

## BEFORE THE NATIONAL GREEN TRIBUNAL

### WESTERN ZONE, PUNE

IN

**APPEAL No. 624/2025**

IN THE MATTER OF:

RANJIT VILASRAO UMBRE

... APPELLANT

VERSUS

MoEF&CC & ORS.

...RESPONDENT(S)

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Place:

Dated: February, 2026

**Respondent No. 1**

Through

**(Counsel for the Respondent No. 1)**

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE, PUNE

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**COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE  
(RESPONDENT No. 1)**

I, Dr. Surender Gugloth, S/o Shri Shankar, aged about 40 years, presently working as Scientist 'E' at the Ministry of Environment, Forest & Climate Change (MoEF&CC), Regional Office, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur, do hereby solemnly affirm and state as under :-

1. That I am authorized to swear the present affidavit on behalf of the Ministry of Environment, Forest & Climate Change (MoEF&CC).



2. It is humbly submitted that, a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Affidavit to the aforesaid application, as and when required.
3. It is humbly submitted that, the present application is being filed challenging the order dated 11.09.2025 passed by the SEIAA, Maharashtra by which the request of the appellant for the reappraisal of the Environmental clearance granted in favour of the appellant was rejected. It is also alleged herein that the impugned order is illegal, arbitrarily, discriminatory, capricious, unconstitutional, perverse, perfunctory against established principle of law.
4. It is humbly submitted that, the Answering Respondent, vide notification S.O. 637 (E) dated 28.02.2014 has delegated the power to State Environment Impact Assessment Authority (SEIAA), to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations. A copy of the notification S.O. 637 (E) dated 28.02.2014 are marked and annexed herein as **Annexure No. R1/1**.



5. It is humbly submitted that, the Answering respondent vide notification S.O. 1886 (E) dated 20.04.2022 has delegated the power to the State Level Environment Impact Assessment Authority (SEIAA) to grant Environmental Clearances to all minor mineral mining leases, irrespective of mine lease area and  $\leq 250$  ha mining lease area in respect of major mineral mining lease other than coal. Copy of the Notification S.O. 1886 (E) dated 20.04.2022 is marked and annexed herein as **Annexure No. R1/2**.
  
6. It is further submitted that State Department of Mines and Geology is the Nodal Authority in the State for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act) and is entrusted with the enforcement and regulation of mining operations in a State including illegal mining. Further, the State Government is empowered under Section 23 C of the Mines and Minerals (Development and Regulation) Act 1957(MMDR Act) to make rules for prevention of illegal mining, transportation and storage of minerals.
  
7. It is humbly submitted that, the State Pollution Control Board is the Nodal Authority in the State for dealing with cases related to pollution or environment management coming under the purview of the Water

(Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act 1986.

8. It is humbly submitted that in Special Leave Petition (C) No.19628-19629 of 2009 in the matter of Deepak Kumar etc. Vs. State of Haryana etc. Hon'ble Supreme court inter-alia directed that, "*We, in the meanwhile, order that leases of minor mineral including their renewal for an area of less than five hectares be granted by the States/Union Territories only after getting environmental clearance from the MoEF*". It is stated that as a result of the aforesaid order passed by the Hon'ble Supreme Court, the number of cases which were required to obtain Environmental Clearance had increased substantially.
9. That, in compliance to the above mentioned order, the Answering Respondent had issued the notification dated 15.01.2016, that all category B2 mining projects including those of less than 5ha would be assessed by a District Level Environment Impact Assessment Authority (DEIAA). The environmental clearances issued by the DEIAA would be based on the recommendations of the District Level Expert Appraisal Committee (DEAC).



10. It is humbly submitted that Original Application No. 186 of 2016 titled as Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr was filed before the Hon'ble National Green Tribunal (Principal Bench), New Delhi against the MoEFCC Notification dated 15.01.2016.

11. It is humbly submitted that the Hon'ble NGT vide order dated 13.09.2018 in O.A. No. 186 of 2016 had observed that the Ministry's Notification S.O. 141(E) dated 15.01.2016 was not in consonance with the directions given by Hon'ble Supreme Court in the matter of Deepak Kumar Vs. State of Haryana and Others and holding that:

*"21. Dispensing with the requirement of public consultation under Stage-III of the Environmental Clearance process under the EIA Notification, 2006 for areas measuring 0 to 25ha for individual mine areas and in cluster situation where public hearing has been provided is a gross dilution of EIA Notification, 2006..."*

*22. For all these reasons, we direct that the procedure laid down in the impugned Notification be brought in consonance and in accord with the directions passed in the case of Deepak Kumar (supra).*

12. It is respectfully submitted that in compliance of the directions passed by the Hon'ble NGT vide order dated 13.09.2018, this Answering



Respondent had issued an OM dated 12.12.2018 addressed to Chief Secretaries of all the States/UTs directing to comply with the directions of Hon'ble NGT. Copy of OM dated 12.12.2018 is marked and annexed herein as **Annexure No. R1/3**.

13. It is submitted that this Answering Respondent has filed the review application no. 47 of 2018 against the order dated 13.09.2018 passed by the Hon'ble Tribunal in OA No. 186 of 2016. However, on 21.12.2018 the Hon'ble NGT has dismissed the review application. Being aggrieved by the order dated 13.09.2018 passed in O.A. No. 200 of 2016 (Rajiv Suri Vs UOI) & order dated 21.12.2018 passed in R.A. No. 47 of 2018 (UoI Vs Rajiv Suri), the Answering Respondent, Ministry, had filed a Civil Appeal No. 3799-3800 of 2019 titled Union of India vs. Rajiv Suri before the Hon'ble Supreme Court of India. The matter is sub-judice as on date.

14. It is submitted that Original Application No. 142 of 2022 was filed by Jayant Kumar seeking cancellation of Environmental Clearance dated 23.10.2018 granted by District Level Environment Impact Assessment Authority (DEIAA) on the ground that it is in violation of Tribunal's judgment dated 13.09.2018 passed in OA 186 of 2016, Satendra Pandey Vs. MoEF&CC and anr. and other connected matters.



15. It is submitted that vide order dated 07.12.2022 passed in O.A.142 of 2022, the Hon'ble Tribunal has inter-alia observed that *“mining leases in which environmental clearance was granted by DEIAA in view of amendment notification dated 15.01.2016 are still continuing even after passing of order dated 13.09.2018 by this Tribunal in Satendra Pandey (supra) and issuance of OM dated 12.12.2018 by MoEF&CC without any re-appraisal by SEIAA and appropriate remedial action on the basis of such re-appraisal. All such mining leases in which environmental clearance was granted by DEIAA need to be brought in consonance with the directions given by Hon'ble Supreme Court in Deepak Kumar (supra) and order dated 13.09.2018 by this Tribunal in Satendra Pandey (supra) by re-appraisal by SEIAA and only such mining leases may be continued which have been on re-appraisal granted environmental clearance by SEIAA. MoEF&CC is, therefore, directed to take appropriate steps for compliance in this regard by issuance of requisite directions in exercise of the statutory powers under the Environment (Protection) Act, 1986.”*

16. In view of the aforesaid direction, this Answering Respondent had issued an OM dated 28.04.2023 directing that all ECs which had earlier been appraised by DEIAA would be reappraised by SEAC/SEIAA for



the period between 15.01.2016 and 13.09.2018. Accordingly, all States and UT's were directed to ensure transfer of files and begin the process, which would be completed in one year. Copy of OM dated 28.04.2023 is marked and annexed herein as **Annexure No. R1/4**.

