
10. आवंटन की अवधि समाप्त होने अथवा उपरोक्त शर्तों के बिन्दु संख्या-01 से 09 में से किसी भी शर्त का उल्लंघन होने की स्थिति में प्रश्नगत भूमि निर्माण सहित राजस्व विभाग में निहित हो जायेगी, जिसके लिए कोई प्रतिकर देय नहीं होगा।

अतः उक्तानुसार स्वीकृत भूमि का सीमांकन कर याचक विभाग के नाम हस्तान्तरण कार्यवाही शीघ्र सुनिश्चित की जाय।



(रीना जोशी)
जिलाधिकारी, पिथौरागढ़।

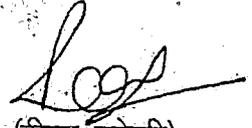
कार्यालय जिलाधिकारी पिथौरागढ़।

संख्या- 1486/सात-86/2014-15

दिनांक अप्रैल 19, 2023

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. सचिव, पर्यटनविभाग, उत्तराखण्ड शासन देहरादून।
2. उप जिलाधिकारी धारचूला।
3. जिला पर्यटन विकास अधिकारी, पिथौरागढ़।
4. तहसीलदार धारचूला को इस आशय से प्रेषित कि प्रश्नगत भूमि का सीमांकन कर प्रस्तावक विभाग के नाम हस्तान्तरण एवं नामान्तरण सुनिश्चित करें, खसरे की प्रति संलग्न कर प्रेषित की जा रही है।



(रीना जोशी)

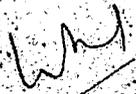
जिलाधिकारी, पिथौरागढ़।



ATTESTED
~~ATTESTED~~


RAJESH SHAH
Advocate

Notary HQ Nainital
Reg. No. 17 (10) 2015



प0सं0 1631 / राज्य सैक्टर/2022-23

दिनांक 14 मार्च, 2023

सेवा में,

जिलाधिकारी,

पिथौरागढ़।

विषय - तहसील धारचूला के अन्तर्गत राजस्व ग्राम दुग्ठू में राजस्व भूमि हस्तान्तरण के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक अवगत कराना है कि जिलाधिकारी पिथौरागढ़ के आदेश संख्या 1739/सात-86/2014-15 दिनांक 15 सितम्बर 2015 के माध्यम से पर्यटन विभाग को बाह्य सहायतित योजना के अन्तर्गत तहसील धारचूला के ग्राम दुग्ठू में पंचाचुली बेस कैम्प के समीप 05 एफ0आर0पी0 हट्स की स्थापना हेतु 0.01 हैक्टेयर राजस्व भूमि आवंटित की गयी थी, परन्तु तत्समय विभाग द्वारा कतिपय कारणों से आवंटित स्थल पर हट्स की स्थापना न करते हुये अन्यत्र उपलब्ध राजस्व भूमि पर हट्स की स्थापना की गयी। हट्स की स्थापना के उपरान्त इनका संचालन कुंमाऊ मण्डल विकास निगम द्वारा किया जा रहा है, परन्तु उक्त भूमि का हस्तान्तरण आतिथि तक पर्यटन विभाग के पक्ष में नहीं हुआ है। यह भी उल्लेखनीय है कि पूर्व में पर्यटन विभाग को आवंटित भूमि वर्तमान में निर्माण कार्य हेतु उपयुक्त नहीं है। उक्त कम में सचिव, पर्यटन महोदय द्वारा प्राथमिकता के आधार पर भूमि पर्यटन विभाग के पक्ष में कराते हुये दाखिल खारिज कराने हेतु निर्देशित किया गया है।

अतः अनुरोध है कि तहसील धारचूला के अन्तर्गत राजस्व ग्राम दुग्ठू में 0.01 हैक्टेयर राजस्व भूमि पर्यटन विभाग को हस्तान्तरित किये जाने हेतु सम्बन्धितों को निर्देशित करने का कष्ट करेंगे।

भवदीय,

(अरविंद गौड़)

