

IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.429 OF 2022

IN THE MATTER OF:

Ridhima Pandey.....Applicant

Versus

State of Uttarakhand & Ors.... Respondents

**REPORT BY WAY OF AFFIDAVIT ON BEHALF OF DISTRICT
MAGISTRATE, CHAMPAWAT, UTTARAKHAND IN COMPLIANCE OF
DIRECTIONS PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL
VIDE ITS ORDER DATED 24.02.2023.**

**P A P E R - B O O K
I N D E X**

<u>Srl</u>	<u>Particulars</u>	<u>Pages</u>
1.	Report by way of Affidavit on behalf of District Magistrate, Champawat, Uttarakhand in compliance of directions passed by the Hon'ble National Green Tribunal vide its order dated 24.02.2023.	
2.	<u>ANNEXURE-1</u> : A true copy of the order dated 24.02.2023 passed by this Hon'ble Tribunal	
3.	<u>ANNEXURE R-2</u> : Copy of order dated 14.02.2023 passed by the Hon'ble High Court of Uttarakhand	
4.	<u>ANNEXURE R-3</u> : Copy of No.280/ST- River Drazzing/2020-21 dated 26 th February, 2021 issued by Sub Divisional Magistrate, Poornagiri, Champawat, Uttarakhand	
5.	<u>ANNEXURE R-4</u> : Copy of report of joint inspection committee dated 03.11.2020	

Filed by:



[RAHUL VERMA]

Additional Advocate General for State of Uttarakhand /
Respondents

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
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MAGISTRATE, CHAMPAWAT, UTTARAKHAND IN
COMPLIANCE OF DIRECTIONS PASSED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL VIDE ITS ORDER DATED
24.02.2023.**

I, Hemant Kumar Verma S/o Late Shri J.L. Verma aged about 55 years, presently posted as Additional District Magistrate, Champawat, Champawat, Uttarakhand, do hereby solemnly affirm on oath and state as under:

1. That in my abovementioned official capacity, I am acquainted with the facts and circumstances of the present matter based on record, and I am duly authorized by District Magistrate, Champawat, Uttarakhand and I am fully competent to file present Report by way of Affidavit on behalf of District Magistrate, Champawat, Uttarakhand.



Hemant

2. That the abovementioned matter was listed on 24.02.2023 before this Hon'ble Tribunal, after hearing, this Hon'ble Tribunal was pleased to pass the following order:-

"1. Learned Counsel for respondents no. 1, 3 and 5 and learned Counsel for respondent no. 4 have filed copies of orders dated 14.02.2023 passed by Hon'ble High Court of Uttarakhand at Nanital in Writ Petition (PIL) No. 47/2022 titled as Dinesh Kumar Chandola Vs. Union of India and others and Writ Petition (PIL) No. 48/2022 titled as Gurdev Singh Vs. Union of India and others where by State of Uttarakhand has been permitted to undertake the activity of dredging entirely on its own, without involvement of private agencies, and with the involvement of the State Departments aforementioned.

2. None has appeared for the applicant today.

3. In compliance of order dated 19.12.2022 Mr. A.K. Joshi, ADM, Nanital, Mr. Babulal, DFO, NWLS and Mr. D.K. Joshi, RO, UKPCB have appeared through VC and we have interacted with them.

4. In the present case we consider the production of the relevant record to be necessary for adjudication of the questions involved in the application and the present application cannot be disposed of as having become



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infructuous in view of the order passed by the Hon'ble Uttarakhand High Court.

5. Accordingly, respondents no. 1 and 3 are directed to file copies of short term mining permits and other connected documents and also orders issued in compliance of order dated 14.02.2023 passed by the Hon'ble Uttarakhand High Court within three weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List the matter for further consideration on 29.03.2023."

A true copy of the said order dated 24.02.2023 is annexed hereto and marked as ANNEXURE R-1.

