

1341

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

I.A NO. ³⁵⁷ /2026

IN

O.A No. 98 OF 2026

IN THE MATTER OF:

Chandresh Kumar & OthersAPPLICANTS

VERSUS

State of Himachal Pradesh & Others RESPONDENTS

INDEX

S. No	Particulars	Page No.
1.	REPLY ON BEHALF OF RESPONDENT NO. 10 TO THE INTERLOCUTORY APPLICATION SEEKING STAY ALONG WITH AFFIDAVIT.	
2.	Annexure R-10/R1A (Collectively). The copies of the Explosive License and permission accorded to the concerned Contractor and the NOC accorded by the Gram Panchyat Kasol.	

For Respondent No. 10

Dated:-18/5/26

X Gopal Butal

Through Counsel

Varun Kant Sharma

Advocate Kullu H.P.

[Handwritten Signature]

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI.

I.A. No. 357 of 2026

IN

O.A. No. 98 of 2026

IN THE MATTER OF:

Chandresh Kumar & Ors.

...Applicants

VERSUS

State of Himachal Pradesh & Ors.

...Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 10 TO
THE INTERLOCUTORY APPLICATION
SEEKING INTERIM RELIEF**

MOST RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS

1. That the present Interlocutory Application has been filed on the basis of conjectures, assumptions, and selective allegations with the sole object of obstructing and delaying execution of a lawfully sanctioned Small Hydro Electric Project being implemented strictly in accordance with statutory permissions, approved technical designs, and environmental safeguards prescribed by competent authorities. It is further submitted that the applicants have deliberately misled this Hon'ble Tribunal without disclosing the site and the illegality on the part of the project proponent apart from

ATTENDED
CHANDRA MANI
Advocate
Civil Commissioner
District Court Kullu (H.P.)

this when it was came with in the knowledge of the applicant that the unit has been transferred to the third party despite that the applicants have time again alleging before this Hon'ble Tribunal that the respondents no 9 and 10 are undertaking blasting at site which is not factually correct as both the private respondents have transferred their respective projects to third party and intimation qua this fact has also been given to this Hon'ble Tribunal on 02/04/2026 in the presence of the applicants , who were present before this Hon'ble Tribunal through VC on the said date and this fact was well with in their knowledge and despite that now they have filed the present application on the basis of statement alone without any supporting document or study report that any damage has been done by the project proponent to the ecology of the area. Apart from this till date the applicants have not impleaded the new management of the project proponent as party respondents in this case. This act of the applicants shows the malafide intention of the applicants that without impleading the necessary parties as party respondents in the present case the applicants are seeking stay on the project activities at their back. This is a deliberate and calculated omission to not to array the new project proponent as party in the present lis, which shows malafide attempt driven by undue haste with an intention

ATTESTED
CHANDRA MANI
Advocate
C-24 Comedictor
District Court Kulu (H.P.)

misled this Hon'ble Tribunal just to harass the replying

respondent and the new project proponent by seeking stay on the project.

2. That the answering Respondent categorically submit that all tunnelling, excavation, drilling, controlled blasting, slope stabilization, muck disposal, pipeline laying, and allied construction activities are being carried out by the new project proponent i.e. APTSGREEN strictly in accordance with:

- the Environmental Clearance conditions, wherever applicable;
- Forest Clearance conditions, wherever applicable;
- Consent to Establish/Operate granted by the Himachal Pradesh State Pollution Control Board;
- approved Detailed Project Report (DPR);
- geological and geotechnical recommendations;
- safety protocols prescribed under the Explosives Act, 1884 and Explosives Rules, 2008;
- Indian Standards and technical norms applicable to hydro-electric tunnelling works;
- directions issued by the Directorate General of Mines Safety (DGMS), wherever applicable; and
- all applicable laws governing construction, labour safety, environmental protection, and disaster mitigation.

3. That the Applicant has attempted to create an entirely false narrative as if the tunnelling activities:

ATTESTED
CHANDRAMANI
Advocate
Civil Commissioner
District Court Baddi

are clandestine or unauthorized, whereas the project activities are being undertaken openly under supervision of competent engineers, technical experts, licensed contractors, and regulatory authorities.

4. That the answering Respondents deny that any illegal or uncontrolled blasting is being undertaken. Any controlled excavation activity undertaken at site is being executed only after due technical assessment and in compliance with applicable statutory protocols.

PRELIMINARY OBJECTIONS

1. That the present application is liable to be dismissed at the threshold as the Applicant has deliberately suppressed material facts relating to the approvals, permissions, technical safeguards, and compliance measures already in place.
2. That the Applicant has intentionally attempted to portray every construction activity as "illegal blasting" without placing on record any expert opinion, geological report, technical assessment, or inspection report establishing violation of any statutory condition. As per the revised execution plan of M/s Aptsgreen Power Private Limited, the allegations pertaining to indiscriminate or environmentally

ATTENDED
CHANDRA MANI
Advocate
Order Commissioner
District Court Kullu (PLF)

harmful blasting/mining activities are wholly misconceived, baseless, and unsupported by any scientific or empirical material. The proposed controlled blasting and incidental mining operations, if and when undertaken, have been strictly confined to duly approved and demarcated zones, and executed in a scientifically regulated manner, in strict compliance with the **Environment (Protection) Act, 1986**, the **EIA Notification, 2006**, and all applicable environmental clearances and conditions stipulated therein. The **Head Race Tunnel (HRT)** is of approximately 1.8 meters in width and 2 meters in height. The excavation for the HRT shall be undertaken through **controlled drilling and blasting techniques**, strictly in accordance with approved blasting plans, geological assessments, and statutory permissions, ensuring minimal vibration and no adverse impact on surrounding strata. It is further submitted that all such activities shall be undertaken in conformity with the provisions of the **Mines and Minerals (Development and Regulation) Act, 1957**, the **Mineral Conservation and Development Rules, 2017**, and the **Explosives Act, 1884** read with the **Explosives Rules, 2008**, ensuring that blasting operations are carried out in a controlled, need-based, and safety-compliant manner. The execution plan

ATTES/ED
CHANDRA MANI
Advocate
Joint Commissioner
District Court Koda (G.O.)

incorporates site-specific environmental safeguards, including controlled charge blasting techniques, vibration monitoring in accordance with prescribed thresholds, dust suppression measures, slope stabilization, and continuous environmental monitoring protocols. It is categorically submitted that the blasting/mining activities are proposed to be conducted at a substantial and scientifically assessed safe distance from the habitation limits of Village Thunja, and under no circumstances shall such activities result in any encroachment upon, depletion of, or adverse impact on natural water sources, forest cover, biodiversity, or the ecological balance of the area. The New project proponent has undertaken a precautionary approach consistent with the principles of **sustainable development, precautionary principle, and inter-generational equity**, as consistently upheld by the Hon'ble National Green Tribunal. The Respondent strongly denies the unfounded and speculative assertions that the proposed activities would cause environmental degradation or harm to community resources. On the contrary, the project has been conceptualized and is being implemented with due diligence, incorporating environmental management plans and mitigation measures to ensure that there is no disturbance to

ATTESTED
CHANDRAMANI
Advocate
Oath Commissioner
District Court Kullu (H.P.)

natural vegetation, wildlife habitats, or the socio-economic conditions of the local population.

3. That no prima facie case exists for grant of any interim relief as the project is legally sanctioned and tunnelling works are part of the approved project components. The construction is being undertaken in accordance with approved methodology and all mandatory precautions are being observed. No material has been placed on record to demonstrate actual environmental damage attributable to the project.
4. That stoppage of tunnelling activities at the present stage would result in destabilization of partially excavated sections, enhanced geological vulnerability and safety risks to labour and adjoining slopes. Further it would cause severe contractual and financial liabilities due to idling of machinery and workforce and substantial public loss in a renewable energy infrastructure project undertaken in larger public interest.
5. That the balance of convenience overwhelmingly lies in favour of permitting regulated continuation of project activities subject to statutory safeguards already being complied with.