17. It is submitted that vide order dated 08.08.2024 passed in Original Application No.142 of 2022, the Hon'ble NGT had directed *to meet the ends of justice and also to implement the environmental laws and applying the Precautionary Principle and Sustainable Development, we are of the view that mining leases continuing pursuant to ECs granted by DEIAAs upto 11.12.2018, must be appraised/re-appraised by concerned SEIAAs within three months from this judgment. Thereafter, if no decision is taken in favour of mining lease holders or no appraisal is made, the mining by lease holders who have been granted ECs by DEIAA shall not be allowed to operate.*

18. It is submitted that in compliance to the order dated 08.08.2024 passed by the Hon'ble Tribunal, the MoEFCC has issued letter dated 19.09.2024 requesting the State Environment Impact Assessment Authority (SEIAA) and State Expert Appraisal Committee (SEAC) of all the States to expedite the process of reappraisal of Environment



clearances issued by DEIAA. Further, subsequently, in compliance to the Judgment dated 08.08.2024 passed by the Hon'ble Tribunal, this Answering Respondent has issued Office Memorandum dated 14.10.2024 directing;

*... In view of the above direction of Hon'ble National Green Tribunal, it is hereby directed that all those ECs granted by DEIAAs after 12.12.2018 need to apply afresh under the EIA, 2006, while for the mining leases continuing pursuant to ECs granted by DEIAAs from 15.01.2016 up to 11.12.2018, appraisal/re-appraisal of the ECs granted by DEIAAs need to be done by the concerned SEIAAs within three months from the judgment i.e. before 07.11.2024. Inability to do so would lead to such mining leases being not allowed to operate, as the ECs in such cases would be considered as illegal...* Copy of OM dated 14.10.2024 is marked and annexed herein as **Annexure No. R1/5.**

19. It is submitted that the Hon'ble Supreme Court has passed orders dated 12.11.2024, 27.03.2025, 01.05.2025 and 31.07.2025 in Civil Appeal No. 3799 of 2019, whereby the Hon'ble court has extended the time limit for completion of re-appraisal by SEIAA until further orders. The matter is sub-judice before the Hon'ble Supreme Court. Copies of



orders dated 12.11.2024, 27.03.2025, 31.07.2025 are annexed as  
**Annexure No. R1/6.**

20. That, it is most humbly submitted that, in view of the afore mentioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.

**DEPONENT**

(डॉ. सुरेन्दर गुगलोट)  
(Dr. SURENDER GUGLOTH)

वैज्ञानिक 'ई' / Scientist 'E'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
क्षे.का., नागपूर - R.O., Nagpur



VERIFICATION:

Verified at Nagpur on this 12<sup>th</sup> day of February, 2026 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed therefrom.

*Gugloth*

DEPONENT

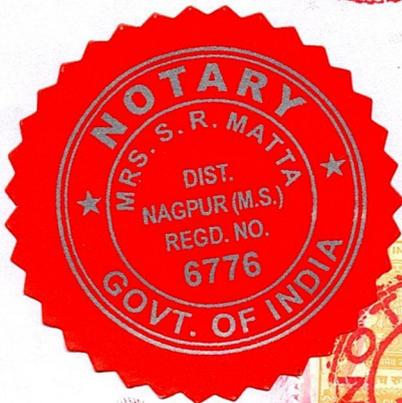
(डॉ. सुरेन्द्र गुगलोट)  
(Dr. SURENDER GUGLOTH)

वैज्ञानिक 'ई' / Scientist 'E'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
क्षे.का., नागपुर - R.O., Nagpur

SWORN BEFORE ME ON THIS ..... 12<sup>th</sup> 11  
DAY OF Feb 2026 AT NAGPUR BY  
SHRI / SMT/ KU. Surender Gugloth  
R/O NAGPUR WHO HAS BEEN IDENTIFIED BY  
SHRI / SMT. ....  
ADVOCATE, NAGPUR.

*Matta*  
Mrs. S. R. MATTA  
ADVOCATE & NOTARY  
8-R Clarke Town, Nagpur

NOTARIAL REG  
ENTRY No. 4369  
DATE 12/2/2026





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 545]

नई दिल्ली, मंगलवार, मार्च 4, 2014/फाल्गुन 13, 1935

No. 545]

NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

**का.आ. 637(अ).**—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलापों को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

**S.O. 637(E).**—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

## अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

**का.आ. 638(अ).**—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनमें से प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

## सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

## NOTIFICATION

New Delhi, the 28th February, 2014

**S.O. 638(E).**—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

## TABLE

S. No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.



# भारत का राजपत्र

## The Gazette of India

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CG-DL-E-20042022-235241

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 1795]

नई दिल्ली, बुधवार, अप्रैल 20, 2022/चैत्र 30, 1944

No. 1795]

NEW DELHI, WEDNESDAY, APRIL 20, 2022/CHAITRA 30, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 20 अप्रैल, 2022

**का.आ. 1886(अ).**—केंद्रीय सरकार पर्यावरण और वन विभाग के पूर्ववर्ती मंत्रालय में पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसमें इसके पश्चात ईआईए अधिसूचना, 2006 कहा गया है), परियोजनाओं की कतिपय प्रवर्ग के लिए पूर्व पर्यावरणीय मंजूरी आज्ञापक बनाने के लिए, संख्या का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की है।

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण (एसईआईए) का गठन प्रवर्ग ख के अधीन सभी प्रस्तावों के लिए पर्यावरण मंजूरी (ईसी) पर विचार और अनुदान के लिए प्रत्यायोजित शक्तियों का प्रयोग करने हेतु राज्य स्तर पर ईआईए अधिसूचना, 2006 के कार्यान्वयन के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन किया गया है;

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण ने पर्यावरण मंजूरी मूल्यांकन प्रक्रिया में पिछले पंद्रह वर्षों में पर्याप्त अनुभव प्राप्त किया है और राज्य स्तर पर पर्यावरण मंजूरी प्रस्तावों के कुशल और पारदर्शी निपटान के लिए परिवेश पोर्टल के माध्यम से पूरी तरह से ऑनलाइन कर दिया गया है;

और केंद्रीय सरकार राज्य स्तर पर मंजूरी की प्रसुविधा के लिए पर्यावरण मंजूरी प्रक्रिया को और विकेंद्रीकृत करना आवश्यक समझती है;

और आज की तारीख में, सुरक्षा भागीदारी के महत्वपूर्ण तत्वों के साथ राष्ट्रीय रक्षा और सामरिक महत्व से संबंधित प्रवर्ग ख की परियोजनाओं का राज्य स्तर पर भी मूल्यांकन किया जा रहा है, जिसे केंद्रीय सरकार राष्ट्रीय सुरक्षा चिंताओं को ध्यान में रखते हुए केंद्रीय रूप से मूल्यांकन करना आवश्यक समझती है;

अतः अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा को समाप्त करने के पश्चात्, लोकहित में भारत सरकार की तत्कालीन पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितम्बर, 2006, की अधिसूचना में निम्नलिखित और संशोधन करती है अर्थात्:-

उक्त अधिसूचना में-

(1) पैरा 4 में, उप-पैरा (iii) क) के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

(iii) क) राष्ट्रीय रक्षा या सामरिक या सुरक्षा महत्व से संबंधित हैं या जिन्हें केंद्रीय सरकार द्वारा संकटकाल जैसे महामारी, प्राकृतिक आपदाओं जैसी अत्यावश्यकताओं के कारण ऐसी प्रवर्ग 'ख' परियोजनाओं को अधिसूचित किया गया है या राष्ट्रीय कार्यक्रमों या स्कीमों या मिशन या ऐसी परियोजनाओं के अधीन पर्यावरण के अनुकूल क्रियाकलापों का संवर्धन करने के लिए जो इस अधिसूचना में यथा अधिकथित समय-सीमा से अधिक विलंबित हैं और समय-समय पर इस संबंध में यथा-अधिकथित मानदंडों को पूरा करती हैं, उन्हें केंद्रीय स्तर पर प्रवर्ग 'ख' परियोजनाओं के रूप में विचार किया जाएगा;

(2) अनुसूची में, -

(i) मद 1(क) के सामने, -

(क) स्तंभ (3) में, -

(क) गैर-कोयला खनन पट्टे के संबंध में "> 100 हेक्टेयर खनन पट्टा क्षेत्र" के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

"कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में >250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) ">150 हेक्टेयर" प्रतीक, अंक और अक्षर के स्थान पर, "> 500 हेक्टेयर" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) स्तंभ (4) में, -

(क) गैर-कोयला खनन के संबंध में <100 हेक्टेयर खनन पट्टा क्षेत्र के स्थान पर,

पट्टा", निम्नलिखित रखा जाएगा, अर्थात्: -

"लघु खनिज खनन पट्टों के संबंध में सभी खनन पट्टा क्षेत्र और कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में <250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) "<150 हेक्टेयर" के प्रतीकों, अंकों और अक्षरों के स्थान पर "<500 हेक्टेयर" के प्रतीक, अंक और अक्षर रखे जाएंगे;

(ii) मद 1(ग) के सामने, -

(क) स्तंभ (3) में, -

(क) क्रम संख्या (i) में, "> 50 मेगावाट, प्रतीकों, अंकों और अक्षरों के स्थान पर "> 100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) और उससे संबंधित प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, -

