

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1220/2024****IN THE MATTER OF:****YADRAM SINGH****APPLICANT****VERSUS****STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY, U.P. &
ORS****RESPONDENTS****INDEX**

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Date:23/09/2025**THROUGH****Place: New Delhi****Priyanka swami
Advocate
Standing Counsel For SEIAA,U.P
F-13, Jangpura, New Delhi 110014**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1220/2024

IN THE MATTER OF:

YADRAM SINGH

APPLICANT

VERSUS

**STATE ENVIRONMENT IMPACT
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RESPONDENTS

**ADDITIONAL REPLY ON BEHALF OF RESPONDENT – STATE
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, UTTAR
PRADESH (SEIAA, U.P.)**

MOST RESPECTFULLY SHOWETH:

- 1.** That the present reply is being filed on behalf of the State Environment Impact Assessment Authority, Uttar Pradesh (hereinafter referred to as *SEIAA, U.P.*) in compliance with the directions contained in the Hon'ble Tribunal's Order dated 13.05.2025.
- 2.** At the outset, the answering Respondent denies each and every statement, contention, submission, allegation and/or averment made by the Applicant in the Original Application which is contrary

to or inconsistent with this reply or with the records of the case. All such statements, submissions, or averments made by the Applicant which are not specifically and expressly admitted hereinafter are denied in toto.

- 3.** It is further submitted that any omission to specifically traverse or deny any of the averments of the Applicant shall not be construed as an admission on the part of this answering Respondent, and no adverse inference may be drawn from such omission.
- 4.** That the Ministry of Environment and Forests, Government of India, vide Notification dated 14.09.2006, as amended from time to time, has made prior Environmental Clearance (EC) a mandatory pre-condition for establishment or expansion of projects or activities listed in the Schedule appended thereto, including new projects, expansions or modernisations crossing threshold limits, and changes in product-mix beyond the specified range. The object of such requirement is to ensure necessary restrictions and prohibitions wherever warranted, having regard to potential environmental impacts.
- 5.** That under the said Notification, Environmental Clearances for Category "A" projects are to be obtained from the Ministry of Environment, Forests & Climate Change (MoEF&CC), Government of India, while clearances for Category "B" projects are to be obtained at the State level from the SEIAA, acting on the recommendations of the duly constituted State Expert Appraisal Committee (SEAC).
- 6.** That SEIAA, U.P. and SEAC, U.P. were originally constituted vide Notification S.O. 3338(E) dated 16.10.2017, and subsequently

reconstituted by Notification S.O. 2276(E) dated 11.06.2021, issued by MoEF&CC. The Directorate of Environment, Government of Uttar Pradesh, functions as the Secretariat to both bodies. All proposals for prior EC received by SEIAA, U.P. are dealt with strictly in accordance with the EIA Notification, 2006, as amended.

- 7.** It is submitted that the reconstituted SEIAA and SEAC, U.P., constituted under Notification S.O. 2276(E) dated 11.06.2021, stood dissolved on 10.06.2025 and thereafter reconstituted by Notification S.O. 39216(E) dated 26.08.2025.
- 8.** That the answering Respondent respectfully submits that a detailed affidavit dated 07.05.2025, along with the reply on behalf of the Member Secretary, SEIAA, U.P., has already been filed before this Hon'ble Tribunal in the matter of O.A. No. 1220 of 2024 (*Yadram Singh vs. SEIAA, U.P. & Ors.*). Since the same forms part of the record, the contents thereof are not being reiterated herein for the sake of brevity.
- 9.** That as per Para 4.1.1(a) of the *Enforcement and Monitoring Guidelines for Sand Mining, 2020*, the District Survey Report (DSR) for sand mining is mandatorily required to be prepared prior to any auction/evacuation/grant of mining lease or issuance of Letter of Intent (LoI) by the Mining Department.
- 10.** That it is most respectfully submitted that the new reconstituted SEIAA/SEAC, on perusal of records noted that the District Survey Report (DSR), based on the data of the replenishment study conducted for each district including districts, Banda, Basti and Shamli for the period 2023-24 was examined with due diligence by

the competent authorities prior to according approval to the respective DSR.

- 11.** That as regards the issue of illegal mining, it is most respectfully submitted that the primary responsibility for preventing and controlling illegal mining rests with the respective District Administration and the Department of Mining. The role of SEIAA, U.P. is limited to ensuring that ECs are granted in strict adherence to the provisions of the EIA Notification, 2006 (as amended) and other applicable rules/regulations.
- 12.** That the answering Respondent has always prioritized the protection of natural resources, particularly rivers, while discharging its statutory functions. The approach of SEIAA, U.P. has consistently been environment-centric and socially responsive, ensuring that local livelihoods are not adversely affected and environmental sustainability is maintained in the process of granting clearances.
- 13.** That the answering Respondent remains at the disposal of this Hon'ble Tribunal and undertakes to ensure due and strict compliance with any further orders, directions, or clarifications that may be issued in the present matter

Date:23/09/2025

THROUGH



Place: New Delhi

**Priyanka swami
Advocate
Standing Counsel For SEIAA,U.P
F-13, Jangpura, New Delhi 110014**

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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, 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.



V. Shashi

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 23 SEP 2025 day of 2025 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.

V. Shashi

DEPONENT

ATTESTED
NOTARY PUBLIC
(INDIA)

23 SEP 2025



D. 23/9/2025
I identified the deponent who has signed in my presence