PARA-WISE REPLY

Para 1

ATTESTED
CHANDRAMANI
Advocate
Oath Commissioner
District Court Kullu (P.D.)

1. The contents of para 1 are denied to the extent they allege illegality or environmental harm. It is submitted that the project activities are being conducted in accordance with all applicable approvals and statutory requirements. Applicant has utterly failed to demonstrate, much less substantiate, any direct, specific, or legally cognizable injury allegedly caused on account of the project activities undertaken by the answering Respondent. No material whatsoever has been placed on record to establish any personal or individual loss pertaining to residential structures, agricultural land, standing crops, livelihood resources, or any proprietary or possessory rights allegedly affected by the project. The pleadings are conspicuously silent on essential particulars such as the nature and extent of the alleged damage, survey details of the affected land, revenue records, photographic evidence, expert assessment reports, compensation claims, or any contemporaneous complaint before the competent authorities. In the absence of any documentary or scientific substantiation, the allegations remain vague, omnibus, and entirely speculative. It is further submitted that mere generalized apprehensions or broad environmental assertions, unsupported by any demonstrable nexus between

~~ATTES~~
~~CHANDRAMANI~~
Advocate
Distt Commisnary
Distt Court Kulu (1P)

the alleged injury and the project activities, cannot form the basis for grant of relief by this Hon'ble Tribunal. It is respectfully submitted that the Kasol Small Hydro Electric Project, **diversion weir** is located near R.S. Café, and the alignment extends for approximately 2.5 kilometers up to Kasol, where the **powerhouse complex** is proposed. In this stretch, water conveyance is proposed through a **Head Race Tunnel (HRT)** of approximately 1.8 meters in width and 2 meters in height. The excavation for the HRT shall be undertaken through **controlled drilling and blasting techniques**, strictly in accordance with approved blasting plans, geological assessments, and statutory permissions, ensuring minimal vibration and no adverse impact on surrounding strata. It is further submitted that the **slope morphology** of the Kasol SHEP alignment comprise of **steep to very steep slopes**, typically associated with higher susceptibility to rockfalls, debris flows, or shallow landslides. It is specifically submitted that there exists **no village or human habitation within the HRT alignment corridor**, and the entire stretch falls within forest land, thereby eliminating any risk to habitation. The tunneling works shall be executed with adequate **rock support** measures, including rock bolting, shotcreting, and

ATTESTED
CHANDRAMANI
Advocate
Onk Commissioner
District Court, Kasol (P.D.)

other slope stabilization techniques, in line with standard hydropower engineering practices. It is further submitted that the project falls within the **first alignment option**, involving diversion of approximately **1.49 hectares of forest land**, which is the minimum among the alternatives considered. This alignment has been selected based on **techno-economic feasibility, geological stability, and environmental considerations**, ensuring minimal tree felling and least disturbance to forest ecology. The same stands duly corroborated by the **Joint Inspection Report**, annexed as **ANNEXURE R-10/6** with the detailed reply by Respondent no. 10. The overall project design, including alignment selection, type of water conductor system, and construction methodology, reflects due diligence and adherence to established hydropower engineering standards, while ensuring minimal environmental impact and complete safety of nearby habitations.

2. That the contents of para 2 are admitted to the extent that tunnelling forms part of the approved project activity. However, it is denied that the same is being undertaken unlawfully or without safeguards. The tunnelling methodology has been designed and executed strictly in accordance with approved

ATTESTED
CHANDRA MAM
Advocate
Circuit Commissioner
District Court Kullu (P.E.)

engineering standards, geological assessments, and statutory requirements. It is respectfully submitted that, as admitted by the Applicant itself, the tunneling activities are being undertaken through mountainous terrain. The said averment clearly establishes that the tunneling operations are being carried out in a designated hill section and not within any densely inhabited residential area. The project alignment has been technically designed keeping in view the geological profile, slope stability parameters, habitation buffer requirements, and engineering feasibility assessments. It is further submitted that the tunneling activities are being executed in a strictly controlled and regulated manner under technical supervision and in accordance with approved engineering practices, geological safety protocols, and statutory safeguards. Appropriate excavation methodologies, vibration control measures, geotechnical stabilization techniques, and safety mechanisms are being adopted to ensure structural stability and to minimize any localized impact upon the surrounding terrain. The Applicant has failed to place on record any scientific material, geotechnical report, or expert assessment demonstrating that the controlled tunneling operations have caused any actual damage

ATTORNEY
CHANDRAMANI
Advocate
Osaka Commissioner
District Court Kalyan (M.D.)

to habitation, public infrastructure, agricultural land, or environmental resources. Mere reference to tunneling through mountainous terrain cannot, by itself, give rise to any presumption of illegality or environmental harm.

3. That the contents of para 3 contents are misconceived and denied. The statement made before this Hon'ble Tribunal has been deliberately misinterpreted. It is respectfully submitted that the allegations sought to be levelled by the applicant are based upon a complete misreading and misinterpretation of the statement made before this Hon'ble Tribunal. The submission made by the Learned Senior Counsel was based upon the specific instructions received from the representative of respondent No. 9 and pertained to the factual position concerning respondent No. 9 alone, namely that respondent No. 9 was not undertaking blasting activities at its project site and had proposed an alternative methodology by way of laying of pipelines. The applicant is erroneously attempting to construe the said statement as being applicable jointly to both respondent Nos. 9 and 10, which was never the intent, purport or scope of the submission made before this Hon'ble Tribunal. Respondent No. 10 is a separate project proponent and its project

ATTENDED
CHANDRA MANI
Advocate
Court Commissioner
District Court Kullu (JL)

activities are distinct and independent from those of respondent No. 9. As per the information received from the management of the new project proponent it is submitted that respondent No. 10 is undertaking controlled blasting activity work strictly in accordance with the permissions granted by the competent authorities and in compliance with the applicable statutory provisions. The said activities are being carried out in a controlled and regulated manner under technical supervision and are legally permissible. Therefore, there was neither any concealment nor any false statement made before this Hon'ble Tribunal. It is further submitted that respondent No. 9 has admittedly proposed a revised execution plan involving laying of pipelines instead of undertaking blasting activities and, therefore, the statement made on behalf of respondent No. 9 was factually correct and bona fide. The same cannot be interpreted beyond its plain meaning so as to attribute any alleged suppression regarding the activities of respondent No. 10. The allegation that the Learned Senior Counsel intentionally made an incorrect statement on behalf of both respondent Nos. 9 and 10 is wholly baseless, misconceived and contrary to the record. At best, the applicant is attempting to draw an incorrect inference from the

ATTESTED
CHANDRA MANI
Advocate
Circuit Commissioner
District Court Kullu (S.D.)

submissions made before this Hon'ble Tribunal, despite the fact that the projects of respondent Nos. 9 and 10 are separate and governed by their respective permissions and execution methodologies. Accordingly, no case of deliberate misrepresentation, suppression of facts or interference with the proceedings of this Hon'ble Tribunal is made out against either of the respondents. A plain and conjoint reading of paragraphs 3 and 4 of the order dated 02.04.2026 clearly establishes that the submissions were made that "unit has been transferred to the third party," Paragraph 3 of the order dated 02/04/2026 records that the "unit has been transferred to the third party," while paragraph 4 records the submission that "blasting is not being done now as only pipeline is being laid and no tunnelling is being done." The said submissions were therefore project-specific and confined to Respondent No. 9 i.e. Kasol SHEP. The statement cannot, by any stretch of interpretation, be read as applying to any other respondent, project, or activity beyond the limited scope expressly recorded in the proceedings. Since the Ld. Senior Counsel on the instructions received from the assisting counsel was appearing before the Hon'ble Tribunal on behalf of both the respondents no 9 and 10.

ATTESTED
CHANDRA MANI
Advocate
Court Commissioner
District Court Kullu (J.P.)