(क) क्रम संख्या (i) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) में, -

(I) "और <50,000 हेक्टेयर" शब्द, प्रतीक और अंक का लोप किया जाएगा;

(II) बिंदु (ग) में सारणी में, "से <50,000" शब्द, प्रतीक और अंक का लोप किया जाएगा; ।

(ग) स्तंभ (5) में, क्रम संख्या (ii) के पश्चात, निम्नलिखित क्रम संख्या अंतःस्थापित किया जाएगा, अर्थात् :-

"(iii) अंतर-राज्यीय मुद्दों से संबंधित सिंचाई परियोजनाओं का मूल्यांकन केंद्रीय स्तर पर श्रेणी में परिवर्तन के बिना किया जाएगा।";

(iii) मद 1(घ) के सामने,-

(क) स्तंभ (3) में, "> 50 मेगावाट" प्रतीकों, अंकों और अक्षरों के स्थान पर, "> 100 मेगावाट" प्रतीकों, अंकों और अक्षरों को रखा जाएगा;

(ख) स्तंभ (4) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(iv) मद 2(क) के सामने, -

(क) स्तंभ (3) में, ">1" प्रतीकों और अंक के स्थान पर, ">2.5" प्रतीकों और अंक को रखा जाएगा;

(ख) स्तंभ (4) में, "<1" प्रतीकों और अंक के स्थान पर, "< 2.5" प्रतीक और अंक रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात्: -

"खनन पट्टा क्षेत्र के भीतर स्थित धुलाई मशीनों के साथ एकीकृत कोयला खनन परियोजनाओं को कोयला खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार केंद्रीय स्तर या राज्य स्तर पर, यथास्थिति, विचार किया जाना जारी रहेगा।";

(v) मद 2 (ख) के सामने, -

(क) स्तंभ (3) में, विद्यमान प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, "<0.5 मिलियन टीपीए का उत्पादन" प्रतीक, अंक, शब्द और अक्षर के स्थान पर, "सभी खनिज परिष्करण परियोजना, परिष्करण की प्रक्रिया पर ध्यान दिए बिना" शब्द रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा रखा जाएगा,

अर्थात्: -

"भीतर स्थित लाभकारी संयंत्रों के साथ एकीकृत खनन परियोजनाएं खनन पट्टा क्षेत्र पर केन्द्रीय स्तर पर विचार किया जाता रहेगा या यथास्थिति, राज्य स्तर, खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार।";

(vi) मद 7 (क) के सामने,-

(क) स्तंभ (3) में, "सभी परियोजनाओं" शब्दों के स्थान पर "सभी नई परियोजनाएं" शब्द रखे जाएंगे;

(ख) स्तंभ (4) में, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्: -

"सभी विस्तार परियोजनाएं, जिनमें हवाई पट्टियां भी सम्मिलित हैं, जो वाणिज्यिक उपयोग के लिए हैं।"

[फा. सं. आईए 3-22/10/2022-आईए. III]

डॉ. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड III, उप-खंड (ii), संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 1807(अ), तारीख 12 अप्रैल, 2022 द्वारा अंतिम संशोधन किया गया था।

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 20th April, 2022

**S.O. 1886(E).**—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification, 2006), vide number S.O.1533 (E), dated the 14th September, 2006 for mandating prior environmental clearance for certain category of projects;

And whereas, the State Environment Impact Assessment Authorities (SEIAAs) have been constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for implementation of the EIA Notification, 2006 at State level for exercising delegated powers to consider and grant Environmental Clearance (EC) for all proposals under Category B;

And whereas, the SEIAAs have gained substantial experience over the past fifteen years in the EC appraisal process and the process at the State level has also been made completely online through the PARIVESH portal for efficient and transparent disposal of EC proposals;

And whereas, the Central Government deems it necessary to further decentralise the EC process for facilitating clearances at State level;

And whereas, as on date, category 'B' projects, relating to national defence and strategic importance with significant element of security involvement are also being appraised at the State level which, the Central Government deems it necessary to be appraised centrally taking into account national security concerns;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006, namely:-

In the said notification,-

(1) in paragraph 4, for sub-paragraph (iii a), the following shall be substituted, namely:-

*(iii a) Such Category 'B' projects, relating to the National defence or strategic or security importance or those as notified by the Central Government on account of exigencies such as pandemics, natural disasters or to promote environmentally friendly activities under National Programmes or Schemes or Missions or such projects which are inordinately delayed beyond the stipulated timeline as laid down in this notification and also meet the criteria as laid down in this regard from time to time, shall be considered at the Central level as Category 'B' projects;*

(2) in the Schedule,-

(i) against item 1(a),-

(a) in column (3),-

(A) for ">100 ha. of mining lease area in respect of non-coal mining lease", the following shall be substituted, namely:-

">250 ha mining lease area in respect of major mineral mining lease other than coal";

(B) for the symbol, figures and letters "> 150 ha", the symbol, figures and letters "> 500 ha" shall be substituted;

(b) in column (4),-

(A) for "≤ 100 ha of mining lease area in respect of non-coal mine lease", the following shall be substituted, namely:-

"All mining lease area in respect of minor mineral mining leases and ≤ 250 ha mining lease area in respect of major mineral mining lease other than coal";

(B) for the symbols, figures and letters “ $\leq 150$  ha”, the symbols, figures and letters “ $\leq 500$  ha” shall be substituted;

(ii) against item 1(c),—

(a) in column (3),—

(A) in serial number (i), for the symbols, figures and letters “ $\geq 50$  MW”, the symbols, figures and letters “ $\geq 100$  MW” shall be substituted;

(B) serial number (ii) and the entries relating thereto shall be omitted;

(b) in column (4),—

(A) in serial number (i), for the symbol, figures and letters “ $< 50$  MW”, the symbol, figures and letters “ $< 100$  MW” shall be substituted;

(B) in serial number (ii),—

(I) the word, symbol and figures “and  $< 50,000$  ha.” shall be omitted;

(II) in point (c) in the table, the word, symbol and figures “to  $< 50,000$ ” shall be omitted;

(c) in column (5), after serial number (ii), the following serial number shall be inserted, namely:—

“(iii) Irrigation projects involving Inter-State issues shall be appraised at Central level without change in category.”;

(iii) against item 1(d),—

(a) in column (3), for the symbols, figures and letters “ $\geq 50$  MW”, the symbols, figures and letters “ $\geq 100$  MW” shall be substituted;

(b) in column (4), for the symbol, figures and letters “ $< 50$  MW”, the symbol, figures and letters “ $< 100$  MW” shall be substituted;

(iv) against item 2(a),—

(a) in column (3), for the symbols and figure “ $\geq 1$ ”, the symbols and figures “ $\geq 2.5$ ” shall be substituted;

(b) in column (4), for the symbols and figure “ $< 1$ ”, the symbols and figures “ $< 2.5$ ” shall be substituted;

(c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—

“Integrated coal mining projects with washeries located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for coal mining projects.”;

(v) against item 2 (b),—

(a) in column (3), the existing entries shall be omitted;

(b) in column (4), for the symbol, figures, words and letters “ $< 0.5$  million TPA throughput”, the words “All mineral beneficiation projects irrespective of the procedure for beneficiation” shall be substituted;

(c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—

“Integrated mining projects with beneficiation plants located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for mining projects.”;

(vi) against item 7 (a),—

(a) in column (3), for the words “All projects”, the words “All new projects” shall be substituted;

(b) in column (4), the following shall be inserted, namely:—

“All expansions projects, including airstrips, which are for commercial use.”.

[F. No. IA3-22/10/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

**Note :** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section III, sub-section (ii), vide, number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide, the notification number S.O. 1807(E), dated the 12th April, 2022.

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3<sup>rd</sup> Floor, Vayu Wing,  
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Jorbagh Road, Aliganj,  
New Delhi-110 003  
Email: [rb.lal@nic.in](mailto:rb.lal@nic.in)  
Phone/Fax: 011-24695362

Dated: 12<sup>th</sup> December 2018

**Office Memorandum**

**Sub: Order dated 04<sup>th</sup> September, 2018 & 13<sup>th</sup> September, 2018 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 173 of 2018 & O.A. No. 186 of 2016 in the matters titled "Sudarsan Das Vs State of West Bengal & Ors" & "Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr." respectively- regarding.**

This is with reference to the recent orders of the Hon'ble NGT dated 04<sup>th</sup> September, 2018 in the matter titled *Sudarsan Das Vs State of West Bengal & Ors* & and order dated 13<sup>th</sup> September, 2018 in the matter *Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr.* Copies of the orders are enclosed herewith for ready reference.