3. That in compliance of the directions passed by this Hon'ble Tribunal on dated 24.02,2023, it is respectfully submitted that the short term permit was issued by the Sub Divisional Magistrate, Poornagiri, District Champawat, Uttarakhand vide order No.280/ST- River Drazzing/2020-21 dated 26th February, 2021, that permit was issued for a period of four month and the same



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has already expired on 26th June, 2021 and the period of permit is already mentioned as four months from the date of issuance of e-ravanna under clause 4 of conditions mentioned in abovementioned dated 26th February, 2021. In compliance of the directions passed by this Hon'ble Tribunal, the copy of the order dated 14.02.2023 passed by the Hon'ble High Court of Uttarakhand, copy of order No.280/ST- River Drazzing/2020-21 dated 26th February, 2021 are annexed hereto and marked as ANNEXURE R-2 & R-3 respectively.

4. That it is also relevant to mention herein that the joint inspection committee also visited the site in question and filed its report and the same is part of the record of this Hon'ble Tribunal, in the said report of committee it is found that no mining activities are found at the time of joint inspection at the site in question.
5. It is also relevant to mention here that in view of directions passed by the District Magistrate, Champawat, Uttarakhand joint inspection of the site in question (i.e. village Uncholigoth, River Sharda, Tehsil Poornagiri, District Champawat) was also



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done on 03.11.2020 by the representatives/ officials of Revenue Department, Irrigation Department, Forest Department, Mining Department and Sub Divisional Magistrate, and it was found that river draazing is being done of 2 Hectare at Khasra No.335/2 of River Sharda, village Unchologoth, Tehsil Poornagiri, District Champawat, Uttarakhand, the area of proposed river draazing is 100 X 200 meter = 20000 square meter, quantity of RBM is 60000 cubic meter and calculation of royalty is Rs.92,40,000/- (Rupees ninety two lakhs forty thousand) and other taxes @ 42% of royalty i.e. Rs.38,80,800/- (Rupees thirty lakhs eighty thousand eight hundred only). It is also mentioned herein that the period for removing of RBM is four months, and only and one J.C.B. machines are permitted under the River Training Guidelines, 2020. Copy of the said joint inspection report is annexed hereto and marked as ANNEXURE R-4.

6. That the present Report by way of Affidavit in compliance of direction passed by this Hon'ble Tribunal is being filed kind perusal of this Hon'ble Tribunal.

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VERIFICATION

I, the deponent above named do hereby verify and say that the contents of my above report by way of affidavit are true and correct to my knowledge based on record, no part of it is false and nothing material has been concealed there from. The legal submissions are further true as per legal advice received and believed to be true and correct.

Verified by me at Champawat, Uttarakhand on this Wed. 22/3/23 day of March, 2023.

Deat
DEPONENT

Filed through:

Rahul Verma

[RAHUL VERMA]

Additional Advocate General for State of Uttarakhand
/Respondents

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22/3/2023
Shyam Singh Karki
Notary Public
Distt. Court Champawat (U.K.)
Uttarakhand (India)

Item No.03

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.429/2022

Ridhima Pandey

...Applicant

Versus

State of Uttarakhand & Ors.

...Respondents

Date of hearing: 24.02.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Respondent: Mr. Rahul Verma, Additional Advocate General for respondents no. 1, 3 and 5.
Mr. Mukesh Verma, Advocate for respondent no. 2-State PCB.
Mr. A.K. Joshi, ADM, Nanital (through VC).
Mr. Babulal, DFO, NWLS (through VC).
Mr. D.K. Joshi, RO, UKPCB (through VC).
Mr. S.K Chandwani and Mr. Sameer Chandwani, Advocate for respondent no. 4-M/s A.P.S Infra Engineers Pvt. Ltd.

Application is registered based on a Letter Petition received by E-mail.

ORDER

1. Learned Counsel for respondents no. 1, 3 and 5 and learned Counsel for respondent no. 4 have filed copies of orders dated 14.02.2023 passed by Hon'ble High Court of Uttarakhand at Nanital in Writ Petition (PIL) No. 47/2022 titled as Dinesh Kumar Chandola Vs. Union of India and others and Writ Petition (PIL) No. 48/2022 titled as Gurdev Singh Vs. Union of India and others where by State of Uttarakhand has been permitted to undertake the activity of dredging entirely on its own, without involvement of private



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agencies, and with the involvement of the State Departments
aforementioned.

