

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

Original Application No. 01/2025

**IN THE MATTER OF:**

KAVITA

...APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS.

...RESPONDENT

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**THROUGH COUNSEL**

**Place: Dehradun, Uttarakhand**

**Date: 12.03.2025**

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

**RESPONSE AFFIDAVIT ON BEHALF OF  
RESPONDENT NO. 1**

IN  
Original Application No. 01/2025



**IN THE MATTER OF:**

KAVITA

...APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS.

...RESPONDENT

Affidavit of Kahkashan  
Naseem, aged about 44 years,  
D/o Late Shri Abdul Sattar  
Ansari, presently posted as  
Additional Secretary,  
Department of Environment  
Conservation and Climate  
Change, Government of  
Uttarakhand, Dehradun.

  
Deponent



I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

1. That the deponent is posted as the Additional Secretary, Environment and Forests, Government of Uttarakhand, Dehradun. The deponent is well acquainted with the facts and circumstances of the case and is fully competent to sign and swear the instant affidavit.
2. That the above-mentioned matter was listed for hearing on 24.01.2025 wherein the Hon'ble National Green Tribunal was pleased to issue the following directions: -

“.....

*8. Replies/responses by respondent no.1 to 4 be filed at least three days before the date of hearing fixed.*

*9. Further in view of the factual averments made in the application, we also consider due verification thereof through a Joint Committee to be necessary. Accordingly, we constitute a Joint Committee comprising of the representatives of CPCB, UKPCB, District Mining Officer and District Magistrate, Uttarkashi. The Joint Committee is directed to visit the spot after giving notice to the Project Proponent, look into the grievances after joining the applicant and representative of the Project Proponent, verify the factual position, suggest appropriate remedial action and submit its report within six weeks. The CPCB will be the nodal agency for coordination and compliance.*

*f*



*10. It may be observed here that the concerned authorities-the Director, Mining and Geology, Uttarakhand, the District Magistrate, Uttarkashi and 4 Regional Officer, UKSPCB, Uttarkashi are under statutory obligation to inspect the mine and in case of violations take appropriate remedial and punitive action in accordance with law independent of any direction by this Tribunal. In case the Joint Committee observes any violations of statutory provisions/environmental norms it shall send copy of its report to the concerned authorities which shall be bound to take appropriate remedial and punitive action in discharge of their statutory obligation in accordance with law and to file Action Taken Report before this Tribunal at least three days before the next date of hearing fixed*

.....”

3. That in compliance with the above order, instant response affidavit is being filed.
4. It is humbly submitted that as per the information received from District Magistrate, Uttarkashi (Member of Joint Committee) the joint inspection took place on 03.03.2025, however, Respondent No. 1 has not yet received the joint inspection report from the Nodal Agency i.e. Central Pollution Control Board.

f



5. That as soon as the joint inspection report is received by Respondent No. 1, appropriate action in compliance of the directions issued by this Hon'ble Tribunal shall be taken in accordance with law.
6. That the deponent is a responsible Government servant having the highest regard for the Hon'ble Tribunal and order 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 so in the future.

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**DEPONENT**

**VERIFICATION**

Verified at Dehradun on the 12 day of March 2025, that the contents of the accompanying compliance affidavit are true and correct to the best of my knowledge and belief based on the official record and nothing is false, and no material has been concealed therein.

Identified by

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(सम्मी कुमारे टम्टा)  
अनुभाग अधिकारी  
पर्यावरण संरक्षण एवं जलवायु परिवर्तन  
अनुभाग, उत्तराखण्ड शासन



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affidavit is sworn before **DEPONENT**  
Fahkashan Nag  
is held by **Sammie Tomata**  
Dehradun on 12/3/25  
Km. URMILA GHATA  
Advocate & NOTARY, Dehradun