2. The Hon'ble NGT *vide* order dated 13<sup>th</sup> September, 2018 in O.A. No. 186 of 2016 (*Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Anr*) has inter-alia directed as follows:-

*"(i) Providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling member Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided;*

*(ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*

*(iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance;*

*(iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5 (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof;*

(v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area;

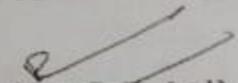
(vi) the MoEF&CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining."

3. In view of the above, the undersigned is directed to forward the copy of the aforementioned order for necessary compliance and inform the Ministry about the action taken.

4. This issues with the approval of the Competent Authority.

Yours faithfully,

**Encl:** As above

  
(Dr. R.B. Lal)  
Scientist 'E'

To,

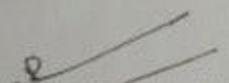
1. The Chief Secretary, 1<sup>st</sup> Block, 1<sup>st</sup> Floor A.P Secretariat Office, Andhra Pradesh, Velagapudi - 522503
2. The Chief Secretary, Government of Arunachal Pradesh, Civil Secretariat, Itanagar - 791111
3. The Chief Secretary, Government of Assam, Block-C, 3<sup>rd</sup> Floor, Assam Sachivalaya, Guwahati-781006
4. The Chief Secretary, Government of Bihar, Main Secretariat Building, Patna-800015
5. The Chief Secretary, Government of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Naya Raipur-492002
6. The Chief Secretary, Government of Gujarat, Block No.1, 5th Floor, Sardar Bhawan, Sachivalaya, Gandhinagar-382010
7. The Chief Secretary, Government of Goa, Secretariat, Porvrom, Bardez, Goa - 403521
8. The Chief Secretary, 4th Floor, Haryana Civil Secretariat Sector-I, Chandigarh - 160019
9. The Chief Secretary, Government of Himachal Pradesh Secretariat, Shimla - 171002
10. The Chief Secretary, R. No. 2/7, 2nd, Floor Main Building Civil Secretariat, Jammu - 180001 R. No. 307, 3rd Floor Civil Secretariat, Srinagar - 190001
11. The Chief Secretary, Government of Jharkhand 1st Floor, Project Building, Dhurwa, Ranchi-834004
12. The Chief Secretary, Govt of Karnataka, Room No.321, Vidhana Soudha, Bengaluru- 560 001
13. The Chief Secretary, Government of Kerala Secretariat, Thiruvananthapuram - 695001
14. The Chief Secretary, Government of Madhya Pradesh MP Mantralaya, Vallabh Bhavan Bhopal - 462004

15. The Chief Secretary, Government of Maharashtra CS Office Main Building, Mantralaya 6th Floor, Madame Cama Road, Mumbai - 400032
16. The Chief Secretary, Government of Manipur South Block, Old Secretariat Imphal-795001
17. The Chief Secretary, Government of Meghalaya Main Secretariat Building Rilang Building, Room No. 321 Meghalaya Secretariat, Shillong - 793001
18. The Chief Secretary, Government of Mizoram New Secretariat Complex, Aizwal - 796001
19. The Chief Secretary, Government of Nagaland Civil Secretariat, Kohima-797004
20. The Chief Secretary, Government of Odisha General Administration Department, Odisha Secretariat, Bhubaneswar - 751001
21. The Chief Secretary, Government of Punjab, Chandigarh - 160001
22. The Chief Secretary, Government of Rajasthan Secretariat, Jaipur - 302005
23. The Chief Secretary, Government of Sikkim New Secretariat, Gangtok - 737101
24. The Chief Secretary, Government of Tamil Nadu Secretariat, Chennai - 600009
25. The Chief Secretary, Government of Telangana Block C, 3rd Floor, Telangana Secretariat Khairatabad, Hyderabad, Telangana
26. The Chief Secretary, Government of Uttar Pradesh 1st Floor, Room No. 110 LalbahadurSastri Bhawan Uttar Pradesh Secretariat, Lucknow - 226 001
27. The Chief Secretary, Government of Tripura New Secretariat Complex, Secretariat-799010, Agartala West Tripura
28. The Chief Secretary, Government of Uttarakhand 4 Subhash Road, Uttarakhand Secretariat, Dehradun - 248001
29. The Chief Secretary, Government of West Bengal Nabanna, 13th Floor, 325, Sarat Chatterjee Road, MandirtalaShibpur, Howrah - 711102
30. The Chief Secretary, Andaman and Nicobar Administration Secretariat, Port Blair - 744101
31. The Chief Secretary, Secretariat, Moti, Silvassa, Daman - 396220
32. The Chief Secretary, Secretariat, Moti, Daman - 396 220
33. The Chief Secretary, Raj Bhawan, Chandigarh-160019
34. The Chief Secretary, Lakshadweep, Kavaratti - 682555
35. The Chief Secretary, Chief Secretariat, Goubert Avenue, Puducherry - 605001
36. The Chief Secretary, Delhi Secretariat, Ip Estate, Delhi - 110002, Near Indra Gandhi Indoor Stadium

**Copy to:**

1. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (SZ), Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore-560034
2. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (WZ), E-5, Kendriya Paryavaran Bhawan, E-5 Area Colony, Link Road-3, Ravishankar Nagar, Bhopal-462016
3. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (EZ), A/3, Chandersekharpur, Bhubaneshwar-751023

4. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (SEZ), 1<sup>st</sup> and 2nd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34
5. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NZ), Bays No. 24-25, Sector 31 A, Dakshin Marg, Chandigarh-160030
6. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NCZ), Pearson Road, P.P. New Forest, Forest Research Institute (FRI) Campus Dehradun-248006
7. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (CZ), Kendriya Bhawan, 5<sup>th</sup> Floor Sector "H", Aliganj, Lucknow-226020
8. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001
9. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (ECZ), Bungalow No. A-2, Shyamali Colony Ranchi-834002
10. Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Regional Office (NEZ) Law-U-Sib, Lumbatngen, Near MTC Workshop, Shillong, Meghalaya-793021

  
(Dr. R.B. Lal)  
Scientist 'E'

0/00

F. No. IA3-22/11/2023-IA.III (E-208230)  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

3<sup>rd</sup> Floor, Vayu Wing  
Indira Paryavaran Bhavan,  
Jor Bagh Road,  
New Delhi-110003

Dated: 28<sup>th</sup> April, 2023

**OFFICE MEMORANDUM**

**Subject: Compliance of order dated 07.12.2022 passed by Hon'ble NGT in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change - reg.**

The Hon'ble National Green Tribunal (Principal Bench), New Delhi vide order dated 13.09.2018 in O.A. No. 186 of 2016 (Satendra Pandey vs Ministry of Environment Forest & Climate Change & Anr) had observed that the Ministry's Notification S.O. 141(E) dated 15.01.2016 was not in consonance with the directions given by Hon'ble Supreme Court in the matter of Deepak Kumar Vs. State of Haryana and Others and passed certain directions.

2. In the above case, Hon'ble NGT had *inter-alia* directed that mining projects with lease areas of 0 to 5 ha are to be evaluated by State Level Expert Appraisal Committee (SEAC) for recommendation and grant of Environmental Clearance (EC) by State Level Environment Impact Assessment Authority (SEIAA) instead of District Level Environment Impact Assessment Authority (DEIAA). In compliance of the said directions, Ministry issued an OM dated 12.12.2018 addressed to Chief Secretaries of all the States/UTs directing to comply with the directions of Hon'ble NGT.