जिला पर्यटन विकास अधिकारी,
पिथौरागढ़।

पृ0प0सं0 / (1) / 2022-23 समदिनांकित।

प्रतिलिपि निम्नलिखितों की सेवा में सादर सूचनार्थ प्रेषित।

1. मुख्य कार्यकारी अधिकारी, उत्तराखण्ड पर्यटन विकास परिषद्, देहरादून।
2. प्रबन्ध निदेशक, कुंमाऊ मण्डल विकास निगम, नैनीताल।



ATTESTED
RAJEEV SHAH
Advocate
Notary HQ Nainital
Reg. No. 17 (10) 2004

जिला पर्यटन विकास अधिकारी,
पिथौरागढ़।

85
FORM 1
CONSENT SEEKING FORM

(To be submitted in triplicate)

Application for consent for discharge/continuation of discharge under section 25/26 of the Water
(Prevention and Control of Pollution) Act, 1974 Act

(See RULE 3)

Date- 21/04/2023

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From .

KUMAON MANDAL VIKAS NIGAM LIMITED , PANCHACHULI BASE CAMP, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT -
PITHORAGARH 262545

City:dharchula

Block:Pithoragarh

District:Pithoragarh

To .

The Member Secretary,

Uttarakhand Pollution Control Board,

Dehradun.

Sir,

I/We apply for CONSENT under section 25/26 fo the Water (Prevention and Control of Pollution) Act, 1974 (Act no VI of 1974) to bring into use any* new or altered outlet for the discharge of sewage/trade effluent* to begin to make new discharge of sewage/trade effluent or *Continue to make discharge of sewage/trade effluent from land/premises owned by (1) Dhan singh for a period upto (2). years

1. Disposal of Liquid/Solid Waste:-

(a). Sewage/Sullage via drains/outfall sewers/treatment works.

(b). Trade effluent via drains/outfalls sewers/treatment works

Surrounding of Site	Distance (in meters)	Description
---------------------	----------------------	-------------

2. The annexure, appendices other particulars and plans in triplicate are attached herewith.

3. I/We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.

4. I/We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made.

5. I /We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consented period for outlet/discharge, if to be continued thereafter.

6. I/We undertake to furnish other information within one month of its being called by the Board.

Accompaniments:-

1. Pramaan Patra by KMVN (Attached)

2. Unit has to submit Action Plan of collecting back and scientific disposal of Plastic Waste generated due to their used product within one month to PCB Uttarakhand (Attached)

3. Latest Audited Balance Sheet of the unit indicating fixed assets,current assets and current liabilities of the unit(prescribed format) (Attached)

4. ORDER (Attached)

5. GST (Attached)

6. MAP (Attached)

7. ADHAR CARD (Attached)

8. Form V (Environment Rules Under EP Rules) (Attached)

9. Copy of CTE/CCA issued & its Compliance Status (Attached)

10. Point of compliance of CCA conditions (In case of Renewal Expansion) and CTE in case of CCA-Fresh (Attached)



Wm

*Note:- Strike out entries not relevant.

ANNEXURE TO FORM

New Outlet

NOTE- Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to be punished under the Act.

While filling this Annexure the applicant not concerned with any of the item shall state 'No concerned' against the relevant one:

Raw Material Name	Material Trade Name	Qty	Principle Use
FRP HUTS	FRP HUTS	5Numbers/Year	

Fuel Details:-

Fuel	Consumption

B. Give the list Products and By Product Details.

Product Name	Quantity	
FRP HUTS	5Numbers/Year	
ByProduct Name	Licence Qty	Installed Qty

C. Give the list of possible Inter-mediate Products:

Name of Product	Quantity per month

12. State daily quantity of water utilized :

Source Consumption	Quantity
Domestic	2.0

13. A) State the hourly maximum and daily quantity of effluents arising from land/premises for which the application is made:

Generation	Waste Water Generation Quantity
Domestic	1.5

(B) State how measurement of rate and quantity are carried out:

14. State whether storm water drains are kept separate from Industrial / Domestic Effluents? Yes

15. (a)Is domestic effluent allowed to get mixed in industrial effluents? No

16. (a)Describe if any treatment industrial or domestic effluent or one for combined effluent is made. Yes

If yes, state the process of treatment in brief

(b)Is the quantity of effluent emanating either without or after treatment approved by the authority? Yes