However, prior to the Ld. Senior Counsel specifically submitted that the unit has been transferred to the third party and only thereafter the submissions were made on behalf of respondent no.9 that no tunneling is being done. It is further submitted that the Applicants are attempting to misinterpret the judicial record by selectively extracting portions of the order divorced from their context. The order must be read as a whole, and when so read, it unequivocally demonstrates that the respondents no 9 and 10 has transferred the units to third party. Any contrary interpretation is misconceived, misleading, and liable to be rejected. The relevant portion of the order dated 02.04.2026 is reproduced hereinbelow for the kind perusal of this Hon'ble Tribunal:

- 1. Learned Counsel for the Respondent No. 3 submits that the reply has been filed today morning. Office to examine and place it on record. He has further submitted that he will obtain instructions on behalf of the Respondents No. 1, 2, 4 and 5. Let the reply on behalf of these respondents be also filed within four weeks.*
- 2. Learned Counsel for the Respondents No. 6 and 7 seeks three weeks' time to file the reply.*

ATTESTED
CHANDRA MANI
Advocate
Oath Commissioner
District Court Kuthi (1356)

3. *Learned Counsel for the Respondents No. 9 and 10 submits that the unit has been transferred to the third party. They are permitted to file the reply and place the status on record within three weeks.*
4. *Learned Counsel for the Respondents No. 9 and 10 submits that the blasting is not being done now as only pipeline is being laid and no tunnelling is being done.*
5. *The Respondents are also directed to file reply to the IA No. 153/2026 - an application for interim direction filed by the Applicant within three weeks.*
6. *Since IA No. 153/2026 has been taken up today, therefore, IA No. 154/2026 which is an application for early hearing has become infructuous and is accordingly disposed of.*
7. *The Applicant is directed to supply a copy of IA No. 153/2026 to Counsel for the Respondents within three working days.*

List on 29.04.2026.”

It is a settled principle of law that judicial orders are required to be read as a whole and in the context in which observations have been made. Any attempt to selectively extract a portion of the order divorced from its surrounding context would amount to a manifest misinterpretation of the record. It is respectfully submitted

ATTESTED
CHANDRA MANI
Advocate
Joint Commissioner
District Court Kullu (H.D.)

that the allegation regarding blasting activities being undertaken by respondent No. 9 is wholly misconceived and contrary to the factual position placed before this Hon'ble Tribunal. Learned Senior Counsel for respondent No. 9, on the basis of instructions received from the authorized representative of respondent No. 9, had fairly submitted before this Hon'ble Tribunal that no blasting activity was being undertaken in the project in question. The said statement was made bona fide and on the basis of the information then available with respondent No. 9, without any intention whatsoever to mislead this Hon'ble Tribunal.

It is further submitted that respondent No. 9 has, in fact, revised the execution methodology and has proposed laying of pipelines instead of undertaking blasting activities. The said fact also stands admitted from the reply filed on behalf of respondent No. 9 and, therefore, no prejudice can be alleged to have been caused on account of the earlier statement made before this Hon'ble Tribunal.

So far as respondent No. 10 is concerned, it is submitted that the present project proponent is undertaking only controlled blasting activity work strictly in accordance with the permissions granted by the competent authorities and in compliance with all prescribed safeguards and statutory conditions. The blasting activity, if any, is being

ATTENDED
CHANDRAMANI
Advocate
Order Commissioner
District Court Kullu (15)

carried out in a regulated and controlled manner under expert supervision and within the permissible limits prescribed under law. The copies of the Explosive License and permission accorded to the concerned Contractor and the NOC accorded by the Gram Panchyat Kasol annexed herewith as **Annexure R-10/1A**.

It is further submitted that Village Thunja is situated at a distance of approximately 700 meters from the project site and is located at a higher elevation. There is no immediate habitation adjoining the project site and, therefore, there is no adverse impact upon the residents of the nearby area. Even otherwise, respondent No. 10 has taken adequate precautionary measures to avoid any inconvenience or disturbance to the local inhabitants.

It is pertinent to mention that respondent No. 10 has also approached the competent Forest Department seeking necessary permission for diversion/conversion of forest land in accordance with law, thereby demonstrating its bona fide intention to comply with all statutory requirements before proceeding further with the project activities.

It is further submitted that this Hon'ble Tribunal, while passing order dated 02.04.2026, had recorded in paragraph 3 that respondent Nos. 9 and 10 had transferred the projects to third parties and had accordingly directed the respondents to place the factual position on record by

ATTORNEY
CHANDRA MANI
Advocate
Distt Commissioner
District Court Kasol (H.P.)

way of replies. It was only subsequent thereto, and upon receipt of updated information, that respondent No. 9 clarified the position regarding non-use of blasting activities at the site. Thus, the statement made earlier was under a bona fide belief based on the instructions then received and cannot by any stretch be construed as deliberate concealment or misrepresentation before this Hon'ble Tribunal. In view of the aforesaid facts and circumstances, it is respectfully submitted that no mala fide intention can be attributed to replying respondent and the allegations sought to be raised by the applicant are baseless, misconceived and liable to be rejected.

4. That the contents of paragraph 4 are wrong, misconceived, and hence specifically denied. It is respectfully submitted that the allegations sought to be levelled by the applicant are based upon a complete misreading and misinterpretation of the statement made before this Hon'ble Tribunal. The factual position has already been clarified in para supra and the same is not reproduced here for the sake of brevity. The alleged video recording relied upon by the Applicant does not disclose or establish any illegality, environmental violation, or breach of statutory conditions whatsoever. On the contrary, the said video, if viewed in its proper perspective and entirety, merely depicts lawful project activities being undertaken in accordance with approved technical

ATTESTED
CHANDRA MANI
Advocate
Cada Commissioner
District Court Kullu (H.P.)

procedures, engineering protocols, and under competent supervision. The recording itself reflects systematic and scientifically executed construction activity with visible adherence to prescribed safety standards, slope protection measures, structural stabilization practices, and regulated operational methodology. The quality of execution, compliance with safety norms, and proper engineering structuring undertaken at the site are apparent from the very material relied upon by the Applicant. Mere production of selective video footage, devoid of technical context or expert interpretation, cannot constitute proof of illegality or environmental degradation.

5. That the contents of paragraph 5 are denied for want of knowledge. The admissibility, genuineness, authenticity, source, mode of preparation, and evidentiary value of the alleged electronic material are specifically denied unless the same are strictly proved in accordance with law, including compliance with the mandatory requirements governing electronic evidence under the Indian Evidence Act, 1872. In the absence of proper certification, chain of custody, metadata verification, and proof of integrity of the electronic record, the alleged material cannot be relied upon as conclusive evidence against the answering Respondent.

6. That the contents of paragraph 6 are wrong, false, misleading, and hence denied. The photographs relied

ATTESTED
CHANDRA MANI
Assistant
Cash Commissioner
District Court, Kulu (H.P.)

upon by the Applicant neither establish any environmental damage nor demonstrate violation of any statutory condition, environmental clearance stipulation, or regulatory safeguard applicable to the project. The said photographs are isolated visual extracts lacking temporal context, geospatial identification, scientific correlation, technical analysis, or expert assessment. Mere photographs, unsupported by any environmental audit, geological study, hydrological assessment, or expert opinion, cannot establish causation, ecological degradation, or statutory non-compliance. On the contrary, the project activities are being undertaken strictly in accordance with approved engineering standards, environmental management protocols, and the permissions granted by the competent authorities. It is further submitted that the applicants have deliberately mislead this Hon'ble Tribunal without disclosing the site and the illegality on the part of the project proponent apart from this when it was came with in the knowledge of the applicant that the unit has been transferred to the third party despite that the applicants have time again alleging before this Hon'ble Tribunal that the respondents no 9 and 10 are undertaking blasting at site which is not factually correct as both the private respondents have transferred their respective projects to third party and intimation qua this fact has also been given to this Hon'ble Tribunal on

ADVOCATE
HANDE RAMANI
Advocate
District Court Kullu

02/04/2026 in the presence of the applicants , who were present before this Hon'ble Tribunal through VC on the said date and this fact was well with in their knowledge and despite that now they have filed the present application on the basis of statement alone without any supporting document or study report that any damage has been done by the project proponent to the ecology of the area. Apart from this till date the applicants have not impleaded the new management of the project proponent as party respondents in this case. This act of the applicants shows the malafide intention of the applicants that without impleading the necessary parties as party respondents in the present case the applicants are seeking stay on the project activities at their back. This is a deliberate and calculated omission to not to array the principal party in the present lis, which shows malafide attempt driven by undue haste with an intention to misled this Hon'ble Tribunal just to harass the replying respondent and the new project proponent by seeking stay on the project.