2. None has appeared for the applicant today.

3. In compliance of order dated 19.12.2022 Mr. A.K. Joshi, ADM, Nanital,
Mr. Babulal, DFO, NWLS and Mr. D.K. Joshi, RO, UKPCB have appeared
through VC and we have interacted with them.

4. In the present case we consider the production of the relevant record
to be necessary for adjudication of the questions involved in the application
and the present application cannot be disposed of as having become
infructuous in view of the order passed by the Hon'ble Uttarakhand High
Court.

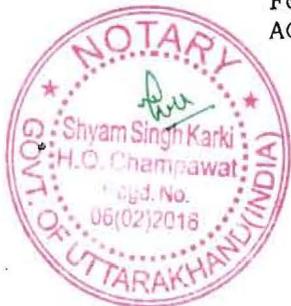
5. Accordingly, respondents no. 1 and 3 are directed to file copies of short
term mining permits and other connected documents and also orders issued
in compliance of order dated 14.02.2023 passed by the Hon'ble Uttarakhand
High Court within three weeks by email at judicial-ngt@gov.in preferably in the
form of searchable PDF/OCR Supported PDF and not in the form of Image
PDF.

6. List the matter for further consideration on 29.03.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 24 2023
AG



Handwritten signature: Arun Kumar Tyagi
Handwritten signature: Dr. Afroz Ahmad
Shyam Singh Karki
Notary Public
Distt. Court Champawat (U.K.)
Uttarakhand (India)

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI VIPIN SANGHI
AND
HON'BLE SRI JUSTICE RAVINDRA MAITHANI

14TH FEBRUARY, 2023

WRIT PETITION (PIL) No. 47 OF 2022

Between:

Dinesh Kumar Chandola.

...Petitioner

and

Union of India and others.

...Respondents

Counsel for the petitioner.	:	Mr. Dushyant Mainali, the learned counsel.
Counsel for respondent no. 1.	:	Mr. Lalit Sharma, the learned Standing Counsel for the Union of India.
Counsel for respondent nos. 2 to 7.	:	Mr. S.N. Babulkar, the learned Advocate General assisted by Mr. C.S. Rawat, the learned Chief Standing Counsel for the State of Uttarakhand.
Counsel for respondent no. 8.	:	Mr. Rajeev Bhatt, the learned counsel.
Counsel for respondent no. 9.	:	Mr. Aditya Pratap Singh, the learned counsel.

JUDGMENT : (per Sri Vipin Sanghi, C.J.)

We have heard Mr. Dushyant Mainali, the learned counsel for the petitioner, and Mr. S.N. Babulkar, the learned Advocate General assisted by Mr. C.S. Rawat, the learned Chief Standing Counsel for the State of Uttarakhand, and proceed to dispose of this Public Interest Litigation.



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2. The challenge raised in this Writ Petition (PIL) is to the Government Order dated 07.01.2022, and the subsequent permission granted for mining/ dredging of Nandhaur River in the Eco-Sensitive Zone of Nandhaur Wildlife Sanctuary. The petitioner also seeks a direction to the respondents to notify and categorize the zones, where mining is prohibited in the State of Uttarakhand, in consonance with the guidelines issued by respondent no. 1, i.e. the Ministry of Environment, Forest and Climate Change of the Union Government.

3. By the order dated 07.01.2022, the State Government had permitted M/s A.P.S. Infra Engineers Private Limited to carry out the activity of dredging in the Upper Nandhaur Chorgalia Area for a period of six months, and also to remove the silt and RBM, which is dredged.

