

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,**NEW DELHI****MA NO.96 of 2025****IN****OA NO: 78 OF 2023****IN THE MATTER OF:****DURGA SINGH PAWAR & ORS.****...APPLICANT****VERSUS****RAJENDER SINGH DAFOTI & ORS.****... RESPONDENTS****INDEX**

S.NO	Particulars	Page no
1.	Affidavit on behalf of respondent no. 4, District Magistrate Pithoragarh in compliance of the order dated 21.11.2025	1-6
2.	Copy of the letters Appointing companies for Slope Analysis Monitoring	7-10

Dated: 08.12.2025


Adv Anjali Rajput

Counsel for respondent no 4.

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,**NEW DELHI****MA NO.96 of 2025****IN****OA NO: 78 OF 2023****IN THE MATTER OF:****DURGA SINGH PAWAR & ORS.****...APPLICANT****VERSUS****RAJENDER SINGH DAFOTI & ORS.****... RESPONDENTS****AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4, DISTRICT
MAGISTRATE PITHORAGARH IN COMPLIANCE OF THE ORDER
DATED 21.11.2025**

Most respectfully showeth:

I, Ashish Kumar Bhatgain aged about 45 years S/o Shri Chitramani Bhatgain, currently posted as District Magistrate, Pithoragarh, State of Uttarakhand solemnly affirm and state on oath as under:-

1. That deponent in the above-mentioned capacity is well conversant with the facts of the case and is in position to file this affidavit.
2. That on 21.11.2025 after the course of hearing in the present matter, this Hon'ble Tribunal was pleased to pass certain directions and direct the Deponent to file affidavit. That the relevant paras of the order dated 21.11.2025 are quoted here for your kind perusal:

"13. In the peculiar facts and circumstances of the case, respondents no.2 and 3 are directed to file their affidavits as to (i) whether directions given by this Tribunal in paragraphs no. 112, 113 and 114 of order dated 08.11.2024 have been duly complied with by them and (ii) whether similarly placed mining lease holders have been allowed to carry on mining in



*Verified on
notary*

20/08/2025
GANGA SINGH BAFILA
 Advocate
 Notary Public
 Distt. Pithoragarh (U.K.) India
 Regd. No. 24(05)/2022

[Handwritten signature]

District Pithoragarh, if so, on what terms and conditions. Affidavits in this regard may be filed within two weeks."

3. It is submitted this Hon'ble tribunal in earlier order dated 08.11.2025 passed in OA no 78 of 2023 was pleased to pass following directions:

"112. In these facts and circumstances, we direct UKSPCB, SEIAA UK, Principal Secretary, Forest, Environment and Climate Change, Uttarakhand, Dehradun and Principal Secretary, Mining to ensure that no mining activities shall be allowed in such area which comes within geo-tectonic zones like Himalayan Mountain System, Indo-Gangetic Plains, and Peninsular Plateau unless a proper study on ecological and environmental sustainability in such area is conducted by an experts committee comprising of seismology experts from reputed and recognized institutions and in the light of their observations and recommendation, appropriate decision is taken by SEIAA UK.

113. In respect to the existing mining continuing in the State of Uttarakhand in areas which falls in geo-tectonic zones, all such mining activities shall be reviewed/revisited within next 04 months by getting study as directed above conducted through experts committee and there after only, the mining activities, if permitted, with or without precautionary conditions, shall be allowed. This exercise shall be completed by 15.03.2025 and all existing mining activities shall be revisited by the concerned mining authorities accordingly.

114. The study of geo-tectonic zones by seismology experts before allowing any mining activities shall be a condition applied PAN India and for this purpose, we direct communication of this order to MoEF&CC, All Chief



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Secretaries of different States and Union Territories as also SEIAAs of all the concerned States/Union Territories.”