3. Subsequently, Hon'ble NGT vide its order dated 07.12.2022 in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change *inter-alia* observed that "mining leases in which environmental clearance was granted by DEIAA in view of amendment notification dated 15.01.2016 are still continuing even after passing of order dated 13.09.2018 by this Tribunal in Satendra Pandey (supra) and issuance of OM dated 12.12.2018 by MoEF&CC without any re-appraisal by SEIAA and appropriate remedial action on the basis of such re-appraisal. All such mining leases in which environmental

*clearance was granted by DEIAA need to be brought in consonance with the directions given by Hon'ble Supreme Court in Deepak Kumar (supra) and order dated 13.09.2018 by this Tribunal in Satendra Pandey (supra) by re-appraisal by SEIAA and only such mining leases may be continued which have been on re-appraisal granted environmental clearance by SEIAA. MoEF&CC is, therefore, directed to take appropriate steps for compliance in this regard by issuance of requisite directions in exercise of the statutory powers under the Environment (Protection) Act, 1986."*

4. The matter has been examined in the Ministry and accordingly it has been decided that all valid ECs issued by DEIAA shall be reappraised through SEAC/SEIAA in compliance to the order of the Hon'ble NGT in O.A.142 of 2022. In view of above, it is hereby directed that all concerned SEACs shall re-appraise the ECs issued by DEIAAs between 15.01.2016 and 13.09.2018 (including both dates) and all fresh ECs in this regard shall be granted only by SEIAAs based on such appraisal. The exercise shall be completed within a time period of one year from the date of issue of this OM. DEIAAs shall transfer all such files where ECs have been granted to concerned SEIAA within a time period of one month from issue of this OM. The State Government may assess the existing workload of SEAC(s) and accordingly, send proposals for constitution of additional SEAC for a specified period to deal with such additional workload.
5. Further, in order to have a uniform approach across the country for such appraisal, SEIAA shall scrutiny and appraise the proposals based on the checklist provided below:
  - i. Completely filled up Form-2 as per Ministry's OM dated 15.12.2021.
  - ii. Pre-Feasibility Report (PFR) as per MoEF Guidelines dated 30.12.2010
  - iii. Valid Mine Lease Document
  - iv. Approved Mining Plan from the concerned Authorities
  - v. District Survey Report approved by SEIAA as per Ministry's Notification S.O 3611(E) dated 25.07.2018
  - vi. Implementation of "Sustainable Sand Mining Management Guidelines, 2016" and "Enforcement & Monitoring Guidelines for Sand Mining, 2020" in case of sand mining proposals.
  - vii. Details of forest land involved in the mine lease area and availability of Stage-I/II Forest Clearance (FC) for diversion of forest land for non-forestry purpose.
  - viii. Details of Eco Sensitive Zones (ESZ) and Eco Sensitive Areas (ESAs), National Parks, Wildlife Sanctuary, Coastal Zone, Water bodies and other ecological sensitive areas within/in the vicinity of the mine lease area and if so details of NOC/Clearances obtained.
  - ix. If any Schedule-I species is present in the study area, proof of submission of Wildlife Conservation Plan to the Forest Department.
  - x. Cluster Certificate from State Mines and Geology Department.

- xi. Compliance of Hon'ble Supreme Court judgment dated 02.08.2017 passed in Common Cause vs Union of India Writ Petition (C) 114 of 2014.
- xii. Proposal of re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. in compliance to the direction dated 8th January, 2020 of Hon'ble Supreme Court in Writ Petition(s) Civil No. 114/2014, Common Cause vs Union of India & Ors.

6. The provisions of this OM shall be operational subject to the outcome of Civil Appeal No. 3799-3800 of 2019 titled Union of India vs Rajiv Suri filed by Ministry before the Hon'ble Supreme Court of India against the order dated 13<sup>th</sup> September, 2018 passed in O.A. No. 200 of 2016 (Rajiv Suri Vs UOI) & order dated 21<sup>st</sup> December, 2018 passed in R.A. No. 47 of 2018 (UOI Vs Rajiv Suri).

7. This is issued with the approval of the Competent Authority.

  
(Sundar Ramanathan)  
Scientist E

To

1. The Chairperson/Member Secretaries of all the SEIAAs/SEACs.
2. The Chairman of all the Expert Appraisal Committees
3. The Chairpersons/Member Secretaries of all SPCBs/UTPCCs.
4. All the officers of IA Division

Copy for information to:

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to AS (TK)/ JS(SKB)
5. Website, MoEF&CC /Guard file

F. No. IA3-22/11/2023-IA.III (E 208230)  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

3<sup>rd</sup> Floor, Vayu Wing  
Indira Paryavaran Bhavan,  
Jor Bagh Road, New Delhi-110003

Dated: 14<sup>th</sup> October, 2024

**OFFICE MEMORANDUM**

**Subject: Compliance of order dated 08.08.2024 passed by Hon'ble NGT in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change - reg.**

The Ministry vide OM dated 28.04.2023, in compliance of order dated 07.12.2022 passed by Hon'ble National Green Tribunal (Principal Bench) in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change, had provided a window period of one year for all SEIAAs to re-appraise the Environmental Clearances (ECs) issued by DEIAA from 15.01.2016 to 13.09.2018 and grant fresh ECs.

2. Subsequently, the Ministry issued OM dated 03.11.2023, *inter-alia*, clarified that the ECs granted by DEIAA which are valid as on date shall continue to be valid for one year from the date of issue of OM dated 28.4.2023 unless the validity of the EC granted by DEIAA has lapsed prior to 28.4.2024 or until SEIAA has invalidated the EC granted by DEIAA after carrying out re-appraisal as outlined above, whichever is earlier.

3. Based on the representation requesting for extension of time period provided in the OM dated 28.04.2023 mentioned above, the Ministry vide OM dated 15.03.2024 extended the time period for re-appraisal of ECs issued by DEIAA by a further period of six months till 27.10.2024.

4. Thereafter, in compliance of order dated 18.04.2024 in O.A.142 of 2022, the Ministry issued OM dated 07/05/2024 directing that continuance of mining all over India under mining leases executed on the basis of ECs granted by DEIAA after 13.09.2018 is prohibited with the exception in respect of cases where ECs granted by DEIAA for such mining leases have been reappraised and found valid by SEIAA or fresh ECs have been granted by SEIAA

5. Now, Hon'ble National Green Tribunal vide order dated 08.08.2024 in O.A.142 of 2022 (*copy enclosed*), has, *inter-alia*, directed that:

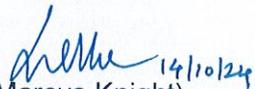
"142...Therefore, a reasonable view need to be taken in this matter. To meet the ends of justice and also to implement the environmental laws and applying the Precautionary Principle and Sustainable Development, we are of the view that mining leases continuing pursuant to ECs granted by DEIAAs upto 11.12.2018, must be appraised/re-appraised by concerned SEIAAs within three months from this judgment. Thereafter, if no decision is taken in favour of mining lease holders or no appraisal is made, the mining by lease holders who have been granted ECs by DEIAA shall not be allowed to operate. Further in all those cases where ECs have been granted by DEIAAs on and after 12.12.2018, such mining leases shall not be allowed to operate forthwith since such ECs are illegal. In such cases appraisal has to be made by concerned SEIAA and ECs are to be granted in accordance with the provisions of EIA 2006 as amended from time to time.

143. In order to avoid any doubt, we also make it clear that MoEF&CC would also make necessary rectifications/corrections in OMs already issued including OM dated 28.04.2023 so as to cover ECs granted by DEIAA from 15.01.2016 to 11.12.2018 instead of confining it to 13.09.2018 for appraisal/re-appraisal by SEIAA..."

6. In view of the above direction of Hon'ble National Green Tribunal, it is hereby directed that all those ECs granted by DEIAAs after 12.12.2018 need to apply afresh under the EIA, 2006, while for the mining leases continuing pursuant to ECs granted by DEIAAs from 15.01.2016 up to 11.12.2018, appraisal/re-appraisal of the ECs granted by DEIAAs need to done by the concerned SEIAAs within three months from the judgment i.e. before 07.11.2024. Inability to do so would lead to such mining leases being not allowed to operate, as the ECs in such cases would be considered as illegal.

7. This is issued with the approval of the Competent Authority.

Encl: as above

  
(Dr J D Marcus Knight)  
Scientist E

To

1. The Secretary, Ministry of Mines, Government of India
2. The Chairperson/Member Secretaries of all the SEIAAs/SEACs.
3. The Chairman of all the Expert Appraisal Committees
4. The Chairpersons/Member Secretaries of all SPCBs/UTPCCs.
5. All the officers of IA Division

Copy for information to:

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to SS (TK)/ AS(AG)
5. Website, MoEF&CC /Guard file

ITEM NO.188+186

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal Nos. 3799-3800/2019

UNION OF INDIA

Appellant(s)

VERSUS

RAJIV SURI

Respondent(s)

WITH

Diary No(s). 51295/2024 (XVII)

(IA No. 254486/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 254487/2024 - EXEMPTION FROM FILING O.T.