4. According to the petitioner, the activity of removing of the mineral, which is dredged, tantamounts to mining, which is completely prohibited in the Eco-Sensitive Zone, which Nandhaur Wildlife Sanctuary is. In this regard, Mr. Mainali has referred to the definition of "mining operations" contained in Section 3(d) of the Mines and Minerals (Development and Regulation) Act, 1957, which



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means "any operations undertaken for the purpose of winning any mineral".

5. Mr. Mainali has placed reliance on the judgment passed by the Supreme Court in **T.N. Godavarman Thirumulpad v. Union of India & Ors., 2010 (13) SCC 740** dated 04.08.2006, on the basis of which the Office Memorandum dated 08.08.2019 was issued by respondent no. 1, i.e. the Ministry of Environment, Forest and Climate Change of the Union Government. In the light of the aforesaid order passed by the Supreme Court, the Central Government has directed that "Proposals involving mining of minerals within the ESZ (or) one kilometer from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012."

6. The submission of Mr. S.N. Babulkar, the learned Advocate General, is that the activity of dredging is essential to conserve the river and the adjoining areas, as failure to carry out dredging would lead to rise in the riverbed levels, leading to flooding in the adjoining areas

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in the rainy season, where agriculture is carried out and habitations are in place. He further submits that the Central Government has also exempted the requirement of obtaining environmental clearance for the purpose of carrying out the activity of dredging and de-silting of, *inter alia*, rivers and canals for the purpose of their maintenance, upkeep and disaster management. In this regard, he has placed reliance on the notification dated 28.03.2020 issued by the Ministry of Environment, Forest and Climate Change. Appendix-IX to this notification enlists at Serial Nos. 7 and 12, the activities, in respect whereof exemption has been granted by the Ministry of Environment, Forest and Climate Change, which reads as follows :-

"APPENDIX-IX
EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require Prior Environmental Clearance, namely:-

1.
2.
3.
4.
5.
6.
7. *Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.*
8.
9.
10.
11.
12. *Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon*

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orders of the District Collector or District Magistrate or any other Competent Authority."

7. The further submission of Mr. Babulkar is that leaving the dredged minerals on the banks of the river, and their non-disposal would also create practical difficulties, inasmuch, as, the silt would flow back into the river in rainy season, and render the activity of dredging nugatory.

8. Mr. Mainali has, with his rejoinder affidavit, placed on record a Joint Inspection Report prepared by a team of Officers, which include the Conservator of Forests, Western Circle, Haldwani, the Deputy Director, MoEF&CC, Dehraun, the Scientist D, CPCB, Lucknow, the Regional Officer, UKPCB, Haldwani, the Sub-Divisional Magistrate, Haldwani, the Geo Chemist, Geology and Mining, Unit-Haldwani, and the Mining Officer, Geology and Mining, Unit- Champawat (Representative of the District Magistrate, Champawat), on the aspect of mining activity in upstream part of Nandhaur River, and Upper-stream part of Sharda Barrage, Tanakpur. This report was prepared in the matter of *Ridhima Pandey v. State of Uttarakhand*, (OA No. 429/2022). This report takes note of the impugned order issued by the State Government dated 07.01.2022 above referred to, which permits M/s



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A.P.S. Infra Engineers Private Limited to undertake dredging work, and also to remove the silt and RBM for a period of six months from the aforesaid river. The conclusion and recommendation made in this report by the aforesaid Team/ Committee of Officers is that the area in question is rich in bio-diversity and comes within Eco-Sensitive Zone of Nandhaur Wildlife Sanctuary. Hence, mining activity may not be permitted.

9. Mr. Mainali has also referred to the letter dated 28.03.2022 issued by the Divisional Forest Officer, Haldwani Division, wherein he states that the requisite permission is required to be obtained from the Ministry of Environment, Forest and Climate Change, as well as from the National Board of Wildlife, before permitting the activity to be carried out in terms of the impugned order dated 07.01.2022.