4. It is respectfully submitted that in compliance of the above directions mentioned in para no 112 and 113, State Government constituted a Expert Committee comprising of Senior Specialist Scientist nominated by Director, Wadia Institute of Himalayan Geology, Dehradun– Chairman, Senior seismologist nominated by Dy D.G., Geological Survey of India, Dehradun, Member Environment subject expert and Geotectonic subject expert nominated by Director, Indian Institute of Technology, Roorkee, Member, Senior Specialist Scientist nominated by Director, Indian Institute of Remote Sensing, Dehradun, Member, Joint Director, (Garhwal), Geology and Mining, Uttarakhand-Member Secretary and submitted its report dated 28.06.2025.
5. That the above-mentioned expert committee made following recommendations in its report dated 28.06.2025 which are as follows:

Recommendations of the committee:

1. The committee unanimously agreed that riverbed mining may be permitted. The state government must ensure periodic monitoring in accordance with the rules and standards prescribed by the relevant authorities.
2. To ensure seismic safety of the in-situ mining operations, the committee recommends implementing robust monitoring system to track potential hazards along with the adoption of best practices in in-situ mining. In this regard, following monitoring methods/ systems need to be implemented:
 - i. Micro earthquake monitoring must be conducted in mining prone areas using a local seismic network.



A handwritten signature in blue ink, consisting of a stylized 'S' followed by a horizontal line.

- ii. SAR based satellite technique must be employed to monitor ground deformation caused by mining activities OT slope subsidence.
 - iii. Slope stability analysis of existing and proposed mining sites must be carried out, and the findings should be reviewed by a recognized academic or research institution of national repute. Mining Plan must incorporate the recommendations arising from this analysis. Furthermore, the state government should implement a system of periodic field inspections to ensure the effective execution of the Mining Plan on the ground.
6. It is therefore hereby clarified that the Expert Committee in its recommendations has nowhere prohibited the mining operations as such in the State of Uttarakhand and has only recommended Monitoring practices ensure seismic safety of in-Situ Mining operations with best practices and as such monitoring of Mining Operations are concerned the same cannot be carried out without ongoing the Mining operations therefore mining operations are continuing.
7. It is further submitted that to take decision on implementation of recommendations dated 28.06.2025 of the Expert Committee constituted as per the directions mentioned in 112 and 113 of the order dated 08.11.2024 passed by this Hon'ble tribunal, a joint meeting dated 14.07.2025 (at Page no 747 of the report) was held under the chairmanship of Secretary, Industrial Development (Mining) Department, Uttarakhand with Member Secretary, SEIAA, Uttarakhand, representatives of the Mining Departments and Member Secretary, Uttarakhand Environment Protection and Pollution Control Board following institutes were decided to list the following institutes:



1. The work of micro earthquake monitoring of various mining areas within the state should be done through Wadia Institute of Himalayan Geology, Dehradun.
2. For SAR based satellite technique, it should be done through Indian Institute of Remote Sensing, Dehradun.
3. Slope stability analysis of various mining areas (both operated and non-operated) in the state should be conducted through Indian Institute of Technology (IIT) Roorkee or Wadia Institute of Himalayan Geology, Dehradun or Indian Institute of Remote Sensing, Dehradun.
8. It is submitted that to further in continuation the decisions taken in meeting dated 14.07.2025, Secretary Mining has issued directions/guidelines vide letter dated 27.08.2025 bearing no 2119/VII-A-1/2005-09(104)/2023 (page no 785) to implement the decision taken in the meeting. That in order to streamline the process, mining department vide letter no 4498/Mu.kha. VIII(i)/244/Bhu.Kha.Ni/2025-26 dated 31.10.2025 and 4949/Mu.kha.VIII(i)/244/Bhu.Kha.Ni/2025-26 dated 22.11.2025 has shortlisted the companies/private firms/units doing slope stability analysis work as per the standards/parameters. Copy of the letter is Annexed herewith.
9. It is submitted that, as per the directions issued by Secretary Mining on 27.08.2025, all previously approved or operated mining leases must submit Slope Stability report to the Department of Geology and Mining within 4 months, failure to comply will result in the suspension of the mining operations until the compliance is made. As per the directions, 4 month's timeline has been granted to existing or approved mine holders. Since this period has not yet elapsed, the state departments will insure that mining lease holders comply with the directions within the provided time frame.
10. It is submitted that it is appropriate for this Hon'ble Tribunal to pass appropriate order for the applicant herein resumption of the mining



[Handwritten signature]

operations in compliance of the directions issued qua him in order dated 08.11.2024 and recommendations of the expert committee and directions issued by Mining Department for the other mine lease holders.