IA No. 254484/2024 - PERMISSION TO FILE APPEAL

IA No. 254485/2024 - STAY APPLICATION)

Diary No(s). 51360/2024 (XVII)

(IA No. 255693/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 256833/2024 - INTERVENTION APPLICATION

IA No. 255691/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 255682/2024 - PERMISSION TO FILE APPEAL

IA No. 255689/2024 - STAY APPLICATION)

Diary No(s). 16286/2019 (XVII)

(IA No. 75962/2019 - CONDONATION OF DELAY IN FILING

IA No. 75964/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 16445/2019 (XVII)

(IA No. 98398/2019 - AMENDMENT OF APPEAL / PETITION / I.A.

IA No. 98393/2019 - AMENDMENT OF APPEAL / PETITION / I.A.

IA No. 75739/2019 - CONDONATION OF DELAY IN FILING

IA No. 75742/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 98402/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 75740/2019 - STAY APPLICATION)

Signature Not Verified

Diary No. 5735/2019 (XVII)

(IA No. 106696/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 106694/2019 - STAY APPLICATION)

**C.A. No. 5799/2019 (XVII)****(IA No. 107960/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 22672/2020 - EXEMPTION FROM FILING O.T.****IA No. 107961/2019 - STAY APPLICATION)****C.A. No. 7436/2019 (XVII)****(IA No. 136523/2019 - EX-PARTE STAY****IA No. 136526/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 136525/2019 - EXEMPTION FROM FILING O.T.)****C.A. No. 2626/2020 (XVII)****(IA No. 29632/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 29631/2020 - GRANT OF INTERIM RELIEF)****Diary No(s). 6611/2020 (XVII)****(IA No. 40823/2020 - APPROPRIATE ORDERS/DIRECTIONS****IA No. 40820/2020 - CONDONATION OF DELAY IN FILING****IA No. 40822/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 40821/2020 - STAY APPLICATION)****C.A. No. 8181-8182/2023 (XVII)****(IA No.253124/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.253123/2023-STAY APPLICATION and IA No.253122/2023-PERMISSION TO FILE APPEAL)****C.A. No. 7981-7982/2023 (XVII)****(IA No.254601/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.256200/2023-STAY APPLICATION)****C.A. No. 8183-8184/2023 (XVII)****(IA No.256199/2023-ADDITION / DELETION / MODIFICATION PARTIES and IA No.256195/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.256192/2023-STAY APPLICATION and IA No.256196/2023-EXEMPTION FROM FILING O.T. and IA No.256191/2023-PERMISSION TO FILE APPEAL)****C.A. No. 8185-8186/2023 (XVII)****(IA No.258849/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.258851/2023-STAY APPLICATION and IA No.258852/2023-EXEMPTION FROM FILING O.T. and IA No.258848/2023-PERMISSION TO FILE APPEAL)****C.A. No. 188-189/2024 (XVII)****(FOR ADMISSION and I.R. and IA No.268411/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.268412/2023-STAY APPLICATION and IA No.268413/2023-EXEMPTION FROM FILING O.T. and IA**

No.268409/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 51281/2024 (XVII)

(IA No. 256829/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 254464/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 254465/2024 - EXEMPTION FROM FILING O.T.

IA No. 256928/2024 - INTERVENTION/IMPLEADMENT

IA No. 254463/2024 - PERMISSION TO FILE APPEAL

IA No. 254462/2024 - STAY APPLICATION)

CIVIL APPEAL Diary No. 51761/2024

Date : 12-11-2024 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJAY KUMAR

For Appellant(s)

Mr. Deepak Prakash, AOR  
Mr. Sriram P., Adv.  
Mr. Nachiketa Vajpayee, Adv.  
Ms. Divyangna Malik, Adv.  
Ms. Merlyn J. Rachel, Adv.  
Ms. Vishnu Priya, Adv.  
Mr. Vardaan Kapoor, Adv.  
Mr. Rahul Suresh, Adv.

Ms. Aishwarya Bhati, A.S.G.  
Mr. Gurmeet Singh Makker, AOR  
Ms. Suhashini Sen, Adv.  
Mr. Abhishek Atrey, Adv.  
Ms. Aakanksha Kaul, Adv.  
Mr. S K Singhanian, Adv.  
Mr. Pranay Ranjan, Adv.  
Ms. Swarupama Chaturvedi, Adv.

Mr. Sunil Roy, AOR

Mr. Manish Tiwari , AOR  
Mrs. Namami Seth, Adv.  
Mr. R K Tanwar, Adv.  
Mr. P L Pandey, Adv.  
Mr. Aman Sharma, Adv.  
Mr. Vinay Pratap Singh, Adv.  
Mr. Nihar Ranjan Singh, Adv.

Mr. Tushar Mehta, Solicitor General  
Ms. Aishwarya Bhati, A.S.G.

Mr. Shiv Mangal Sharma, A.A.G.  
 Mr. Saurabh Rajpal, Adv.  
 Mr. Amogh Bansal, Adv.  
 Ms. Nidhi Jaswal, AOR

Ms. Shraddha Deshmukh, AOR  
 Mr. Sanchit Singh, Adv.  
 Mr. Sushrut Sharma, Adv.

Mr. Vinod Kumar Shukla, Adv.  
 Mr. Sugam Mishra, Adv.  
 Mr. Om Prakash Sapra, Adv.  
 Mrs. Barnali Basak, Adv.  
 Mr. Abhaya Nath Das, Adv.  
 Mr. B C Bhatt, Adv.  
 Mr. Kishor Kumar Mishra, Adv.  
 Mr. Satish Kumar, AOR

Mr. Saurabh Mishra, Sr. Adv.  
 Mr. Sarad Kumar Singhania, Adv.  
 Mr. Sunny Choudhary, AOR

Mr. Pradeep Misra, AOR  
 Mr. Daleep Dhyani, Adv.  
 Mr. Suraj Singh, Adv.  
 Ms. Nidhi Dwivedi, Adv.  
 Mr. Ajay Kumar Pandey, Adv.

Mr. Vanshdeep Dalmia, AOR  
 Ms. Anisha Jain, Adv.  
 Ms. Shanbhavi Singh, Adv.

Ms. Srishti Agnihotri, AOR

Mr. Atmaram N S Nadkarni, Sr. Adv.  
 Ms. Usha Nandini V., AOR  
 Mr. Alex M Scaria, Adv.  
 Mr. John Thomas Arakal, Adv.

Mr. Saurabh Mishra, Sr. Adv.  
 Ms. Vanshaja Shukla, AOR

**For Respondent(s)** Mr. Vanshdeep Dalmia, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Sunny Choudhary, AOR

**Respondent-in-person**

Mr. Ajit Sharma, AOR

Mr. Avijit Roy, AOR

Mr. Salvador Santosh Rebello, AOR

Mrs. Mona K. Rajvanshi, AOR

Mr. Anurag Kashyap, Adv.

Mr. Sudeep Kumar, AOR

Mr. Shiv Mangal Sharma, A.A.G.

Ms. Nidhi Jaswal, Adv.

Ms. Shalini Singh, Adv.

Mr. Saurabh Rajpal, Adv.

Mr. Sandeep Kumar Jha, AOR

Mr. Ankur S. Kulkarni, Adv.

Mr. Nirnimesh Dube, Adv.

Mr. Susheel Joseph Cyriac, Adv.

Ms. Uditha Chakravarthy, Adv.

Ms. Priya Bhalerao, Adv.

Mr. Varun Kanwal, Adv.

M/s. Lex Regis Law Offices, AOR

Mr. Anand Varma, AOR

Ms. Apoorva Pandey, Adv.

Mr. Nishit Agrawal, AOR

M/S. Lawfic, AOR

Mr. Gaurav Khanna, AOR

Ms. Natasha Sahrawat, Adv.

Ms. Deepali Bhanot, Adv.

Mr. Gautam Barnwal, Adv.

Mr. Rudraksh Pandey, Adv.

Ms. Alisha Roy, Adv.

Mr. Jose Abraham, AOR

Mr. Arvind Kumar, AOR

Mr. Ankur S. Kulkarni, Adv.

Mr. Nirnimesh Dube, Adv.

Mr. Susheel Joseph Cyriac, Adv.

Ms. Uditha Chakravarthy, Adv.

Ms. Priya Bhalerao, Adv.

Mr. Varun Kanwal, Adv.