(c)If approved, furnish the authority (Two certified copies to be sent)

(d)If any effluent from any shop/ shops toxic? If so volume of this effluent

17. Is there any provision for disposal ?

Name	Status (Already made)	Status (proposed to)

18. State the area of land used for (a)Above in Hectares 0.07

19. Give the quantitative disposal of effluent in liters provided for the places mentioned below

Name	Mode	Mixed

20. Is there any provision for equalizing or made holding lagoons of tanks

Name	Mode
Domestic	1.5

21. Is sufficient land available / can be made available? In case pumping effluent: on lands have to considered. Yes

22. (a)Give details of composition of Domestic / Industrial / Combined effluent in respect of the Following

Name of Effluent	Effluent before treatment	Effluent after treatment

Note:- 1) Furnish a copy of the analysis report of representative samples carried out by a competent laboratory

2) Methods of determination as approved by the Board will be followed for determination of above mentioned parameters.



(b) Is the effluent toxic 87 Yes
 (c) State if the Industrial effluent is having Unpleasant Smell
 (d) Is there any hidden change of temperature exceeding 10*c at any time Yes

26

23. (a) Are facilities available with the applicant for carrying out the following test of the waste waters

Name	Existing	Proposed
------	----------	----------

(b) If yes, give details of equipments

24. Has the land/premises, etc., for which the application is made open? Yes

Highly polluting material :

Toxic Organic Inorganic Microbiological : Cooling Tank

25. State details for solid waste

Type of Solid Waste	Composition	Quantity	Method of Collection	Method of Disposal
---------------------	-------------	----------	----------------------	--------------------

26. Total investment of Plant/in the factory and the year of investment:-

Investment :
Year of Investment : 2018

Accompaniments
Flow sheet of effluents.

Name and Address of the applicant on behalf of : Dhan singh, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545

Name and Address of the Firm on behalf of which application is made : Dhan singh, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545

Fee Details:-

Transaction. Id	Payment Date	Transaction Status	Amount
860406092	20/04/2023	Successful	15000.0

Explanatory Notes for filing in form and the Annexure

The notes are given only for those items for which explanations is considered desirable. Other items are self explanatory.

Form-

- Here mention the name of the owner of the land/premises in case it belongs to other than the applicant industry or factory. If the land/premises belongs to the factory industry, say self.
- Here mention the date up to which the consent is sought for.
- Here mention the local name of the river/stream as may be applicable.

Annexure to form-

'Outlet' means the arrangement for discharge of the effluent for which consent is sought for.

'Discharge' means the effluent going out of the outlet.

'Existing' means that which is operation at the time of applying for consent.

'New' means that which will be brought into operation in future.

'Altered' means that which has been modified due to change in quantity and/or quality of discharge arrangement and/or point of discharge etc.

Item 1 : Here give the name of the person who is authorised by the institution/industry/ factory/local body etc. to transact their legal business.

Item 2 : Here give the registered name of the Industry/ Factory/etc. under which the business is carried out.

Item 5 : Here state the concerned institution such as Bureau of Public Enterprises under whose administrative control the Factory/Industry etc., is set up.

Item 6 : Applicable to only those areas which are prohibited areas, such as the Ordinance Factories, Mint, etc.

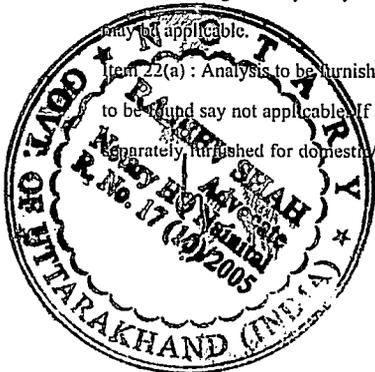
Item 13(b) : State method of measurement of hourly/daily maximum quantity of effluent i.e. by flow meters, ventury meters, v notch sump measurement estimated etc.

Item 15(a) : If the effluent is treated, give separately the method of treatment and flow diagram of the treatment process.

Item 16(b) : Here mention 'yes' is any other authority such as local body or Government Department as already approved the discharge of effluent either with or without treatment, at the time of establishment of the factory/industry.