7. That the contents of para 7 are wrong and Denied. No irreversible environmental damage has been caused. Adequate mitigation, monitoring, and compliance mechanisms are continuously being implemented at the project site. As per the information received from the new project proponent, the new project Proponents are carrying out tunnelling and allied works strictly in

ATTESTED
CHANDRA MARI
Advocate
Cust. Commissioner
District Court Kullu (J.L.O)

compliance with applicable laws and technical protocols including:

(i) Explosives Act, 1884 and Explosives Rules, 2008

- Any controlled blasting activity, wherever required, is undertaken only through duly licensed contractors possessing valid explosive licenses issued by the competent authority. The copy of license is being annexed herewith as **ANNEXURE R-10/1A**
- Transportation, storage, handling, and use of explosives are carried out strictly in accordance with statutory safety norms.
- Blasting operations are conducted only after ensuring prescribed safety distances, evacuation protocols, warning systems, and supervision by qualified personnel.

(ii) Environmental Safeguards

- Dust suppression measures including regular water sprinkling are being undertaken.
- Controlled excavation methodology is being adopted to minimize vibration and slope disturbance.
- Muck disposal is being undertaken only at designated dumping sites approved by competent authorities.

ATTESTED
CHANDRAMANI
Advocate
Court Commissioner
District Court Kollam (KLD)

- Retaining structures, breast walls, toe walls, and slope protection measures are being implemented wherever necessary.
- No muck is being dumped into the river or water channels.

(iii) Geological and Slope Stability Measures

- Excavation activities are being undertaken strictly in accordance with geological assessments and hill slope stabilization protocols.
- Continuous monitoring of vulnerable stretches is being undertaken by technical personnel.
- Protective engineering measures including rock bolting, shotcrete, wire mesh support, and retaining systems are being installed wherever required.

(iv) Water Source Protection

- Adequate precautions are being taken to ensure that natural water sources, springs, and local drainage systems are not adversely affected.
- Surface drainage management systems have been incorporated in the execution plan.

(v) Labour and Public Safety Compliance

ATTENDED
CHANDRA MANT
Advocate
Distt. Commissioner
District Court, Kullu (P.S.)

- All labour safety protocols under applicable labour laws and construction safety norms are being complied with.
- Access control, warning signage, and barricading measures are maintained at operational zones.

(vi) Regulatory Compliance

- The project is being periodically monitored by concerned authorities.
- The New Project Proponents are fully cooperating with all inspections and regulatory requirements.

REPLY TO GROUNDS

Ground No. 1 – Alleged Misrepresentation

That the contents of this ground are misconceived and denied. The statement made before this Hon'ble Tribunal has been deliberately misinterpreted. It is respectfully submitted that the allegations sought to be levelled by the applicant are based upon a complete misreading and misinterpretation of the statement made before this Hon'ble Tribunal. The submission made by the Learned Senior Counsel was based upon the specific instructions received from the representative of respondent No. 9 and pertained to the factual position concerning respondent No. 9 alone, namely that respondent No. 9 was not undertaking blasting

activities at its project site and had proposed an alternative methodology by way of laying of pipelines. The applicant is erroneously attempting to construe the said statement as being applicable jointly to both respondent Nos. 9 and 10, which was never the intent, purport or scope of the submission made before this Hon'ble Tribunal. Respondent No. 10 is a separate project proponent and its project activities are distinct and independent from those of respondent No. 9. As per the information received from the management of the new project proponent it is submitted that respondent No. 10 is undertaking controlled blasting activity work strictly in accordance with the permissions granted by the competent authorities and in compliance with the applicable statutory provisions. The said activities are being carried out in a controlled and regulated manner under technical supervision and are legally permissible. Therefore, there was neither any concealment nor any false statement made before this Hon'ble Tribunal. It is further submitted that respondent No. 9 has admittedly proposed a revised execution plan involving laying of pipelines instead of undertaking blasting activities and, therefore, the statement made on behalf of respondent No. 9 was factually correct and bona fide. The same cannot be interpreted beyond its plain meaning so as to attribute

ATTENDED
CHANDRA MAM
Advocate
Court Commissioner
District Court Kashi (U.P.)

any alleged suppression regarding the activities of respondent No. 10. The allegation that the Learned Senior Counsel intentionally made an incorrect statement on behalf of both respondent Nos. 9 and 10 is wholly baseless, misconceived and contrary to the record. At best, the applicant is attempting to draw an incorrect inference from the submissions made before this Hon'ble Tribunal, despite the fact that the projects of respondent Nos. 9 and 10 are separate and governed by their respective permissions and execution methodologies. Accordingly, no case of deliberate misrepresentation, suppression of facts or interference with the proceedings of this Hon'ble Tribunal is made out against either of the respondents. A plain and conjoint reading of paragraphs 3 and 4 of the order dated 02.04.2026 clearly establishes that the submissions were made that "unit has been transferred to the third party," Paragraph 3 of the order dated 02/04/2026 records that the "unit has been transferred to the third party," while paragraph 4 records the submission that "blasting is not being done now as only pipeline is being laid and no tunnelling is being done." The said submissions were therefore project-specific and confined to Respondent No. 9 i.e. Kasol SHEP. The statement cannot, by any stretch of interpretation, be read as applying to any other respondent, project, or

ATTESTED
CHANDRA MANI
Advocate
Oath Commissioner
District Court Kullu (G.D.)

activity beyond the limited scope expressly recorded in the proceedings. Since the Ld. Senior Counsel on the instructions received from the assisting counsel was appearing before the Hon'ble Tribunal on behalf of both the respondents no 9 and 10. However, prior to the Ld. Senior Counsel specifically submitted that the unit has been transferred to the third party and only thereafter the submissions were made on behalf of respondent no.9 that no tunneling is being done. It is further submitted that the Applicants are attempting to misinterpret the judicial record by selectively extracting portions of the order divorced from their context. The order must be read as a whole, and when so read, it unequivocally demonstrates that the respondents no 9 and 10 has transferred the units to third party. Any contrary interpretation is misconceived, misleading, and liable to be rejected. The relevant portion of the order dated 02.04.2026 is reproduced hereinbelow for the kind perusal of this Hon'ble Tribunal:

8. *Learned Counsel for the Respondent No. 3 submits that the reply has been filed today morning. Office to examine and place it on record. He has further submitted that he will obtain instructions on behalf of the Respondents No. 1, 2, 4 and 5. Let the reply*

ATTESTED
CHAIYEDA MANS
Advocate
Court Commissioner
District Court Aulha (S.D.)

on behalf of these respondents be also filed within four weeks.

9. *Learned Counsel for the Respondents No. 6 and 7 seeks three weeks' time to file the reply.*

10. *Learned Counsel for the Respondents No. 9 and 10 submits that the unit has been transferred to the third party. They are permitted to file the reply and place the status on record within three weeks.*

11. *Learned Counsel for the Respondents No. 9 and 10 submits that the blasting is not being done now as only pipeline is being laid and no tunnelling is being done.*

12. *The Respondents are also directed to file reply to the IA No. 153/2026 - an application for interim direction filed by the Applicant within three weeks.*

13. *Since IA No. 153/2026 has been taken up today, therefore, IA No. 154/2026 which is an application for early hearing has become infructuous and is accordingly disposed of.*

14. *The Applicant is directed to supply a copy of IA No. 153/2026 to Counsel for the Respondents within three working days.*

List on 29.04.2026."