M/s. Lex Regis Law Offices, AOR

Ms. Kalpana Tirpathi, Adv.  
Ms. Mansi Mehta, Adv.  
Ms. Sumita Hazarika, AOR

Mr. Atmaram N S Nadkarni, Sr. Adv.  
Mr. Nakul Dewan, Sr. Adv.  
Ms. Usha Nandini V., AOR  
Mr. Alex M Scaria, Adv.  
Mr. John Thomas Arakal, Adv.  
Ms. Saritha Thomas, Adv.  
Mr. John Thomas Arakkal, Adv.

Ms. Srishti Agnihotri, AOR

Mr. P.V. Dinesh, Sr. Adv.  
Mr. Mukund P. Unny, AOR  
Mr. Anna Oommen., Adv.

UPON hearing the counsel, the Court made the following  
O R D E R

Delay is condoned, permission to file appeal(s) is granted and the appeals are admitted, subject to curing of defects, if any.

Issue notice in all the appeals where it has not been issued till date. However, the same will be subject to curing of defects, if any. Notice will be served by all modes, including *dasti*.

We have heard the learned counsel for the parties at some length. Keeping in view the peculiar facts and circumstances of the present case, we extend the time for completion of re-appraisal by the State Environment Impact Assessment Authorities<sup>1</sup> till 31.03.2025. This direction will apply in the cases where the Environment Clearance<sup>2</sup> is valid, as mining activity can only continue during the period of validity of the EC.

1 For short "SEIAA".

2 For short "EC".

There may be parties who have not applied to SEIAA for such re-appraisal. They may do the same within a period of three weeks from today.

The State Governments will also ensure that SEIAA, where not constituted, are constituted within a period of six weeks from today.

Re-list in the week commencing 27.01.2025.

On the next date of hearing, the appeals will be taken up in the first five matters in the list of regular matters on the Board.

(BABITA PANDEY)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

ITEM NO.115

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal Nos. 3799-3800/2019

UNION OF INDIA

Appellant(s)

VERSUS

RAJIV SURI

Respondent(s)

(IA No. 40984/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 25220/2020 - EXEMPTION FROM FILING O.T., IA No. 25216/2020 - INTERVENTION APPLICATION, IA No. 20802/2020 - INTERVENTION APPLICATION, IA No. 231676/2023 - INTERVENTION APPLICATION, IA No. 30471/2020 - INTERVENTION APPLICATION, IA No. 26413/2020 - INTERVENTION APPLICATION, IA No. 25321/2020 - INTERVENTION/IMPLEADMENT, IA No. 19886/2020 - INTERVENTION/IMPLEADMENT, IA No. 173224/2019 - INTERVENTION/IMPLEADMENT, IA No. 155288/2019 - INTERVENTION/IMPLEADMENT, IA No. 115183/2019 - INTERVENTION/IMPLEADMENT and IA No. 40987/2019 - STAY APPLICATION)

WITH

W.P.(C) No. 1342/2018 (PIL-W)

(FOR EXEMPTION FROM FILING O.T. ON IA 188059/2024)

C.A. No. 13009-13010/2024 (XVII)

(FOR CONDONATION OF DELAY IN FILING ON IA 75962/2019 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 75964/2019)

C.A. No. 13007/2024 (XVII)

(FOR CONDONATION OF DELAY IN FILING ON IA 75739/2019, FOR STAY APPLICATION ON IA 75740/2019, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 75742/2019, FOR AMENDMENT OF APPEAL / PETITION / I.A. ON IA 98393/2019, FOR AMENDMENT OF APPEAL / PETITION / I.A. ON IA 98398/2019 and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 98402/2019)

C.A. No. 5735/2019 (XVII)

(FOR STAY APPLICATION ON IA 106694/2019 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 106696/2019)

C.A. No. 5799/2019 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 107960/2019, FOR STAY APPLICATION ON IA 107961/2019 and FOR EXEMPTION FROM FILING O.T. ON IA 22672/2020)

Signature No. Verified  
Digitally signed by  
Deepa Gupte  
Date: 2025.03.27  
17:54:01 IST  
Reason:

**C.A. No. 7436/2019 (XVII)**

(FOR EX-PARTE STAY ON IA 136523/2019, FOR EXEMPTION FROM FILING O.T. ON IA 136525/201 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 136526/2019)

**C.A. No. 2626/2020 (XVII)**

(IA No. 29632/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 29631/2020 - GRANT OF INTERIM RELIEF)

**C.A. No. 12492-12498/2024 (XVII)**

(FOR CONDONATION OF DELAY IN FILING ON IA 40820/2020, FOR STAY APPLICATION ON IA 40821/2020, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 40822/2020 and FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 40823/2020)

**C.A. No. 8181-8182/2023 (XVII)**

(FOR STAY APPLICATION ON IA 253123/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 253124/2023 and FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 46932/2024)

**C.A. No. 7981-7982/2023 (XVII)**

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 254601/2023 and FOR STAY APPLICATION ON IA 256200/2023)

**C.A. No. 8183-8184/2023 (XVII)**

(FOR STAY APPLICATION ON IA 256192/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 256195/2023, FOR EXEMPTION FROM FILING O.T. ON IA 256196/2023 and FOR ADDITION / DELETION / MODIFICATION PARTIES ON IA 256199/2023)

**C.A. No. 8185-8186/2023 (XVII)**

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 258849/2023, FOR STAY APPLICATION ON IA 258851/2023 and FOR EXEMPTION FROM FILING O.T. ON IA 258852/2023)

**C.A. No. 188-189/2024 (XVII)**

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 268411/2023, FOR STAY APPLICATION ON IA 268412/2023 and FOR EXEMPTION FROM FILING O.T. ON IA 268413/2023)

**C.A. No. 12476/2024 (XVII)**

(IA No.254464/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.254462/2024-STAY APPLICATION and IA No.254465/2024-EXEMPTION FROM FILING O.T., IA No. 256829/2024 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 254465/2024 - EXEMPTION FROM FILING O.T.)

**C.A. No. 12477/2024 (XVII)**

(IA No.254486/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.254485/2024-STAY APPLICATION and IA No.254487/2024-EXEMPTION FROM FILING O.T. and IA No. 254487/2024 - EXEMPTION FROM

**FILING O.T.)**

**C.A. No. 12478/2024 (XVII)**

**(FOR STAY APPLICATION ON IA 255689/2024, FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 255691/2024, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 255693/2024, FOR INTERVENTION APPLICATION ON IA 256833/2024, FOR INTERVENTION APPLICATION ON IA 260515/2024 and FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 260520/2024)**

**C.A. No. 14391-14393/2024 (XVII)**

**(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 285694/2024 and FOR EX-PARTE STAY ON IA 287697/2024)**

**C.A. No. 13927-13929/2024 (XVII)**

**(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 275851/2024 and FOR EX-PARTE STAY ON IA 275852/2024)**

**C.A. No. 14338/2024 (XVII)**

**(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 272947/2024 and FOR STAY APPLICATION ON IA 272948/2024)**

**Diary No(s). 57955/2024 (XVII)**

**(IA No. 20108/2025 - CONDONATION OF DELAY IN FILING, IA No. 20114/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 20113/2025 - EXEMPTION FROM FILING O.T. and IA No. 20110/2025 - STAY APPLICATION)**

**Date : 27-03-2025 These matters were called on for hearing today.**

**CORAM :**

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJAY KUMAR**

**For Appellant(s) :**

**Ms. Srishti Agnihotri, AOR  
Ms. Sanjana Grace Thomas, Adv.  
Ms. Tara Elizabeth Kurien, Adv.**

**Mr. Atmaram N.S. Nadkarni, Sr. Adv.  
Mr. Nakul Dewan, Sr. Adv.  
Mr. P.B. Krishnan, Sr. Adv.  
Ms. Usha Nandini V., AOR  
Mr. Biju P. Raman, Adv.  
Ms. Saritha Thomas, Adv.  
Mr. John Thomas Arakal, Adv.  
Ms. Ashima Gupta, Adv.**

**Ms. Aishwarya Bhati, A.S.G.  
Ms. Swarupama Chaturvedi, Sr. Adv.  
Ms. Ruchi Kohli, Sr. Adv.**

Mr. Gurmeet Singh Makker, AOR  
Ms. Suhashini Sen, Adv.  
Mr. Abhishek Atrey, Adv.  
Ms. Aakanksha Kaul, Adv.  
Mr. S.K. Singhania, Adv.  
Mr. Pranay Ranjan, Adv.  
Mr. Annirudh Sharma-II, Adv.  
Mr. Mohd. Akhil, Adv.