Item 19 : Here give the quantity of effluent of different types such as domestic industrial mixed etc. proposed to be or is let into the stream/river, lands, sea, etc., as may be applicable.

Item 22(a) : Analysis to be furnished shall be covered as many Parameters as are expected to be found, in the effluent. If some of the parameters are not expected to be found say not applicable. If some parameters other than those listed under the items are expected, the same be mentioned at the end. The analysis shall be separately furnished for domestic/industrial and combined effluents.



Handwritten signature/initials.

Item 22(b) : Here toxicity meant that which is established by bio-assa studies or fish as per procedure given in the standard methods.

Item 24 : This item is meant to cover highly polluting substances which do not ordinarily find way in the effluents, but are required to be handled in the premises and which may, by accident, join the effluent in large quantities.

Common General Information required for consent to operate under Water Pollution (Prevention & Control) Act, 1974 and Air Water Pollution (Prevention & Control) Act, 1981.

- 1. (a) Full name of the applicant with address : Dhan singh ,VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545 (Tel. No.) +91-7579231550
- (b) Is the firm registered? : YES
- (c) If yes, give the number & date of registration and authority with whom registered. : ,
- (d) Full Address of the registered office :
- (e) Names, designation and full address of persons like Partners, Managing Director/Manager etc. : DHAN SINGH MANAGER VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545
- (f) Under which category does the industry fall: Large/Medium/Small Scale. : large
- 2. Full name of the Land/Premises/Institute/Factory/Industry/Local body with address : KUMAON MANDAL VIKAS NIGAM LIMITED
Address: PANCHACHULI BASE CAMP, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545
Tel. No.: +91-7579231550
E-mail :trhd.han.a.ulti@gmail.com
- 3. Give revenue /City Survey No. of the land/premises for which the application is made: : District:Pithoragarh
Town/Village:dharchula
City Survey no./Revenue Survey no.:2117
Khata No.:59
Area in Hectares:0.07
- 4. State month and year in which the plant was actually put into commissions or is proposed to be put into commission: : April,2018
- 5. State the Civil/Military /Defence/Industrial Estate etc. under whose administrative jurisdiction the occupiers/industrial plant is situated: : Civil
District:Pithoragarh
Corporation:
Village Panchayat
Contonment:
Defence Deptt:
State Govt:
Prohibited areas:
Others:
- 6. (a) State whether plant site has been declared as prohibited area: : NO
- (b) If yes, state the name of the Authority and furnish a certified copy of the order under which the area has been declared as prohibited area : -



ATTESTED
~~ATTESTED~~
Rajeev Shah
RAJEEV SHAH
 Advocate
 21-4-2023

Notary HQ Nainital
 Reg. No 17 (10) 2005

W.M.



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UTTARAKHAND POLLUTION CONTROL BOARD

FORM 1
[See Rules 6(1)]

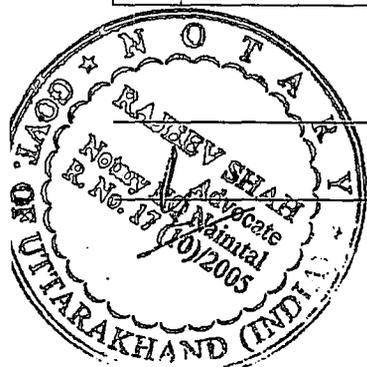
Application required for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste

Part A: General(to be filled by all)

1. (a)	Name and address of the unit and location of facility:	KUMAON MANDAL VIKAS NIGAM LIMITED PANCHACHULI BASE CAMP, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545
(b)	Name of the Occupier of the facility or operator of disposal facility with designation, Tel, Fax and e-mail:	Name: Dhan singh Designation: MANAGER Phone: 7579231550 Email: kmvn@yahoo.com
(c)	Authorisation required for(Please tick mark appropriate activity or activities:)	reNew
(d)	In case of renewal of authorization previous authorization numbers and dates and provide copies of annual returns of last three including the compliance reports with respect to the conditions of Prior Environmental Clearance, wherever applicable:)	reNew
3.(a)	Year of commissioning and commencement of Production?	2018/April
(b)	Whether the industry works 1 shift/2 shifts/round the clock?	General Shift
(c)	Total cost on pollution control (in Rupees)	
(d)	Whether the unit is generating hazardous waste as defined in the Hazardous Waste(Management and handling)Rules, 1989, as amended.:	no