11. That the deponent is a responsible government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent for the Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.

[Signature]
DEPONENT

VERIFICATION:

Verified at 11-11-25 on this 08/12/25 that the contents of the above affidavit are true and correct to my knowledge and no part of it is false therein and nothing has been concealed therefrom.

[Signature]
DEPONENT

[Signature]
08/12/25
GANGA SINGH BAFILA
Advocate
Notary Public
Distt. Pithoragarh (U.K.) India
Regd. No. 34(05)/2022



Solemnly Affirmed before me to day
At... 11-11-25 ...AM/PM
by Hemraj Kumar Bhatgaur
the deponent is identified by
Sri/Km/Smt... Self ...
I have satisfied my self by examining
that he/she understand the contents
of this affidavit/ Document.

भूतत्व एवं खनिकर्म निदेशालय,
"खनिज भवन" भोपालपानी, देहरादून।
(dir.ukdgm@gmail.com)

संख्या: /मु0ख0 VIII(i)/244/भू0खनि0नि0/2025-26

दिनांक 31 अक्टूबर, 2025

कार्यालय आदेश

उत्तराखण्ड शासन, औद्योगिक विकास (खनन) अनुभाग-1 के पत्र संख्या 2119/VII-A-1/2025-09(104)/2023 दिनांक 27 अगस्त, 2025 के माध्यम से मा0 राष्ट्रीय हरित अधिकरण द्वारा मूल आवेदन सं0 78/2023 दुर्गा सिंह पंवार बनाम राजेन्द्र सिंह दफौटी व अन्य में पारित आदेश दिनांक 08.11.2024 के समादर में राज्य अन्तर्गत स्वस्थान (In-situ) चट्टानों पर आधारित स्वीकृत खनन पट्टा क्षेत्रों के Slope Stability Analysis के अध्ययन कार्य हेतु भारतीय प्रौद्योगिकी संस्थान (IIT) रुड़की के पत्र दिनांक 08.08.2025 द्वारा सुझाये गये मानक व मापदण्ड को Expression of Interest के माध्यम से प्रदर्शित करते हुए Slope Stability Analysis का कार्य करने वाले निजी फर्म/कम्पनी/इकाईयों को तदनुसार उक्त मानकों/मापदण्डों के अनुसार कार्य कराये जाने के सम्बन्ध में सूचीबद्ध किये जाने हेतु समिति का गठन कर, निजी फर्म/कम्पनी/इकाईयों को सूचीबद्ध किये जाने हेतु दिये गये निर्देशों के अनुपालन में निदेशालय के कार्यालय आदेश संख्या 3251/मु0ख0/VIII(i)/244/भू0खनि0नि0/2025-26 दिनांक 01 सितम्बर, 2025 द्वारा समिति गठित की गयी। गठित समिति की आख्या दिनांक 25 अक्टूबर, 2025 के अनुसार Slope Stability Analysis कार्य हेतु प्राप्त कुल 06 आवेदनों में से Safe Mine Tech Solutions (I) Private Limited, C-635, Khaturia Colony, Bikaner, Rajasthan द्वारा निविदा हेतु निर्धारित मानकों को पूर्ण किये जाने के दृष्टिगत Safe Mine Tech Solutions (I) Private Limited, C-635, Khaturia Colony, Bikaner, Rajasthan का राज्य अन्तर्गत स्वस्थान (In-situ) चट्टानों पर आधारित स्वीकृत खनन पट्टा क्षेत्रों के Slope Stability Analysis के अध्ययन कार्य हेतु चयनित कर आदेश के दिनांक से 05 वर्ष की अवधि हेतु निम्नलिखित शर्तों के अधीन सूचीबद्ध (Empanelment) किया जाता है:-