10. We have heard and considered the rival submissions.

11. There is no doubt that the activity of dredging is essential, and should be carried out in rivers and streams from time to time, so that the riverbed levels are maintained. This is essential to prevent flooding in rainy season, which also causes environmental degradation and



Shyam Singh Karki

loss of life and property along the path of the river, or the stream concerned. At the same time, it cannot be that under the garb of dredging, what is permitted, and what is actually carried out, is the activity of mining for commercial purposes. The impugned communication permits a private agency, namely M/s A.P.S. Infra Engineers Private Limited, to carry out not only the dredging activity in the Nandhaur Wildlife Sanctuary, but also to win the mineral, which is dredged. For this, undisputedly, it would be essential for the said agency to send its tools and tackles, men and heavy machinery, as well as trucks into the Wildlife Sanctuary to carry out the activity. Thus, what the impugned order dated 07.01.2022 permits M/s A.P.S. Infra Engineers Private Limited to carry out is not merely the activity of dredging, but also the activity of mining. There is no denying the fact that the activity of mining cannot be carried out in an Eco-Sensitive Zone, as we have already noticed above.

12. Another aspect that we cannot lose sight of, is that the grant of a contract to a private agency for the purpose of dredging, and also winning the dredged mineral, would lead to carrying out of the said activity purely for commercial purposes. The private agency would have its commercial interest in mind, and not the



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Shyam Singh Karki

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environmental interest, which is the rationale for carrying out the dredging activity in the first place. The dredging activity – which is carried out for environmental reasons, would be limited to the extent it is necessary for achieving that limited objective. However, once the activity is entrusted to a private agency, and that too with a right to carry out mining activity i.e. to win the mineral which is dredged, the extent of dredging that may be carried out on the site is very difficult to monitor or control. The moment the dredged mineral is removed for commercial purposes, the nature of the activity would change from merely dredging to mining, which is clearly prohibited in an Eco-Sensitive Zone.

13. Aforesaid being the position, we cannot permit the respondents to act in terms of their order dated 07.01.2022. The State departments, namely the Forest Conservation Department, and the Agriculture Department, of which the Soil Conservation Division is now a part, should have an active role to play in the carrying out of the activity of dredging in the river in question on its own, without the involvement of a private agency. The activity of mining, i.e. the winning of the dredged mineral, in any case, cannot be permitted. We, therefore, permit the State to undertake the activity of dredging entirely on

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its own, without the involvement of private agencies, and with the involvement of the State departments aforementioned.

14. The Writ Petition stands disposed of in the aforesaid terms.

15. Consequently, pending applications, if any, also stand disposed of.

VIPIN SANGHI, C.J.

RAVINDRA MAITHANI, J.

Dt: 14th February, 2023
Rahul



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Rahul
Shyam Singh Karki
Notary Public
Distt. Court Champawat (U.K.)
Uttarakhand (India)

Rahul

1/2020/90ख/16 दिनांक:-31 जनवरी, 2020 के कम में ग्राम झालाकुड़ी, नौलापानी तथा उचौलीगोठ तहसील पूर्णागिरी जनपद चम्पावत अन्तर्गत लधिया नदी में जमा आर0बी0एम/मलवे के निस्तारित हेतु दिनांक:-15.12.2020 को उप जिलाधिकारी कार्यालय पूर्णागिरी में खुली नीलामी की कार्यवाही सम्पन्न करायी गई। सम्पन्न कराई गई नीलामी का विवरण निम्न प्रकार है:-