It is a settled principle of law that judicial orders are required to be read as a whole and in the context in which

ATTESTED
CHANDRA MANI
Advocate
Circuit Commissioner
District Court, Kodaikanal

observations have been made. Any attempt to selectively extract a portion of the order divorced from its surrounding context would amount to a manifest misinterpretation of the record. It is respectfully submitted that the allegation regarding blasting activities being undertaken by respondent No. 9 is wholly misconceived and contrary to the factual position placed before this Hon'ble Tribunal. Learned Senior Counsel for respondent No. 9, on the basis of instructions received from the authorized representative of respondent No. 9, had fairly submitted before this Hon'ble Tribunal that no blasting activity was being undertaken in the project in question. The said statement was made bona fide and on the basis of the information then available with respondent No. 9, without any intention whatsoever to mislead this Hon'ble Tribunal.

It is further submitted that respondent No. 9 has, in fact, revised the execution methodology and has proposed laying of pipelines instead of undertaking blasting activities. The said fact also stands admitted from the reply filed on behalf of respondent No. 9 and, therefore, no prejudice can be alleged to have been caused on account of the earlier statement made before this Hon'ble Tribunal.

So far as respondent No. 10 is concerned, it is submitted that the present project proponent is undertaking only

ADVOCATE
CHANDRA MANI
Advocate
Joint Commissioner
District Court Kullu (J.P.)

controlled blasting activity work strictly in accordance with the permissions granted by the competent authorities and in compliance with all prescribed safeguards and statutory conditions. The blasting activity, if any, is being carried out in a regulated and controlled manner under expert supervision and within the permissible limits prescribed under law. The copies of the Explosive License and permission accorded to the concerned Contractor and the NOC accorded by the Gram Panchyat Kasol annexed herewith as **Annexure R-10/1A**. It is further submitted that the submissions of the Learned Senior Counsel have to be appreciated in the exact factual and procedural context in which they were made. The record of proceedings, when read holistically, leaves no manner of doubt that the reference was exclusively to Kasol SHEP. The attempt to read the said statement beyond its intended scope is wholly misconceived and contrary to the settled principle that judicial orders and submissions recorded therein must be construed as a whole and not by selectively isolating individual expressions or sentences divorced from their context. The Learned Senior Counsel made the statement bona fide, strictly in accordance with the instructions received from the representative of the Respondent No. 9, and within the limited compass of the proceedings concerning Kasol SHEP. Any such interpretation would amount to a patent misreading of the

ATTESTED
CHANDRA K. SHARMA
Advocate
Circuit Court Kasol
District Court Kasol

order dated 02.04.2026 and the proceedings recorded therein.

Ground No. 2 – Alleged Environmental Damage

That the allegations pertaining to alleged environmental degradation are wholly vague, bald, speculative, and devoid of any cogent scientific foundation. The Applicants have failed to place on record any authenticated expert report, environmental audit, hydrological assessment, geotechnical investigation, biodiversity impact analysis, or peer-reviewed scientific material demonstrating any actual or measurable environmental damage attributable to the activities. Mere apprehensions, unsubstantiated assumptions, and generalized allegations cannot substitute legally admissible evidence, particularly in proceedings invoking environmental jurisdiction. It is respectfully submitted that the project activities are being undertaken strictly in accordance with the Environmental Clearance framework, applicable conditions imposed by the competent statutory authorities, and the environmental safeguards prescribed under the Environment (Protection) Act, 1986, the EIA Notification, 2006, the Forest (Conservation) Act, 1980, the Water (Prevention and Control of Pollution) Act, 1974, and other applicable regulatory instruments. The project design incorporates scientifically recognized

ATTESTED
CHANDRAMANI
Advocate
Oath Commissioner
District Court Kullu (H.R.)

mitigation measures including controlled excavation protocols, slope stabilization mechanisms, retaining and breast wall structures, regulated muck disposal management, sediment control systems, controlled blasting parameters, drainage management, and catchment protection measures. It is further submitted that no empirical data has been produced showing adverse alteration in ambient air quality parameters, hydrogeological regime, aquifer recharge characteristics, river morphology, suspended sediment load, groundwater discharge, seismic stability, or ecological carrying capacity. In the absence of baseline comparative scientific data and causal nexus, the allegations of environmental damage are entirely conjectural and liable to be rejected outright.

Ground No. 3 – Alleged Irreversibility

That the contention that the execution of the project constitutes an “irreversible illegality” is legally untenable and factually misconceived. The project in question is a duly sanctioned and regulated hydroelectric infrastructure project undertaken pursuant to approvals granted by the competent authorities after detailed appraisal of environmental, hydrological, geological, and ecological parameters. Activities carried out under valid statutory permissions cannot be termed illegal merely because the

ATTORNEY
CHANDRA MANSI
Advocate
Civil Commissioner
District Court Kullu (S.D.)

Applicants subjectively oppose the project. It is respectfully submitted that all requisite permissions, approvals, consents, clearances, and No Objection Certificates (NOCs) obtained from the competent statutory and regulatory authorities have already been annexed along with the detailed reply filed by the answering Respondent. The said documents clearly demonstrate that the project activities are being undertaken strictly within the framework of applicable laws, statutory compliances, and regulatory safeguards prescribed by the concerned authorities from time to time. The Applicants have neither challenged the validity of the said approvals before the competent forum nor placed on record any material demonstrating violation of the conditions stipulated therein. It is respectfully submitted that the concept of irreversibility in environmental jurisprudence applies only where there exists demonstrable and scientifically established irreversible ecological destruction beyond mitigation or restoration thresholds. No such material has been placed on record in the present case. On the contrary, the project incorporates adaptive environmental management measures, compensatory afforestation obligations, bio-engineering interventions, slope restoration protocols, and post-construction stabilization mechanisms specifically intended to minimize and remediate temporary

ATTESTED
CHANDRA MANGI
Advocate
Civil Commissioner
District Court, Kulu (P.F.)

construction impacts. The Applicants have failed to demonstrate any permanent fragmentation of eco-sensitive habitats, irreversible aquifer depletion, catastrophic geomorphological destabilization, or permanent impairment of ecological functions. The allegations are therefore speculative and unsupported by any credible scientific methodology.

Ground No. 4 – Precautionary Principle

The invocation of the precautionary principle in the present proceedings is wholly misconceived and contrary to settled environmental jurisprudence. The precautionary principle, though recognized under Indian environmental law, cannot be applied in a mechanical or abstract manner on the basis of hypothetical fears, generalized apprehensions, or unsubstantiated allegations. Its application necessarily requires credible material indicating a plausible risk of serious or irreversible environmental harm supported by scientific indicators.

It is respectfully submitted that the project has already undergone detailed statutory appraisal by the competent expert authorities constituted under the Environment (Protection) Act, 1986 and the EIA Notification, 2006. The environmental impacts, geological conditions, hydrological sensitivities, disaster vulnerability parameters, muck disposal arrangements, and mitigation

ATTESTED
CHANDRA MANI
Advocate
Court Commissioner
District Court Kullu (P.D.)

measures were duly evaluated by specialized technical bodies before grant of approval. The regulatory framework itself embodies the precautionary principle through mandatory impact assessment, public consultation, environmental management plans, disaster management protocols, environmental flow requirements, and continuous compliance monitoring mechanisms. In the absence of any subsequent scientific material demonstrating breach of environmental thresholds, destabilization of carrying capacity, or non-compliance with statutory safeguards, the Applicants cannot seek to invoke the precautionary principle merely as a tool to stall a lawfully approved infrastructure project. Environmental governance under Indian law requires a balance between ecological protection and sustainable development, and not blanket prohibition based upon speculative assumptions.

Ground No. 5 – Balance of Convenience

That the balance of convenience lies overwhelmingly in favour of permitting continuation of the regulated project activities. As per the information available with the answering Respondent, the new project proponent is executing a duly approved hydroelectric project pursuant to valid statutory clearances, regulatory permissions, financial commitments, contractual obligations, and

ATTENDED
CHAMRA MANI
Advocate
Ordn. Commissioner
District Court Kullu (P.S.)

public infrastructure mandates. The project activities are being undertaken within the framework of applicable environmental laws, technical standards, and compliance conditions imposed by the competent authorities from time to time. Any interruption or blanket restraint upon the project activities at this stage would result in severe financial prejudice, contractual disruption, cost escalation, demobilization losses, and substantial adverse consequences upon public utility infrastructure and power generation objectives.