1. कम्पनी द्वारा Slope Stability Analysis कार्य हेतु आई0आई0टी0 रुड़की द्वारा गठित समिति से मंजूरी प्राप्त करना अनिवार्य होगा।
2. कम्पनी द्वारा Slope Stability Analysis कार्य शुरू करने से पहले प्रत्येक खदान मालिक के साथ अनुबन्ध (Legal entity) किया जाना होगा। कम्पनी एवं खदान मालिक के द्वारा Slope Stability Analysis पर होने वाले व्यय स्वयं निर्धारित किया जायेगा तथा Slope Stability Analysis कार्य का भुगतान खदान मालिक द्वारा स्वयं किया जायेगा। भुगतान सम्बन्धी किसी भी समस्या/विवाद हेतु विभाग उत्तरदायी नहीं होगा।
3. कम्पनी द्वारा Slope Stability Analysis के कार्य हेतु निर्धारित Expression of Interest के समस्त मानकों व शर्तों का पूर्णतः अनुपालन किया जाना होगा।
4. कम्पनी द्वारा मा0 न्यायालयों, मा0 राष्ट्रीय हरित प्राधिकरण, केन्द्र सरकार व राज्य सरकार द्वारा समय-समय पर निर्गत आदेशों का अनुपालन सुनिश्चित किया जायेगा।
5. कम्पनी तथा पट्टाधारक के मध्य कोई भी कानूनी विवाद मा0 उच्च न्यायालय, उत्तराखण्ड नैनीताल के अधिकार क्षेत्र में होगा।

(बृजेश कुमार संत)
महानिदेशक

4498
संख्या /मु0ख0 VIII(i)/244/भू0खनि0नि0/2025-26, तददिनांक।

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव खनन, उत्तराखण्ड शासन।
2. मण्डलायुक्त, गढ़वाल/कुमाऊँ।

3. समस्त जिलाधिकारी, उत्तराखण्ड।
4. सदस्य सचिव, राज्य स्तरीय पर्यावरण प्रभाव आंकलन प्राधिकरण, उत्तराखण्ड।
5. सदस्य सचिव, उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड, देहरादून।
6. निदेशक, आई0आई0टी0 रूड़की।
7. समस्त जिला खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उत्तराखण्ड।
8. Safe Mine Tech Solutions (I) Private Limited, C-635, Khaturia Colony, Bikaner, Rajasthan.
9. समस्त स्वस्थानें (In-situ) चट्टानों पर आधारित खनन पट्टाधारक।


(बृजेश कुमार संत)
महानिदेशक

911
भूतत्व एवं खनिकर्म निदेशालय,
"खनिज भवन" भोपालपानी, देहरादून।
(dir.ukdgm@gmail.com)

9

संख्या: /मु0ख0 VIII(i)/244/मू0खनि0नि0/2025-26

दिनांक 22 नवम्बर, 2025

कार्यालय आदेश

उत्तराखण्ड शासन, औद्योगिक विकास (खनन) अनुभाग-1 के पत्र संख्या 2119/VII-A-1/2025-09(104)/2023 दिनांक 27 अगस्त, 2025 के माध्यम से मा0 राष्ट्रीय हरित अधिकरण द्वारा मूल आवेदन सं0 78/2023 दुर्गा सिंह पंवार बनाम राजेन्द्र सिंह दफौटी व अन्य में पारित आदेश दिनांक 08.11.2024 के समादर में राज्य अन्तर्गत स्वस्थानों (In-situ) चट्टानों पर आधारित स्वीकृत खनन पट्टा क्षेत्रों के Slope Stability Analysis के अध्ययन कार्य हेतु भारतीय प्रौद्योगिकी संस्थान (IIT) रुड़की के पत्र दिनांक 08.08.2025 द्वारा सुझाये गये मानक व मापदण्ड को Expression of Interest के माध्यम से प्रदर्शित करते हुए Slope Stability Analysis का कार्य करने वाले निजी फर्म/कम्पनी/इकाईयों को तदनुसार उक्त मानकों/मापदण्डों के अनुसार कार्य कराये जाने के सम्बन्ध में सूचीबद्ध किये जाने हेतु समिति का गठन कर, निजी फर्म/कम्पनी/इकाईयों को सूचीबद्ध किये जाने हेतु दिये गये निर्देशों के अनुपालन में निदेशालय के कार्यालय आदेश संख्या 3251/मु0ख0/VIII(i)/244/मू0खनि0नि0/2025-26 दिनांक 01 सितम्बर, 2025 द्वारा समिति गठित की गयी। गठित समिति की आख्या दिनांक 25 अक्टूबर, 2025 के अनुसार Slope Stability Analysis कार्य के लिये निविदा हेतु निर्धारित मानकों को पूर्ण किये जाने के दृष्टिगत निम्नलिखित फर्म/कम्पनियों उपयुक्त पायी गयी-