Part A: Activity/Hazardous Waste Generation Details

(a)	Mode of storage			
	Name of the Hazardous Waste generated/to be generated	Catogary of Hazardous Waste	Size of the Room/shed(in mts.)	Storage Capacity(in terms of months)



1

Part B: Mode of storage

(a)	Mode of storage			
	Authorization Required For	Source of Generation	Category	Quantity(Ton Per Day(TPD))

Part C: Quantity of Hazardous waste disposed

1.	Quantity of Hazardous waste disposed						
	Name of the Hazardous Waste generated/to be generated	Nature of Hazardous Waste	Category of Hazardous Waste	Total Quantity of Hazardous Waste generated/to be generated(in tones/annum	Quantity of hazardous waste shifted/to be shifted to common TSDF	Quantity of hazardous waste given/to be given to regd. Recycler	Quantity of hazardous waste being/to be managed in the premises

Part D: Hazardous substances used

1.	Hazardous substances used	
	Name of substances	Quantity

Part D: Hazardous waste is being produced

1.	Hazardous waste is being produced	
	Name of hazardous waste	Quantity

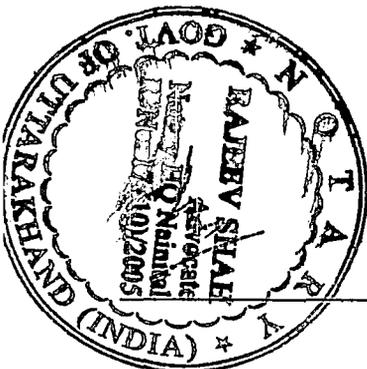
Place:

Date:

Signature of the Applicant

Name and Designation

Enclosures :



Why

CONSENT SEEKING FORM

(To be submitted in triplicate)

(See RULE 27)

Application for consent for emissions/continuation of emission under section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

From,

KUMAON MANDAL VIKAS NIGAM LIMITED , PANCHACHULI BASE
CAMP, VIL' AGE- DUGTU TEHSIL DHARCHULA DISTRICT -
PITHORAGARH 262545
City:dharchula
Block:Pithoragarh
District:Pithoragarh

Dated

21/04/2023

To .

The Member Secretary,
Uttarakhand Pollution Control Board,
Dehradun

Sir,

I/We hereby apply for CONSENT under Section 21 of the Air(Prevention and Control of Pollution)Act, 1981(14 of 1981) to make emission from Industrial Plant owned by (1)

Dhan singh for a period upto (2) years

- The annexure, appendices other particulars and plans in triplicate are attached herewith.
- I/We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.
- I/We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made
- I/We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consent period
- I/We undertake to furnish other information within one month of its being called by the Board.
- Bank Details.

Transaction Id	Payment Date	Transaction Status	Ammount
860406092	20/04/2023	Successful	15000.0

Accompaniments:-

1. Payment Print by KSMVN (Attached)
2. Unit has to submit Action Plan of collecting back and scientific disposal of Plastic Waste generated due to their used product within one month to PCB Uttarakhand (Attached)
3. Latest Audited Balance Sheet of the unit and/or/valuing fixed asset/cumulative assets and current liabilities of the unit(prescribed format) (Attached)
4. ORDER (Attached)
5. GST (Attached)
6. MAP (Attached)
7. ADHAR CARD (Attached)
8. Form V (Environment Rates Under LP Rules) (Attached)
9. Form VI (Compliance Status) (Attached)
10. Form VII (Statement of Compliance of CEA) (Statement of Renewal Expenses) and CTE on case of CEA fresh (Attached)



[Handwritten Signature]

Yours faithfully,

Signature

Name of the applicant: Dhan singh

ATTESTED

 RAJEEV SHAH
 Advocate
 Notary HO Nainital

92

Address of the Applicant: VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545

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ANNEXURE TO FORM

New

NOTE- Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to an action under the provisions of the Act .

