

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

APPEAL NO. 263/2018

WITH

APPEAL NO. 264/2018

AMIT UPADHAYAY

APPLICANT

VERSUS

SEIAA, U.P. & ORS.

RESPONDENT(S)

INDEX

S.No.	PARTICULARS	PAGE No.
1.	Additional Reply on behalf of SEIAA , U.P. with affidavit	1 -6
2.	ANNEXURE P/1: - True copy of the Minutes of SEIAA meeting dated 14.07.2026	7

THROUGH



**Place: New Delhi
Date:15/07/2026**

**Priyanka swami
Advocate
Standing Counsel for SEIAA, U.P.
F-13, Jangpura, New Delhi 110014
E-mail: advpriyankaswami@gmail.com**

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 263/2018
WITH
APPEAL NO. 264/2018**

AMIT UPADHAYAY

APPLICANT

VERSUS

SEIAA, U.P. & ORS.

RESPONDENT(S)

**ADDITIONAL REPLY ON BEHALF OF SEIAA, U.P. WITH
AFFIDAVIT**

MOST RESPECTFULLY SHOW:

1. That it is respectfully submitted that the present reply is being filed in compliance of paragraph 4 of the order dated 20.01.2026 passed by this Hon'ble Tribunal, whereby a limited prospective query was raised as to whether the State Level Environment Impact Assessment Authority, Uttar Pradesh, intends to adopt in future the same approach which is under question in the present appeals.
2. That it is respectfully submitted that appraisal shall be undertaken strictly in accordance with the governing statutory framework,

including the Environment (Protection) Act, 1986, the Environmental Impact Assessment Notification, 2006 (as amended), the applicable appendices / schedules / guidelines, and any binding judicial directions in force.

3. That it is respectfully submitted that the present reply is filed without prejudice to all rights, contentions, and objections of the Answering Respondent, all of which are expressly reserved.
4. That it is respectfully submitted that, with specific reference to the query raised by this Hon'ble Tribunal in paragraph 4 of its order dated 20.01.2026 which reads as follows;

"In response to the query put by the Tribunal, if the SEIAA, UP intends to adopt the same approach which is questioned in these Appeals, in future, learned counsel appearing for the State of UP seeks time to obtain instruction and place the stand of the SEIAA on record in this regard."

5. That, in compliance to the above, matter was taken up by the Authority in its 1012th meeting held on 14.07.2026, wherein the following deliberations took place:

"...The Authority places on record that the Environmental Clearances impugned in the present proceedings were granted solely on the basis of appraisal of the Individual EIA/EMP reports submitted by the Project Proponents, duly appraised by the SEAC in accordance with the EIA Notification, 2006 and amendments thereto. The REIA (Regional EIA) wherever placed on record by the Project Proponent, was treated only as a supplementary document and did not, at any stage, form the basis of appraisal or grant of Environmental Clearance.

The Authority further agreed that it has no intention of adopting REIA (Regional EIA) as a basis for consideration or grant of Environmental Clearance in future proceedings. The Authority shall continue to strictly follow the appraisal process as prescribed under the EIA Notification, 2006, and shall adopt any other / additional methodology only if and when the same is expressly provided for by the Ministry of Environment, Forest and Climate Change, Government of India, by way of notification or amendment."

True copy of the Minutes of SEIAA meeting dated 14.07.2026 is hereby annexed as ANNEXURE P/1.

6. That it is most respectfully submitted that the State Environment Impact Assessment Authority (SEIAA), Uttar Pradesh has at all times acted fairly, impartially, and strictly in accordance with the

provisions of the EIA Notification, 2006, and continues to discharge its statutory functions in a transparent and lawful manner, it is further submitted that the SEIAA remains fully committed to the objectives of environmental protection and sustainable development, and to ensuring scrupulous compliance with the directions and orders passed by this Hon'ble Tribunal.

Through:

Respondent No.1

SEIAA, Uttar Pradesh

7952

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

APPEAL NO. 263/2018

WITH

APPEAL NO. 264/2018

IN THE MATTER OF:

AMIT UPADHAYAY

APPELLANT

VERSUS

SEIAA, U.P. & ORS.

RESPONDENT(S)

AFFIDAVIT

I, Vidhyotma Bharti, aged about 49 years W/o Dr. G.L. Nigam is presently posted as Assistant Director, Regional Office, Noida, Directorate of Environment & Climate Change, U.P., having an office at E-12/1, Noida, U.P., presently at New Delhi, do hereby solemnly affirm and declare as under: -

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on behalf of Member Secretary, SEIAA before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct, and the knowledge has been derived from official records and nothing material has been concealed therefrom.
4. That the Deponent will continue to extend her full cooperation and shall abide by any further directions that the Hon'ble Tribunal may issue.



V. Shrivastava

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 15 JUL 2026 day of
2026, that the contents of the foregoing affidavit are true and correct to the best
of my knowledge and no part of it is false and nothing material has been
concealed therefrom

D14476110
I identified the deponent who
has signed in my presence



V. Shrivastava
DEPONENT

ATTESTED
NOTARY PUBLIC
(INDIA)

15 JUL 2026

7954

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow - 226 010

Phone : 91-522-2300 541, Fax : 91-522-2300 543

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

Minutes of the 1012th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 14.07.2026

The meeting of 1012th State Level Environment Impact Assessment Authority, UP (SEIAA) was held online on 14.07.2026 at the Directorate of Environment. The following were present in the meeting: -

1. Shri Anupam Gupta
2. Shri Amit Chandra
3. Shri Manish Mittal

Chairman, SEIAA, U.P.
Member, SEIAA, U.P.
Member Secretary, SEIAA, U.P.

Agenda- Court Case

1. Hon'ble NGT in Appeal No. 263 & 264/2024 Amit Upadhayay Vs SEIAA, U.P. & Ors.

SEIAA deliberated in detail upon the order dated 20.01.2026 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi, in Appeal No. 263 & 264/2024 Amit Upadhayay Vs SEIAA, U.P. & Ors. SEIAA examined the order operative part of the order is reproduced as below:-

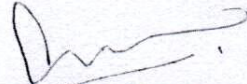
"...In response to the query put by the Tribunal, if the SEIAA, UP intends to adopt the same approach which is questioned in these Appeals, in future, learned counsel appearing for the State of UP seeks time to obtain instruction and place the stand of the SEIAA on record in this regard."

The Authority places on record that the Environmental Clearances impugned in the present proceedings were granted solely on the basis of appraisal of the Individual EIA/EMP reports submitted by the Project Proponents, duly appraised by the SEAC in accordance with the EIA Notification, 2006 and amendments thereto. The REIA (Regional EIA) wherever placed on record by the Project Proponent, was treated only as a supplementary document and did not, at any stage, form the basis of appraisal or grant of Environmental Clearance.

The Authority further agreed that it has no intention of adopting REIA as a basis for consideration or grant of Environmental Clearance in future proceedings. The Authority shall continue to strictly follow the appraisal process as prescribed under the EIA Notification, 2006, and shall adopt any other / additional methodology only if and when the same is expressly provided for by the Ministry of Environment, Forest and Climate Change, Government of India, by way of notification or amendment.


(Shri Anupam Gupta)
Chairman
SEIAA


(Shri Manish Mittal)
Member-Secretary
SEIAA


(Shri Amit Chandra)
Member
SEIAA