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

IN

OA NO- 538 OF 2022

IN THE MATTER OF:

SWARN SINGH

...APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS

..RESPONDENTS

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Dated 21.01.2026



Adv Anjali Rajput

Counsel for State of Uttarakhand

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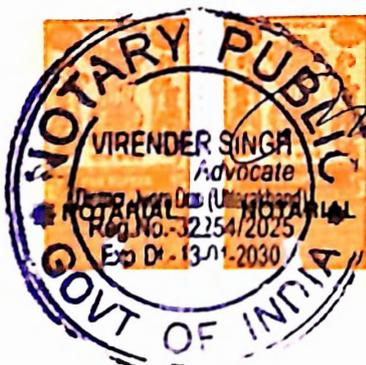
..RESPONDENTS

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1 SECRETARY. MINING
AND GEOLOGY, GOVERNMENT OF UTTARAKHAND IN COMPLIANCE
OF THE ORDER DATED 28.10.2025.**

Most respectfully showeth:

I Laxman Singh aged about 59 years s/o Late Shri Anand Singh Currently posted as Additional Secretary, Industrial Development (Mining) Department, Government of Uttarakhand, do hereby solemnly affirm and state on as of:

1. That the deponent is presently posted as Additional Secretary, Industrial Development (Mining) Department, Government of Uttarakhand, Dehradun. I am conversant with the facts and circumstances of the present case in my official capacity based on the records of the case and I am competent to swear this affidavit on behalf of respondent no 1 in the aforementioned case.



21-01-2026

2. That this Hon'ble tribunal, by its order dated 28.10.2025 passed the following directions:

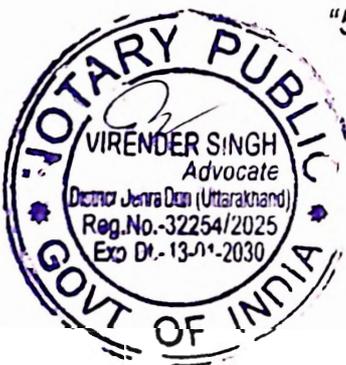
"4. Learned Counsel for UKPCB has submitted that calculation has been done on the basis of the facts and figures disclosed in the calculation of penalty by the authorities of the State. Rules namely Uttarakhand Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2021 have been placed on record by the State as annexure -A (page 161) along with affidavit dated 06.05.2023. Rule 5 of rule 14 provides for imposition of penalty based on quantity of illegally mined mineral.

5.The State has also placed on record the calculation of penalty on page 99 but that calculation also refers to volume instead of weight.

6.Hence, Counsel for the State is directed to file affidavit of the competent authority clarifying this position and disclosing the calculation of penalty based on weight in accordance with the rules referred above...."

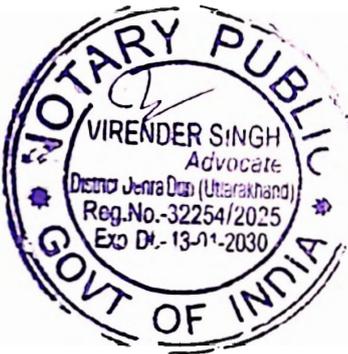
3. That rule 14 sub rule 5 of the Uttarakhand Minerals (prevention of Illegal Mining, Transport and Storage) Rules, 2021 provides :

"5) a) If any illegality is found in the storage premises, then The Director General or the officer authorized by the Director General, District Magistrate or the officer authorized by the District Magistrate (not below the rank of Sub-Divisional Magistrate) shall seize the storage site and present a show cause notice to the license holder for



Virender Singh

presenting his clarifications within 15 days from the date of receipt of such notice, and in case no explanation/clarification from the license holder is received within the stipulated time or if the explanation presented by the license holder is not found satisfactory, then The Director General or the officer authorized by the Director General, District Magistrate or the officer authorized by the District Magistrate (not below the rank of Sub-Divisional188 Magistrate) shall impose a penalty based on the quantity of illegal minor mineral (02 times of the royalty on 1 tonne to 25,000 tonnes, 03 times of the royalty on 25,000 tonnes to 50,000 tonnes, 04 times of the royalty of 50,000 tonnes to 1 lakh tonnes, and 05 times of the royalty on quantity above 1 lakh tonnes). On deposition of the said penalty by the concerned storage licence holder, the permission for withdrawal of said minor mineral will be given by the District Mining Officer. Such illegal storages which is fount without permission, shall be seized and will be disposed off by open auction and for transport of such seized or compounded minor mineral, prescribed transport permission shall be issued."



That the copy of the rules is already placed on record at page no 161.

4. It is respectfully submitted the quantity of the excess mineral extracted and lying on the spot is calculated: 1 cubic Meter (Length x Width x Depth) = 1.8 tons and thereafter and the fine is imposed.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke at the bottom.

That the project proponents against the notices of the District Magistrate of imposing penalty filed revision under section 16 of the rules. That the revision was heard and the penalty imposed was imposed as per rules . final orders were passed which are already on record (243-254).

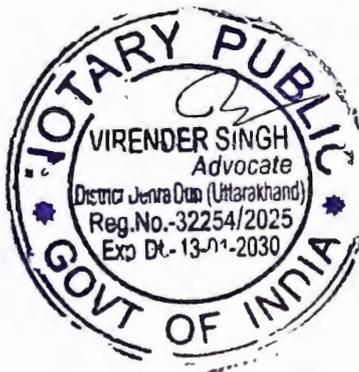
- 5. That the deponent is a responsible Government Servant having highest regards for this Hon'ble Tribunal and the orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do the same in future.

[Signature]
Deponent

Verification:

Verified in Dehradun on this 21st day of 01....., 2026 that the contents of the above affidavit are true and correct and no part of it is false material has been concealed therefrom.

[Signature]
Deponent



Identified by
[Signature]
हरिपाल सिंह बिष्ट
21-01-2026
काठमाडौं नयाँ बजार

[Signature]

SR. No. 70
Date. 21-01-2026

This affidavit is sworn before me by
shri Laxman Singh
who is identified by Shri. Harshpal Singh Bisht
at Dehradun on

[Signature]
21-01-2026
virender Singh
Advocate & Notary Dehradun