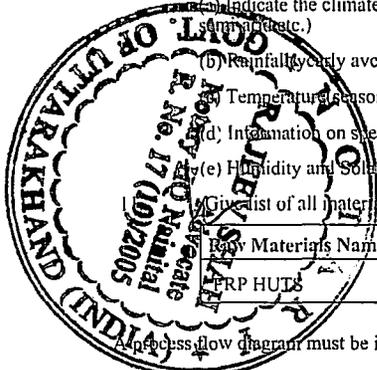
While filling this Annexure the applicant shall in respect of such of the items as do not pertain to his activity state 'not applicable' and shall not leave blank .

- 7. State Working season per year of the plant: : Jan to Jan
- 8. (a) Number of workers attending the factory shift wise &/ or per day : 5
- (b) Number of workers residing in the premises : 1
- 9. Indicate the present use of the land in the vicinity(5 Km.radius) of the:

Name of Surrounding	Distance(in meters)	Description
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- 10. Climatological and Meterological Details(if available) :
- (a) Indicate the climate conditions at the site(arid and semi arid etc.) :
- (b) Rainfall yearly average range) :
- (c) Temperature (seasonal range) :
- (d) Information on speed and direction of wind :
- (e) Humidity and Solar radiation :
- Give list of all materials in the process:

Raw Materials Name	Raw Materials Quantity	Principal use
5 Numbers/Year		



Process flow diagram must be included with this statement showing entry and exit points of all raw materials, intermediate products, by products and finished products, Detail process and control equipment.: (See Enclosure)

12. Fuel Consumption in Tonnes/day

Fuel Name	Daily Consumption(T /day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
-----------	---------------------------	------	-----------------	--------------	------------------	--------

13. Atmospheric Emission from each stack

Total no. of stacks:	1
Material for construction of Stack:	ACOUSTIC .
Stack Attached to:	DG Set .
Height above ground level(in metres):	2 ,
Height above roof(in metres):	1 ,
Stack Top:	Round ,
Inner dimensions (in meters):	0.0 ,
Gas quantity-m ³ /hr:	0.0 ,
Flue gas temperature °C:	0.0 ,
Exit velocity of gas/sec:	0.0 ,

(a) Flue gas emission

Stack No.	Type of fuel	Quantity of fuel/hr	Type of firing	So2	Nox	CO/HC	Particulates	Others
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(b) Process Emission

Quantity of gas (in Nm ³ /hr)	So2	Co2	Analysis of vent hydrocarbons	Particulates in mg/Nm ³	Other Specify
--	-----	-----	-------------------------------	------------------------------------	---------------

- (c) Particulate analysis :
- (d) Chemical Composition(if available) :

Wm

14. Give details of flue gas sampling arrangements : **93**
15. Give details of laboratory facilities available for analysis of emission : **32**
16. Is there sufficient space available for installing air pollution control equipment :
17. Details of Air Pollution :-

Stack Name	Equipment Name	State
------------	----------------	-------

18. State the total quantity of air handled by ventilation equipments, specify size and no. of equipments, installed or to be installed

Equipment Name	Equipment Size	No. of equipments	Status
----------------	----------------	-------------------	--------

19. Give the following details

(a) Total investment in the factory and the year of investment. : Investment:-
Year of Investment is :-2018

(b) The estimated expenditure for implementation of the scheme to control air pollution :

(c) Expenditure incurred to update progress achieved (physical) for air pollution control, if any, and the year/years of investment along with physical progress achieved. The firm should give details of action taken to date and the expenditure incurred and the time required for the scheme.

(d) Annual operation and maintenance-cost of Air Pollution Control Plant, if any :

(e) Further action that is being taken up by the firm to control air pollution. :

20. Other relevant information, if any :

Signature

Name and Address of the applicant on behalf of : Dhan Singh
VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT -
PITHORAGARH 262545

Name and Address of the Firm on behalf of which application is made : Dhan Singh, VILLAGE- DUGTU TEHSIL
DHARCHULA DISTRICT - PITHORAGARH 262545

Explanatory Notes for filing in form and the Annexure .