It is respectfully submitted that the Applicants, on the other hand, have failed to demonstrate any immediate, irreversible, or scientifically established environmental or personal injury warranting such extraordinary interim interference. The entire case of the Applicants is founded upon conjectures and unverified apprehensions rather than measurable environmental indicators. The environmental safeguards prescribed by the competent authorities remain operational and binding upon the project proponent, and the new project proponent continues to remain subject to statutory monitoring and compliance obligations. The settled principles governing interim relief require existence of a strong prima facie case, irreparable injury, and balance of convenience. None of these requirements stand satisfied in the present matter. Conversely, the grant of interim restraint would effectively paralyze a lawfully

ATTESTED
CHANDRA MANI
Advocate
Circuit Commissioner
District Court Kullu (H.P.)

sanctioned public infrastructure project despite absence of any proven statutory violation.

Ground No. 6 – Transfer of Unit

It is respectfully submitted that any restructuring, assignment, change in shareholding pattern, transfer of assets, or project reorganization, if undertaken, remains subject to the applicable statutory framework, regulatory permissions, contractual stipulations, and compliance requirements prescribed by the competent authorities. Under the prevailing regulatory regime governing hydroelectric and infrastructure projects, any transfer or restructuring is necessarily regulated through statutory oversight mechanisms including approvals from the concerned governmental departments, financial institutions, power utilities, and environmental authorities wherever applicable. Such administrative or corporate restructuring does not ipso facto result in extinguishment of environmental obligations or statutory liabilities attached to the project. The Applicants have neither demonstrated any illegality in the alleged restructuring process nor established any prejudice caused to environmental safeguards or regulatory compliance mechanisms.

It is respectfully submitted that the identity, credentials, statutory compliances, and environmental records

~~FILED~~
~~HANDEMAN~~
Advocate
Judicial Commissioner
District Court Kathmandu (13)

pertaining to the new Project Proponent i.e. APTSGREEN are within the exclusive knowledge, possession, and control of the said Project Proponent itself. The answering Respondents cannot be expected to produce documents or records which are not within their custody or control, particularly when the alleged new Project Proponent has not even been impleaded as a party to the present proceedings.

It is further submitted that unless and until the said entity is formally arrayed as a party respondent before this Hon'ble Tribunal, no adverse inference can be drawn on the alleged non-production of documents relating to such entity. The Applicants, despite being fully aware of the alleged transfer/restructuring, have consciously failed to implead the alleged new Project Proponent and have instead sought to raise vague allegations of opacity without adopting the necessary legal procedure. In the absence of impleadment of the concerned entity, the question of placing on record its corporate credentials, technical qualifications, environmental compliance status, statutory filings, or regulatory documents does not arise. The present allegations are therefore premature, misconceived, and liable to be rejected for non-joinder of necessary parties.

ATTESTED
CHANDRA MANI
Advocate
Oath Commissioner
District Court Kuthi

If the Applicant seeks any direction for independent inspection in relation to the alleged new Project Proponent or the activities purportedly being undertaken by such entity, then the Applicant is first required to implead the said entity as a necessary and proper party to the present proceedings. In the absence of impleadment of the concerned Project Proponent, no effective adjudication can take place with respect to its activities, compliances, records, or operational framework.

It is further submitted that the answering Respondent cannot be unnecessarily subjected to inspection, inquiry, or adverse proceedings in relation to matters, records, or activities which are not within its present control, possession, or operational domain. Therefore, before seeking any relief in the nature of independent inspection, the Applicant must first implead the alleged new Project Proponent as a necessary party and place proper foundational material on record. In the absence thereof, the present prayer is misconceived, procedurally defective, and liable to be rejected.

PRAYER

In view of the facts and submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

ATTESTED
CHANDRA MANI
Advocate
Cada Commissioner
District Court, Kullu (H.P.)

- A. Dismiss the present Interlocutory Application seeking interim relief;
- B. Decline the prayer seeking stay of tunnelling, blasting, excavation, and construction activities;
- C. Permit continuation of project activities in accordance with statutory permissions and safeguards;
- D. Pass any other order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE ANSWERING RESPONDENTS SHALL EVER PRAY.

FOR Respondent no 10

Dated:- 18/5/26

Through Counsel

Varun Kant Sharma

Advocate Kullu H.P.

ATTESTED
CHANDRA MANI
Advocate
Circuit Commissioner
District Court Kullu (H.P.)

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

ORIGINAL APPLICATION NO. 98 OF 2026

IN THE MATTER OF:

Chandresh Kumar & OthersAPPLICANTS

VERSUS

State of Himachal Pradesh & Others.... RESPONDENTS

**AFFIDAVIT IN SUPPORT OF REPLY TO THE
STAY APPLICATION.**

I, Gokul Butail S/o Sh. Dinesh Butail, aged 33 Years, R/o Bundla Complex, Bundla Tea Estate, Palampur, District Kangra, Himachal Pradesh, Occupation Bussiness, H.P do hereby state on solemn affirmation that I am competent and duly authorized to file the accompanying reply, which has been drafted at instance and under my instructions and I have gone through it and that the contents of para 1 to 4 of preliminary submissions and paras 1 to 5 of preliminary objections ; paras 1 to 7 reply on merits paras 1 to 6 reply to grounds are true to my personal knowledge and information derived from official records and from the new project proponent, nothing stated therein is false and nothing has been concealed.

ATTESTED
CHANDRAMANI
Advocate
Order Commissioner
District Court Kullu (H.P.)

I solemnly swear/ affirm that this Affidavit is true, no part of it is false and nothing has been concealed therein.

Verified at *Kulla* on this *18th* day of May, 2026.

Gokul Butail

Deponent

ATTORNEY
CHANDRA MANI
Advocate
Distt Commissioner
District Court Kulla (H.P.)

Witness
Identified by

V. K. Sharma
DW

7612

affirmed that have the deponent's oath
before me
Dated *18/5/26* by *Gokul Butail*
of personally known to me identified by
Dinesh Butail
V. K. Sharma
is personally known to me and explained
to the deponent

Distt Commissioner
District Court Kulla (H.P.)

R-10/RIA (Call)

अनुज्ञप्ति प्रारूप एच. फॉर्म-3 | LICENCE FORM LE-3

(विस्फोटक नियम, 2008 की अनुसूची 4 के भाग 1 के अनुच्छेद 3(क) से (घ) देखिए।)

(See article 3(a) to (d) of Part 1 of Schedule IV of Explosives Rules, 2008)

(ग) उपयोग के लिए एक समय पर वर्ग 1, 2, 3, 4, 5 या वर्ग 7 के विस्फोटक या किसी भी वर्ग 6 के विस्फोटक रखने के लिए अनुज्ञप्ति

Licence to possess : (c) for use, explosion of class 1, 2, 3, 4, 5, 6 or 7 in a magazine

अनुज्ञप्ति सं. (Licence No.) : E/11Q/11P/22/82(E37881)

वार्षिक फीस रूपए (Annual Fee Rs): 17900/-

1. Licence is hereby granted to

M/s. Apple Valley Developers (अधिपति) / Occupier : Shri Arun Sharma, Village & Post Mohal, Town/Village - Kullu, District - KULLU, State-Himachal Pradesh, Pincode - 175126



को अनुज्ञप्ति अनुदान की जाती है।

2. अनुज्ञप्तिधारी की प्रास्थिति | Status of licensee : Company

3. अनुज्ञप्ति निम्नलिखित प्रयोजनों के लिए विधिमाम्य है।

Licence is valid only for the following purpose.

possess for use of Nitrate Mixture, Cast Booster, Safety Fuse, Detonating Fuse, Detonators, - के उपयोग के लिए

4. अनुज्ञप्ति विस्फोटकों के निम्नलिखित किस्मों, प्रकार और मात्रा के लिए विधिमाम्य है।

Licence is valid for the following kinds and quantity of explosives: -- (क) (a)

क्र. सं.	नाम और विवरण	वर्ग और प्रभाग	उप-प्रभाग	मात्रा किसी एक समय में
Sr. No.	Name and Description	Class & Division	Sub-division	Quantity at any one time
1.	Nitrate Mixture	2, 0	0	9000 Kg.
2.	Cast Booster	3, 2	0	1000 Kg.
3.	Safety Fuse	6, 1	0	50000 Mtrs
4.	Detonating Fuse	6, 2	0	40000 Mtrs
5.	Detonators	6, 3	0	44000 Nos.