क्र० सं०	खुली नीलामी हेतु चिन्हित ग्राम/स्थल का नाम	उच्चतम बोली की धनराशि	बोली की दिनांक को जमा धनराशि	उच्चतम बोली की अवशेष जमा धनराशि	उच्चतम बोली का 17 प्रतिशत धनराशि	उच्चतम बोली का 25 प्रतिशत में जमा धनराशि का विवरण	कुल जमा की गयी धनराशि का विवरण	उच्चतम बोलीदाता का नाम व पता
1	लधिया नदी, ग्राम झालाकुड़ी खसरा नं० 22, 23 मध्ये 0.75 है। (25500 घनमीटर)	1762500	625688	1136812	299625	440625	2502750	श्री योगेन्द्र ज्यल पुत्र कर्णध्वज सिंह ज्यल, निवासी टनकपुर।
2	लधिया, ग्राम नौलापानी, खसरा नं० 42/5591 मध्ये 1.00 है। (30000 घनमीटर)	2350000	834250	1515750	399500	587500	3337000	श्री उमेश खर्कवाल पुत्र रामदत्त खर्कवाल, निवासी चम्पावत।
3	शारदा नदी, ग्राम उचौलीगोठ खसरा सं-335/2, क्षेत्र 2.00 है। (60000 घनमीटर)	14670000	5207850	9462150	2493900	3667500	35501400	श्री तरुण पंत (मै० शिव शक्ति ट्रेडर्स) पुत्र श्री दिनेश पंत, निवासी टनकपुर।

उपरोक्त उच्चतम बोलीदाताओं द्वारा बोली की धनराशि तथा डी0एम0एफ0 एवं अन्य कर रॉयल्टी की 42 प्रतिशत धनराशि में से 17 प्रतिशत धनराशि निर्धारित लेखाशीर्षक 0853 अलौह धातु एवं धातुकर्म उद्योग, 102 खनिज रियायती शुल्क, 01 स्वत्व शुल्क एवं 25 प्रतिशत की धनराशि जिला खनिज फाउण्डेशन न्यास चम्पावत के यूको बैंक खाता संख्या:-32040110011362 में जमा कर दी गयी है। सम्पन्न कराई गई नीलामी में उच्चतम बोलीदाताओं की नीलामी को जिलाधिकारी महोदय, चम्पावत पत्र संख्या:-1617/XXX-10/रिवर ट्रेनिंग/2019-20, दिनांक:-01 जनवरी, 2021 द्वारा अनुमोदित किया गया है।

अतः उपरोक्त उच्चतम बोलीदाताओं को शासनादेश संख्या:-137/VII-1/2020/90ख/16 दिनांक:-31 जनवरी, 2020 में निहित प्राविधानों के अन्तर्गत ग्राम झालाकुड़ी एवं नौलापानी तहसील पूर्णागिरी जनपद-चम्पावत अन्तर्गत लधिया नदी, शारदा नदी में संयुक्त सीमांकन स्थल से जमा आर0बी0एम0/मलवे के निस्तारण की अनुमति निम्न शर्तों के अधीन प्रदान की जाती है:-

शर्तें

- (1) सीमांकित क्षेत्र में नदी तल के अनुमन्य गहराई तक ही चैनेलाईजेशन का कार्य करना होगा।
- (2) आवेदक द्वारा उपखनिज के तौल हेतु नजदीकी धर्मकांटे से अनुबन्ध किया जाना होगा एवं अनुबन्ध की प्रति इस कार्यालय एवं ज्येष्ठ खान अधिकारी को उपलब्ध करायी जायेगी।
- (3) आवेदक द्वारा आदेश प्राप्त उपरान्त ई-रवन्ना प्राप्त किये जाने की कार्यवाही की जायेगी।
- (4) ई-रवन्ना जारी होने से अनुज्ञा की अवधि मानी जायेगी। निर्धारित अनुज्ञा की अवधि से आर0बी0एम0/मलवे का निस्तारण 04 माह या अनुज्ञामात्रा को हटाने से पूर्व की अवधि जो हो, के अन्दर किया जाना अनिवार्य होगा।
- (5) सीमांकित स्थल पर स्थित मलवे का निस्तारण हेतु अन्य देयकों व टैक्स आदि का भुगतान नियमानुसार आवेदक द्वारा किया जायेगा।
- (6) आवेदक द्वारा उत्तराखण्ड रिवर ट्रेनिंग नीति-2020 के नियमों/प्राविधानों का पूर्णतया पालन सुनिश्चित किया जायेगा।
- (7) प्रस्तावित क्षेत्र से मलवा/आर0बी0एम0 चुगान एवं परिवहन के दौरान किसी प्रकार का विवाद होता है, तो उसका उत्तरदायित्व आवेदक का होगा।