The notes are given only for those items for which explanations is considered desirable .

Form-

1. Here mention the name of the owner of the land/premises, if other than the applicant industry or factory in continuation of legal business as per Air (Prevention and Control of Pollution) Act, 1981. If the land/premises belongs to the factory/ industry, say self

2. Here mention the date up to which the consent is sought for.

Annexure to form-

'Existing' means that which is operation at the time of applying for consent .

'New' that which has been modified due to change in quantity and/or quality of emission.

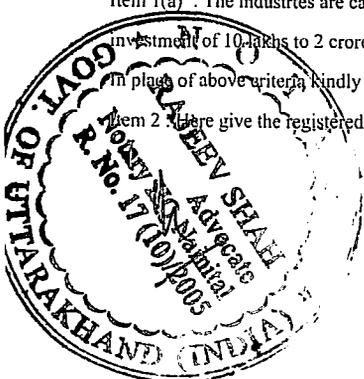
'Altered' means that which has been modified due to change in quantity and/or quality of discharge arrangement and/or point of discharge etc.

Item 1 : Here mention name of the owner of the land/premises if other than the applicant industry or factory in continuation of of legal business as per Air (Prevention and Control of Pollution) Act ,1981 if land/premises belong to the factory/industry say self .

Item 1(a) : The industries are categorised based on the investment as follows : Major industry- having investment of more than 2 crores. Medium industry- having investment of 10 lakhs to 2 crores. Small scale industry having investment of less than 10 lakhs rupees

In place of above criteria kindly give category as per latest notification

Item 2 : Here give the registered name of the industry/institution factory/local bodies etc under which the business is carried out.



Wm

Item 6 : Applicable to only those are as which are prohibited areas such as the Ordnance Factories, Mint, etc.

Item 10(c) : Here State the temperature in C in summer winter monsoon and post monsoon seas on.

Item 10(d) : Here state the seasonal average wind direction and speed in and around the site of the plant. The above information can be had from representative Meterological centre .

Item 13 : Analysis of the flue gas emission, process emission and particulars analysis should be done for each stack, emissions. Where ever stacks are not provided the shop floor specific concentration should be reported . Chemical Analysis of particulars matter in the emission should be furnished giving details such as organic matter ,metals ,non-metals , radioactive, substances, asbostos, silicates etc.

Item 17 : Here mention the detailed specifications of control system used or proposed to be used with efflcicncy . Also furnish ihe layout of the control system with dimensions.

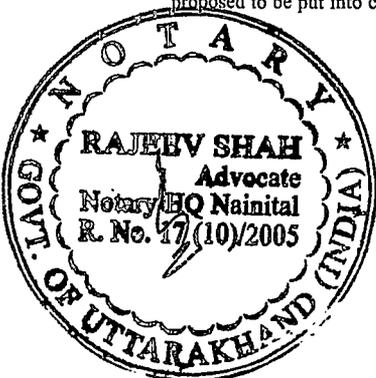
Item 18 : Here state the total quantity of ventilation air handled by equipments' such as roof extractors, Evaporative coolers etc

Additional Documents suggested for submission:

- 1 : Separate Demand Draft towards consent fee Water & Air .
- 2 : Annual Report or certificate from Chartered Accountants in support of fixed assets,current assets and current liabilities .
- 3 : Layout plan showing the location of stacks (chimneys), effluent treatment plant, effluent disposal areas, air pollution control devices, hazardous waste treatment and disposal areast .
- 4 : Manufacturing process flow sheet, with description note on the manufacturing process for each product .
- 5 : Copies of latest consenVauthorisation/Environmental Impact Assessment Clearance .
- 6 : Copies of SSI registration Letter of IntenV industrial licenses, clearances from the Department or any other relevant document (if applicable) .
- 7 : Copies of planning permission certificate issued by the local bodies/District Town & Country Planning/Metropolitan Development Authorities .
- 8 : Compliance report on the latest CTE /CTO conditions stipulated under Water & Air Acts issued to the Unit .

Common General Information required for consent to operate under Water Pollution (Prevention & Control) Act, 1974 and Air Water Pollution (Prevention & Control)Act, 1981.