(ख) किसी एक कलेंडर मास में खरीदे जाने वाले विस्फोटक की मात्रा [अनुच्छेद 3(ख) और (ग) के अधीन अनुज्ञप्ति के लिए]

(b) Quantity of explosives to be purchased in a calendar month [applicable for licence under article 3(b) and (c)]:

13 times as above.

5. निम्नलिखित रेखाचित्र (रेखाचित्रों) से अनुज्ञप्ति परिसर की पुष्टि होती है।

The licensed premises shall conform to the following drawing(s):

रेखाचित्र क्र. (Drawing No.) E/11Q/11P/22/82(E37881)

दिनांक (Dated) 05/09/2006

6. अनुज्ञप्ति परिसर निम्नलिखित पते पर स्थित हैं। The licensed premises are situated at following address:

Khasra No. 72, 73, 74, 78, 79, 80 & 81, Khata No. 163, 164, Khatuni No. 231, 232, ग्राम (Town/Village): Village Uttersal, Chauki Muhallihri

जिला (District)

MANDI

राज्य (State)

Himachal Pradesh

दूरभाष (Phone)

ई. मेल (E-Mail)

पिनकोड (Pincode)

फैक्स (Fax)

7. अनुज्ञप्ति परिसर में निम्नलिखित सुविधाएं अंतर्विष्ट हैं।

The licensed premises consist of following facilities.

: a main high explosives storage room, a lobby and a detonators storage room

8. अनुज्ञप्ति समय - समय पर यथासंशोधित विस्फोटक अधिनियम, 1884 और उनके अधीन विरचित विस्फोटक नियम, 2004 के उपबंधों, शर्तों और अतिरिक्त शर्तों और निम्नलिखित उपाबंधों के अधीन रहते हुए अनुदान की जाती है।

The licence is granted subject to the provision of Explosives Act 1884 as amended from time to time and the Explosives Rules, 2004 framed there under and the conditions, additional conditions and the following Annexures.

1. उपर्युक्त क्रम सं. 5 में यथा कथित रेखाचित्र (स्थान, सन्निर्माण संबंधी और अन्य विवरण दर्शित करते हुए)।

Drawings (showing site, constructional and other details) as stated in serial No. 5 above.

2. अनुज्ञप्ति प्राधिकारी द्वारा हस्ताक्षरित इस अनुज्ञप्ति की शर्तों और अतिरिक्त शर्तों।

Conditions and Additional Conditions of this licence signed by the licensing authority.

3. दूरी प्रारूप DE-2 | Distance Form DE-2.

9. यह अनुज्ञप्ति तारीख 31 मार्च 2008 तक विधिमाम्य रहेगी। This licence shall remain valid till 31st day of March 2008.

यह अनुज्ञप्ति, अधिनियम या उसके अधीन विरचित नियमों या अनुसूची V के भाग 4 के प्रति निर्दिष्ट सेट-VII के अधीन तथा उपवर्णित इस अनुज्ञप्ति की शर्तों का अधिकरण करने या यदि अनुज्ञप्ति परिसर योजना या उससे संलग्न उपबंध में दर्शित विवरण के अनुरूप नहीं पाए जाने पर निलंबित या प्रतिसंहत की जा सकती है, जहां वह लागू हो।

This licence is liable to be suspended or revoked for any violation of the Act or Rules framed there under or the conditions of this licence as set forth under Set VIII, wherever applicable, referred to in Part 4 of Schedule V or if the licensed premises are not found conforming to the description shown in the plans and Annexure attached hereto.

तारीख | The Date - 05/09/2006

Amendments :

• Amendment of Quantity of Explosives/Monthly Purchase Limit dated : 30/11/2015

मुख्य विस्फोटक नियंत्रक | Chief Controller of Explosives

Sd/-

नवीनीकरण के पृष्ठांकन के लिए स्थान
Space for Endorsement of Renewalनवीकरण की तारीख
Date of Renewalसमाप्ति की तारीख
Date of Expiryअनुज्ञापन प्राधिकारी के हस्ताक्षर और स्टाम्प
Signature of licensing authority and stamp

13/04/2022

31/03/2026

Dy. Chief Controller of Explosives, Chandigarh

कानूनी चेतावनी : विस्फोटकों को गलत ढंग से चलाने या उनका दुरुपयोग विधि के अधीन गंभीर दंडित अपराध होगा।
Statutory Warning : Mishandling and misuse of explosives shall constitute serious criminal offence under the law.

Note :- This is system generated document does not require physical signature. Applicant may take printout for their records.

अनुज्ञप्ति प्ररूप एल. ई.-3 | LICENCE FORM LE-3

(विस्फोटक नियम, 2008 की अनुसूची 4 के भाग 1 के अनुच्छेद 3(क) से (घ) देखिए।)
(See article 3(a) to (d) of Part I of Schedule IV of Explosives Rules, 2008)

(ग) उपयोग के लिए एक समय पर वर्ग 1,2,3,4,5 या वर्ग 7 के विस्फोटक या किसी मैगजीन में वर्ग 6 के विस्फोटक रखने के लिए अनुज्ञप्ति
Licence to possess : (c) for use, explosives of class 1, 2,3,4,5,6 or 7 in a magazine

अनुज्ञप्ति सं. (Licence No.) : E/HQ/HP/22/82(E37881)
वार्षिक फीस रूपए (Annual Fee Rs): 17900/-

1. Licence is hereby granted to

M/s. Apple Valley Developers (अधिभोगी / Occupier : Shri Arun Sharma), Village & Post Mohal, Town/Village - Kullu, District-KULLU, State-Himachal Pradesh, Pincode - 175126



को अनुज्ञप्ति अनुदत्त की जाती है।

2. अनुज्ञप्तिधारी की प्राप्ति | Status of licensee : Company

3. अनुज्ञप्ति निम्नलिखित प्रयोजनों के लिए विधिमान्य है।
Licence is valid only for the following purpose.

possess for use of Nitrate Mixture, Cast Booster, Safety Fuse, Detonating Fuse, Detonators, - के उपयोग के लिए

4. अनुज्ञप्ति विस्फोटकों के निम्नलिखित किस्मों, प्रकार और मात्रा के लिए विधिमान्य है।

Licence is valid for the following kinds and quantity of explosives: -- (क) (a)

क्र Sr. No.	नाम और विवरण Name and Description	वर्ग और प्रभाग Class & Division	उप-प्रभाग Sub-division	मात्रा किसी एक समय में Quantity at any one time
1.	Nitrate Mixture	2,0	0	9000 Kg.
2.	Cast Booster	3,2	0	1000 Kg.
3.	Safety Fuse	6,1	0	50000 Mtrs
4.	Detonating Fuse	6,2	0	40000 Mtrs
5.	Detonators	6,3	0	44000 Nos.

(ख) किसी एक कलेंडर मास में खरीदे जाने वाले विस्फोटक की मात्रा [अनुच्छेद 3(ख) और (ग) के अधीन अनुज्ञप्ति के लिए]

(b) Quantity of explosives to be purchased in a calendar month [applicable for licence under article 3(b) and (c)] :

13 times
as above.