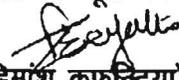
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 किसी भी वाहन में परिवहन विभाग द्वारा निर्धारित क्षमता से अधिक मात्रा में उपखनिज की मात्रा
 न्यु अभिवहन पास जारी किया जाता है, तो वाहन स्वामी के साथ-साथ सम्बन्धित आवेदक के विरुद्ध भी सुसंगत

धाराओं में मुकदमा दर्ज कराया जायेगा एवं अनुमति निरस्त की कार्यवाही की जायेगी।

- (09) सूर्योदय से पहले तथा सूर्यास्त के बाद किसी भी दशा में खनन कार्य नहीं किया जायेगा। उक्त अवधि में किये जाने वाला खनन कार्य अवैध खनन की श्रेणी में माना जायेगा। तदुपरान्त आवश्यक कार्यवाही अमल में लायी जायेगी।
- (10) यदि मुख्य मार्ग (राष्ट्रीय राजमार्ग) पर कोई वाहन बिना रवन्ना एवं भार प्रमाण पत्र के पाया जायेगा, तो अवैध खनन की कार्यवाही सुनिश्चित की जायेगी।
- (11) अनुमति क्षेत्र के 500 मीटर की परिधि में अवैध खनन होने की स्थिति में आवेदक का उत्तरदायित्व निर्धारित किया जायेगा, उससे पूर्व मौके के फोटोग्राफ्स लोने होंगे, जिससे अवैध खनन की कार्यवाही तदनुसार की जा सके।
- (12) आवेदक द्वारा अनुमति क्षेत्र में अनुमति/अनुज्ञा का पूर्ण विवरण सहित बोर्ड लगाया जायेगा।
- (13) सिंचाई विभाग द्वारा अनुज्ञा स्थल का नियमित रूप से मॉनिटरिंग की जायेगी।
- (14) आवेदक के विरुद्ध उत्तराखण्ड रीवर ट्रेनिंग नीति-2020 के अन्तर्गत दिये गये शर्तों का उल्लंघन करने की स्थिति में अनुज्ञा किसी भी समय समाप्त की जा सकती है।
- (15) भारत सरकार/राज्य सरकार द्वारा कोविड-19 के संक्रमण से बचाव हेतु समय-समय पर जारी दिशा-निर्देशों का अनुपालन सुनिश्चित किया जायेगा।
- (16) आवेदक द्वारा मलवा/आर0बी0एम0 की निकासी निर्धारित समय अन्तर्गत अनिवार्य रूपसे की जानी होगी। निकासी की अवधि किसी भी परिस्थिति में नहीं बढ़ाई जायेगी। निर्धारित अवधि के पश्चात् यदि मलवा/आर0बी0एम0 की निकासी किन्हीं कारणों से आवेदक द्वारा नहीं की जाती है, तो उसकी सम्पूर्ण जिम्मेदारी आवेदक की होगी तथा जमा धनराशि जब्त कर ली जायेगी।
- (17) आवेदक द्वारा खनन स्थल पर एक पोकलैण्ड अथवा 01 जे0सी0बी0 मशीन का उपयोग खनन कार्य में किया जायेगा।
- (18) आवेदक द्वारा उपरोक्तानुसार दी गई शर्तों का अनुपालन किया जाना आवश्यक होगा अन्यथा रीवर ट्रेनिंग नीति-2020 के अन्तर्गत दी गयी अनुज्ञा/अनुमति किसी भी समय बिना कारण बताये निरस्त कर दी जायेगी, जिसका पूर्ण उत्तरदायित्व आवेदक का होगा।
- (19) कोविड-19 की गाईडलाइन्स के अनुसार खनन क्षेत्र में मास्क, सामाजिक दूरी का अनुपालन एवं सेनेटाईजर का उपयोग करना आवश्यक होगा।