- 1. (a) Full name of the applicant with address : Dhan singh ,VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545 (Tel. No.) +91-7579231550
- (b) Is the firm registered? : YES
- (c) If yes, give the number & date of registration and authority with whom registered. : ,
- (d) Full Address of the registered office :
- (e) Names, designation and full address of persons like Partners, Managing Director/Manager etc. : DHAN SINGH MANAGER VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545
- (f) Under which category does the industry fall: Large/Medium/Small Scale. : large
- 2. Full name of the Land/Premises/Institute/Factory/Industry/Local body with address : KUMAON MANDAL VIKAS NIGAM LIMITED
Address: PANCHACHULI BASE CAMP, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545
Tel. No.: +91-7579231550
E-mail :trhd.han.a.ulti@gmail.com
- 3. Give revenue /City Survey No. of the land/premises for which the application is made: : District:Pithoragarh Town/Village:dharchula City Survey no./Revenue Survey no.:2117 Khata No.:59 Area in Hectares:0.07
- 4. State month and year in which the plant was actually put into commissions or is proposed to be put into commission: : April,2018



Handwritten signature

5. State the Civil/Military /Defence/industrial Estate etc. under whose administrative jurisdiction the occupiers/industrial plant is situated: Civil

District:Pithoragarh
Corporation:
Village Panchayat
Contonment:
Defence Deptt:
State Govt:
Prohibited areas:
Others:

6. (a) State whether plant site has been declared as prohibited area: NO

(b) If yes, state the name of the Authority and furnish a certified copy of the order under which the area has been declared as prohibited area : -



~~ATTESTED~~

Rajeev Shah
~~RAJEEV SHAH~~
Advocate
Notary HQ Nainital
Reg. No. 17 (10) 2005

Wht

Uttarakhand Pollution Control Board

Receipt No.	860406092	Date :	21-04-2023
Depositor Name		Dhan Singh	
Bank Name.			
Bank Id.		NA	
Application No.		3987515	
Name and Address of Industry		KUMAON MANDAL VIKAS NIGAM LIMITED , PANCHACHULI BASE CAMP, VILLAGE- DUGTU TEHSIL DHARCHULA DISTRICT - PITHORAGARH 262545 , Pithoragarh, Pithoragarh	
Name of Regional Office		Haldwani RO	
Applied For		CTO - both - reNew	
Payment Date		20-04-2023	
		Payment Details	
Amount Paid (Rs.)		15000.0	
Transaction Status		Successfully Completed	
Total fee paid (Rs.)		15000.0	



ATTESTED

Rajeev Shah
RAJEEV SHAH
 Advocate

Notary HQ Nainital
 Reg. No. 17 (10) 2009

Waf

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

O.A NO. 578 OF 2022

IN THE MATTER OF:-

RAM SINGH

.....APPLICANT

Versus

STATE OF UTTARAKHAND & ORS

.....RESPONDENTS

KNOW ALL TO whom these present shall come that I/We, Abja Prasad Bajpai, General Manager, KMVN, Oak Park House, Mallital, Nainital, Uttarakhand-263001, RESPONDENT NO.4 hereby appoint:

Mr Maibam N Singh & Mr Ajit Rajesh (Advocates)
53, Ground Floor, World Trade Centre,
Barakhamba Lane, New Delhi-110001
E-mail : ghanamaibamadw@gmail.com
Mobile No.9811406660 // 9212275918



(herein after called the advocate/s) to be my/our Advocate in the above-noted case authorized him :-

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 or heard and also in the appellate Court including High Court subject 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 any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary 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, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to 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 acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorized agent would appear in the Court on all hearings and will inform the Advocate 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 retain himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee 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 to the refund of the same in any case whatsoever if the case last for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition 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 01st day of March 2023.
Accepted subject to the terms of fees.

Advocate

Ajit Rajesh
Maibam N. Singh
D/1173/02

Client

Abja Prasad Bajpai
Abja Prasad Bajpai
General Manager,
Managing Director,
Kumaon Mandal Vikas Nigam Ltd
NAINITAL.