5. निम्नलिखित रेखाचित्र (रेखाचित्रों) से अनुज्ञप्त परिसर की पुष्टि होती है।
The licensed premises shall conform to the following drawing(s) :

रेखाचित्र क्र. (Drawing No.) E/HQ/HP/22/82(E37881)
दिनांक (Dated) 05/09/2006

6. अनुज्ञप्ति परिसर निम्नलिखित पते पर स्थित हैं। The licensed premises are situated at following address:

Khasra No. 72, 73, 74, 78, 79, 80 & 81, Khata No. 163, 164, Khatuni No. 231, 232, ग्राम (Town/Village) : Village Uffersal, Chauki Mubaltihri
पुलिस थाना (Police Station) : Sadar Mandi

जिला (District) MANDI राज्य (State) Himachal Pradesh पिनकोड (Pincode)
दूरभाष (Phone) ई. मेल (E-Mail) फेक्स (Fax)

7. अनुज्ञप्ति परिसर में निम्नलिखित सुविधाएं अंतर्विष्ट हैं।

: a main high explosives storage room, a lobby and a detonators storage room

The licensed premises consist of following facilities.

8. अनुज्ञप्ति समय - समय पर यथासंशोधित विस्फोटक अधिनियम, 1884 और उनके अधीन विरचित विस्फोटक नियम, 2004 के उपबंधों, शर्तों और अतिरिक्त शर्तों और निम्नलिखित उपाबंधों के अधीन रहते हुए अनुदत्त की जाती है।

The licence is granted subject to the provision of Explosives Act 1884 as amended from time to time and the Explosives Rules, 2008 framed there under and the conditions, additional conditions and the following Annexures.

1. उपर्युक्त क्रम सं. 5 में यथा कथित रेखाचित्र (स्थान, सन्निर्माण संबंधी और अन्य विवरण दर्शित करते हुए)।

Drawings (showing site, constructional and other details) as stated in serial No. 5 above.

2. अनुज्ञप्ति प्राधिकारी द्वारा हस्ताक्षरित इस अनुज्ञप्ति की शर्तों और अतिरिक्त शर्तों।

Conditions and Additional Conditions of this licence signed by the licensing authority.

3. दूरी प्ररूप DE-2 | Distance Form DE-2.

9. यह अनुज्ञप्ति तारीख 31 मार्च 2008 तक विधिमान्य रहेगी। This licence shall remain valid till 31st day of March 2008.

इह अनुज्ञप्ति, अधिनियम या उसके अधीन विरचित नियमों या अनुसूची V के भाग 4 के प्रति निर्दिष्ट सेट-VII के अधीन तथा उपवर्णित इस अनुज्ञप्ति की शर्तों का अधिक्रमण करने या यदि अनुज्ञप्त परिसर योजना या उससे संलग्न उपबंध में दर्शित विवरण के अनुरूप नहीं पाए जाने पर निलंबित या प्रतिसंहत की जा सकती है, जहां वह लागू हो।

This licence is liable to be suspended or revoked for any violation of the Act or Rules framed there under or the conditions of this licence as set forth under Set VIII, wherever applicable, referred to in Part 4 of Schedule V or if the licensed premises are not found conforming to the description shown in the plans and Annexure attached hereto.

तारीख | The Date - 05/09/2006

Sd/-
मुख्य विस्फोटक नियंत्रक | Chief Controller of Explosives

Amendments :

- Amendment of Quantity of Explosives/Monthly Purchase Limit dated : 30/11/2015

नवीनीकरण के पृष्ठांकन के लिए स्थान
Space for Endorsement of Renewal

नवीकरण की तारीख Date of Renewal	समाप्ति की तारीख Date of Expiry	अनुज्ञापन प्राधिकारी के हस्ताक्षर और स्टाम्प Signature of licensing authority and stamp
01/04/2026	31/03/2031	Dy. Chief Controller of Explosives, Chandigarh

कानूनी चेतावनी : विस्फोटकों को गलत ढंग से चलाना या उनका दुरुपयोग विधि के अधीन गंभीर दंडित अपराध होगा।
Statutory Warning : Mishandling and misuse of explosives shall constitute serious criminal offence under the law.

Note :- This is system generated document does not require physical signature. Applicant may take printout for their records.

CHAMAN SHARMA

Government Contractor & Supplier
Green Park Colony, Ward No. 8, Upper Mohal, Kullu District Kullu (P. 17510)

R. No.

Date:

Agreement

This agreement is made between M/S Apple Valley Developers. VPO Mohal, Tehsil & Distt. Kullu H.P. who holds explosive license in Form-22 (E/HQ/HP/22/82E37881 and M/S CHAMAN SHARMA having its site at Grahana Nala Kasol Manikaran Kullu H.P. The agreement is based on the following terms & conditions;

1. M/s Apple Valley Developers will execute the Drilling and blasting works.
2. Explosive along with all accessories will be provided by M/s Apple Valley Developers. All necessary permissions for procurement and use of explosive shall be obtained by M/s Apple Valley Developers with no extra cost to M/S CHAMAN SHARMA.
3. Licensed short firer will be appointed at the site to do the blasting work and after each blast the shot firer will intimate the consumption of explosive, detonators, fuse etc to the nominated person of M/s Apple Valley Developers and will retain a copy of the same for his own records.
4. M/s Apple Valley Developers will provide two licensed explosive vans to carry the explosive and its accessories however licensed gunman will be appointed by M/S CHAMAN SHARMA to safe guard the explosive vans.
5. In case of any un-towards incident at the site of blasting the whole responsibility shall be M/S CHAMAN SHARMA and any incidental charges as laid down by the law shall be born by M/S CHAMAN SHARMA.
6. TDS as per government rules shall be deducted from the bill.
7. Tax would be chargeable extra as applicable Govt. Rates.
8. The price for explosives are valid for one month from the date of issue of LoA. It has been observed that the rate of explosive are being revised by the manufacture on regular basis because of increase/decrease in price of diesel and other raw material. The rates may be revised if there is any increase/decrease in the rates by the manufacturer against proper documentary evidence.
9. The Payments of explosives material have to be made in advance. In case of credit, the payments have to be made within 30 days of the supplying of material and after that interest @ 2% per month shall be chargeable. In case of credit one blank cheque having ch. No. 612588 will be provided by M/S CHAMAN SHARMA.
10. Fuel on actual consumption will be provided by M/S CHAMAN SHARMA for plying of explosive vans at the site.
11. In case driver is required for plying of explosive vans at the site. Lodging & boarding arrangements of drivers have to be done by M/S CHAMAN SHARMA and payment of rupees 16000/- per month will be paid extra.

This agreement is read over by both the parties and after finding it right have signed today on M/S CHAMAN SHARMA, at Kullu H.P.

Accepted and on behalf of
M/S Apple Valley Developers
Authorized Signatory

For Chaman Sharma

CHAMAN SHARMA
Govt. Contractor
Vill. Goshal, P.O. Chandi
Distt. Kullu (H.P.)



कार्यालय ग्राम पंचायत कसोल

डाकघर कसोल विकास खण्ड कुल्लू, जिला कुल्लू (हि.प्र.)-175105

प्रस्ताव संख्या

दिनांक :

ग्राम सभा बैठक	ग्राम पंचायत बैठक

उपस्थिति
अध्यक्षता प्रधान :
उपप्रधान :

NO OBJECTION CERTIFICATE

This is to certify that Gram Panchayat ~~Barahon~~ ^{Kasol}, Tehsil Bhunter, District Kullu (H.P.) has no objection to the controlled blasting activities being carried out for the construction works of the Kasol an Barahan Kasol Small Hydro Electric Project (SHEP), located within the jurisdiction of Gram Panchayat Barahan.

The Panchayat understands that the controlled blasting will be executed under the supervision of qualified technical personnel, following all prescribed safety norms and regulation, ensuring that there will be no damage to nearby houses, Public Property, or the environment.

Pradhan

Gram Panchayat ~~Barahon~~ ^{Kasol}

प्रतिलिपि :

- 1)
- 2)
- 3)



वेसल देवी
ग्राम पंचायत कसोल
जिला कुल्लू, हिमाचल प्रदेश

प्रधान/उपप्रधान/सचिव