क्र0सं0	फर्म/कम्पनी का नाम	दूरभाष नम्बर	ई-मेल आई0डी0
01	Geo Environmental Solutions 3 rd Floor, JMD Regent Arcade Mall, A-Block, DLF phase -1, Sector- 28, Gurugram, Haryana, 122002	8826173376 9910046626	admin@geoes.in
02	SPA GEO TECHNOLOGIES PVT LTD, 8A Mahaluxmi Metro Tower, C2, Sector 4, Vaishali, Ghaziabad, Uttar-Pradesh, 201010	9910711900 9837721426	gangdas@spageo.co.in

अतः उपरोक्त फर्म/कम्पनियों को राज्य अन्तर्गत स्वस्थानों (In-situ) चट्टानों पर आधारित स्वीकृत खनन पट्टा क्षेत्रों के Slope Stability Analysis के अध्ययन कार्य हेतु चयनित कर आदेश के दिनांक से 05 वर्ष की अवधि हेतु निम्नलिखित शर्तों के अधीन सूचीबद्ध (Empanelment) किया जाता है:-

1. कम्पनी द्वारा Slope Stability Analysis कार्य हेतु आई0आई0टी0 रुड़की द्वारा गठित समिति से मंजूरी प्राप्त करना अनिवार्य होगा।
2. कम्पनी द्वारा Slope Stability Analysis कार्य शुरू करने से पहले प्रत्येक खदान मालिक के साथ अनुबन्ध (Legal entity) किया जाना होगा। कम्पनी एवं खदान मालिक के द्वारा Slope Stability Analysis पर होने वाले व्यय स्वयं निर्धारित किया जायेगा तथा Slope Stability Analysis कार्य का भुगतान खदान मालिक द्वारा स्वयं किया जायेगा। भुगतान सम्बन्धी किसी भी समस्या/विवाद हेतु विभाग उत्तरदायी नहीं होगा।
3. कम्पनी द्वारा Slope Stability Analysis के कार्य हेतु निर्धारित Expression of Interest के समस्त मानकों व शर्तों का पूर्णतः अनुपालन किया जाना होगा।
4. कम्पनी द्वारा मा0 न्यायालयों, मा0 राष्ट्रीय हरित प्राधिकरण, केन्द्र सरकार व राज्य सरकार द्वारा समय-समय पर निर्गत आदेशों का अनुपालन सुनिश्चित किया जायेगा।
5. कम्पनी तथा पट्टाधारक के मध्य कोई भी कानूनी विवाद मा0 उच्च न्यायालय, उत्तराखण्ड नैनीताल के अधिकार क्षेत्र में होगा।

(बृजेश कुमार संत)
महानिदेशक

संख्या **4949** /मु0ख0 VIII(i)/244/मू0खनि0नि0/2025-26, तददिनांक।

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव खनन, उत्तराखण्ड शासन।
2. मण्डलायुक्त, गढ़वाल/कुमाऊँ।
3. समस्त जिलाधिकारी, उत्तराखण्ड।
4. सदस्य सचिव, राज्य स्तरीय पर्यावरण प्रभाव आंकलन प्राधिकरण, उत्तराखण्ड।
5. सदस्य सचिव, उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड, देहरादून।
6. निदेशक, आई0आई0टी0 रुड़की।
7. समस्त जिला खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उत्तराखण्ड।
8. Geo Environmental Solutions 3rd Floor, JMD Regent Arcade Mall, A-Block, DLF phase -1, Sector- 28, Gurugram, Haryana, 122002.
9. SPA GEO TECHNOLOGIES PVT LTD, 8A Mahaluxmi Metro Tower, C2, Sector 4, Vaishali, Ghaziabad, Uttar-Pradesh, 201010
10. समस्त स्वस्थाने (In-situ) चट्टानों पर आधारित खनन पट्टाधारक।


(बृजेश कुमार संत)
महानिदेशक