 (हिमांशु कफलेटिया)
 उप जिलाधिकारी,
 पूर्णागिरी (टनकपुर)।

कार्यालय उप जिलाधिकारी, पूर्णागिरी (टनकपुर) जनपद-चम्पावत ।

संख्या:-280/st-रिवर ट्रेनिंग/2020-21,

दिनांक:- 26 फरवरी, 2021।

प्रतिलिपि:-निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. जिलाधिकारी महोदय, चम्पावत।
2. पुलिस अधीक्षक, चम्पावत।
3. प्रभागीय वनाधिकारी, चम्पावत वन प्रभाग, चम्पावत।
4. प्रभागीय वनाधिकारी हल्द्वानी वन प्रभाग/तराई पूर्वी वन प्रभाग, हल्द्वानी।
5. पुलिस उपाधीक्षक, टनकपुर।
6. तहसीलदार, पूर्णागिरी को इस निर्देश के साथ प्रेषित कि सीमांकन क्षेत्र से नियमानुसार खनन निर्देशों का अनुपालन सुनिश्चित करायें।
7. उप निबन्धक, चम्पावत।
8. सहायक आयुक्त वाणिज्य कर विभाग, टनकपुर।
9. प्रभारी निरीक्षक कोतवाली, टनकपुर/थानाध्यक्ष बनबसा।
10. अधिशासी अभियन्ता, सिंचाई खण्ड, लोहाघाट।
11. उप निदेशक/ज्येष्ठ खान अधिकारी, चम्पावत।
12. उपरोक्त बोलीदाता।




 Shyam Singh Karki
 Notary Public
 Distt. Court Champawat (U.K.)
 Uttarakhand (India)


 उप जिलाधिकारी,
 पूर्णागिरी (टनकपुर)।

जिलाधिकारी महोदय चम्पावत द्वारा दिये गये निर्देशों के अनुपालन में रिवर ट्रेनिंग नीति 2020 के अर्न्तगत तहसील पूरागिरा के ग्राम इचौलीगिठ में शारदा नदी में रिवर ट्रेनिंग हेतु स्थल चयनित करने हेतु दिनांक 03-11-2020 को संबंधित विभागों राजस्व विभाग, खनन विभाग, सिचाई विभाग, वन विभाग के द्वारा किया गया सयुक्त निरीक्षण किया गया जिसमें प्रस्तावित स्थल की स्थिति निम्नवत है:-

क्र० सं०	ग्राम का नाम	नदी का नाम	खाता खतौनी एवं खसरा संख्या	रक्बा	प्रस्तावित रिवर ट्रेनिंग का क्षेत्रफल(वर्ग मी में)	उपखनिज(आर०बी० एम०/मलवा) की मात्रा(घन मी०)	आंगणित रायल्टी की घनराशि (रु. में)	जिला खनिज फाउन्डेशन एवं अन्य कर की घनराशि(रायल्टी का 42 प्रतिशत)(रु. में)
1.	<u>इचौलीगिठ</u>	<u>शारदा</u>	<u>रवका खसरा 335/2 मलवा</u>	<u>2.50 हे०</u>	<u>100 X 200 मी० = 20000 वर्ग मी०</u>	<u>60000 घन मी०</u>	<u>92,40,000/-</u>	<u>38,80,800/-</u>

उपरोक्त रिवर ट्रेनिंग स्थल से उपखनिज(आर०बी० एम०/मलवा) का निस्तारण हेतु 04 माह का समय अवधि तथा 01 (एड) पोकलैण्ड एवं 01 (एड) जे० सी० बी० से उठान किये जाने हेतु समिति द्वारा संस्तुति रिवर ट्रेनिंग नीति 2020 के अर्न्तगत की जाती है।

[Signature]
राजस्व विभाग

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सिचाई विभाग

[Signature]
वन विभाग

[Signature]
उपनिदेशक/ज्येष्ठ खान अधिकारी
चम्पावत/पिथौरागढ़

[Signature]
उपजिलाधिकारी



[Signature]
Shyam Singh Karki
Notary Public
Distt. Court Champawat (U.K.)
Uttarakhand (India)

meat