Mr. Sunil Roy, AOR

Mr. Sunil Kumar Singh, Adv.  
Mr. S.K. Pathak, Adv.  
Mr. Pramod Tiwari, Adv.  
Mr. Vivek Tiwari, Adv.  
Ms. Priyanka Dubey, Adv.  
Ms. Saumya Mishra, Adv.  
Dr. Vinod Kumar Tewari, AOR

Mr. Sriram P., AOR

Mr. Deepak Prakash, AOR  
Mr. Nachiketa Vajpayee, Adv.  
Ms. Divyangna Malik, Adv.  
Ms. Jyoti Pandey, Adv.  
Mr. Rahul Suresh, Adv.  
Ms. Shivangi Rajawat, Adv.

Mr. Manish Tiwari, AOR

Mr. Tushar Mehta, S.G.  
Mr. Shiv Mangal Sharma, A.A.G.  
Mr. Saurabh Rajpal, Adv.  
Mr. Amogh Bansal, Adv.  
Ms. Nidhi Jaswal, AOR

Ms. Shraddha Deshmukh, AOR  
Mr. Sanchit Singh, Adv.

Mr. Vinod Kumar Shukla, Adv.  
Mr. Sugam Mishra, Adv.  
Ms. Anjana Sharma, Adv.  
Ms. Swagoti Batchas, Adv.  
Mr. Om Prakash, Adv.  
Ms. Swati Mishra, Adv.  
Ms. Arina Bhattacharjee, Adv.  
Mr. Kishor Kumar Mishra, Adv.  
Ms. Renu Pandey, Adv.  
Mr. Satish Kumar, AOR

Mr. Prashant Bhushan, Adv.

Mr. Pranav Sachdeva, AOR  
 Mr. Jatin Bhardwaj, Adv.  
 Mr. P. Rohit Ram, Adv.  
 Mr. Abhay Nair, Adv.

Ms. Garima Parshad, Sr. A.A.G.  
 Mr. Pradeep Misra, AOR  
 Mr. Daleep Dhyan, Adv.  
 Mr. Suraj Singh, Adv.

Mr. Vanshdeep Dalmia, AOR  
 Ms. Anisha Jain, Adv.  
 Ms. Shambhavi Singh, Adv.

Mr. Sarad Kumar Singhania, AOR

Mr. Saurabh Mishra, Sr. Adv.  
 Ms. Vanshaja Shukla, AOR  
 Mr. Siddhant Yadav, Adv.

For Respondent(s) :

Mr. Vanshdeep Dalmia, AOR  
 Ms. Anisha Jain, Adv.  
 Ms. Shambhavi Singh, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Arvind Kumar Sharma, AOR

Respondent-in-person

Mr. Amit Anand Tiwari, Sr. A.A.G./Sr. Adv.  
 Mr. Sabarish Subramanian, AOR  
 Mr. Devyani Gupta, Adv.  
 Mr. Saushriya Havelia, Adv.  
 Mr. Tanvi Anand, Adv.  
 Mr. Vishnu Unnikrihsnan, Adv.  
 Ms. Jahnvi Taneja, Adv.  
 Mr. Danish Saifi, Adv.

Ms. Baani Khanna, AOR  
 Mr. Robin Singh, Adv.  
 Mr. Kapil Balwani, Adv.  
 Ms. Tejal Nagauri, Adv.

Mr. Sarthak Raizada, Adv.  
 Mr. Pashupathi Nath Razdan, AOR  
 Mr. Nirmal Kumar Ambastha, Adv.

Mr. Ajit Sharma, AOR

Mr. Nachiketa Joshi, A.A.G./Sr. Adv.

Mr. Amit Sharma, A.A.G.  
Mr. Sarad Kumar Singhania, AOR  
Mr. Padmesh Mishra, Adv.

Mr. Omkar Deshpande, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR

Mr. Avijit Roy, AOR

Mrs. Mona K. Rajvanshi, AOR  
Mr. Anurag Kashyap, Adv.

Ms. Garima Parshad, Sr. A.A.G./Sr. Adv.  
Mr. Sudeep Kumar, AOR  
Mr. Abhishek Saket, Adv.  
Ms. Manisha, Adv.  
Ms. Rupali, Adv.

Mr. Raghav Sharma, Adv.  
Mr. Jaskirat Pal Singh, Adv.  
Mr. Pranjal Pandey, Adv.  
Mr. Parimal Bhatia, Adv.  
Mr. Salvador Santosh Rebello, AOR  
Ms. Kritika, Adv.

Mr. Guntur Pramod Kumar, AOR

Mrs. Aishwariya Bhati, A.S.G.  
Mrs. Swarupama Chaturvedi, Sr. Adv.  
Mrs. Ruchi Kohli, Sr. Adv.  
Mr. Mukesh Kumar Maroria, AOR  
Mrs. Rukmini Bobde, Adv.  
Mr. Shuvodeep Roy, Adv.  
Mr. Ishaan Sharma, Adv.

Mr. Sunny Choudhary, AOR

Mr. Sandeep Kumar Jha, AOR  
Mr. Shiv Mangal Sharma, A.A.G.  
Ms. Nidhi Jaswal, Adv.

Mr. Atmaram N.S. Nadkarni, Sr. Adv.  
Mr. Nakul Dewan, Sr. Adv.  
Mr. P.B. Krishnan, Sr. Adv.  
Mr. Johnthomas Arakal, Adv.  
Ms. Usha Nandini V., AOR  
Mr. Biju P Raman, Adv.  
Ms. Saritha Thomas, Adv.  
Mr. John Thomas Arakal, Adv.

Ms. Srishti Agnihotri, AOR  
Ms. Sanjana Grace Thomas, Adv.  
Ms. Tara Elizabeth Kurien, Adv.

Ms. Parul Shukla, AOR

Ms. Sumita Hazarika, AOR  
Ms. Kalpana Tirpathi, Adv.  
Mr. Lalgoulen Kipgen, Adv.  
Mr. Prakhar Gupta, Adv.

Mr. P.V. Dinesh, Sr. Adv.  
Mr. Mukund P. Unny, AOR  
Mr. Harish V., Adv.  
Ms. Anna Oommen, Adv.  
Mr. Sanjay Nair, Adv.

Mr. Siddhartha Dave, Sr. Adv.  
Mr. Ankur S. Kulkarni, Adv.  
Mr. Nirnimesh Dube, Adv.  
Mr. Anirudh Anand, Adv.  
Mr. Varun Kanwal, Adv.  
Ms. Divyansha Gajallewar, Adv.  
M/s. Lex Regis Law Offices, AOR

Mr. Abhinay, AOR  
Ms. Kirti Vyas, Adv.  
Ms. Parul Khurana, Adv.

Mr. Anand Varma, AOR  
Ms. Apoorva Pandey, Adv.  
Ms. Adyasha Nanda, Adv.

Mr. Nishit Agrawal, AOR

Mr. Sriram Parakkat, Adv.  
Mr. M.S. Vishnu Sankar, Adv.  
Mr. Sreenath S., Adv.  
Ms. Viddusshi, Adv.  
Ms. Maneesha Sunilkumar, Adv.  
Ms. H. Haritha, Adv.  
Mr. Anandhu S. Nair, Adv.  
M/s. Lawfic, AOR

Mr. Gaurav Khanna, AOR

Mr. Jose Abraham, AOR

Mr. Arvind Kumar, AOR

Mr. Siddhartha Dave, Sr. Adv.

Mr. Ankur S. Kulkarni, Adv.  
Mr. Nirnimesh Dube, Adv.  
Mr. Anirudh Anand, Adv.  
Mr. Varun Kanwal, Adv.  
Ms. Divyansha Gajallewar, Adv.  
M/s. Lex Regis Law Offices, AOR

UPON hearing the counsel, the Court made the following  
O R D E R

The interim order dated 12.11.2024, subject to further orders to be passed by this Court, shall continue to operate for the next two months, that is, up to 26.05.2025.

We clarify that the interim order will not apply to cases wherein the State Environment Impact Assessment Authorities<sup>1</sup> have considered applications and rejected the same.

However, it would be open to the parties to challenge the decision of the SEIAAs and in case, any interim stay order or favourable order is passed, the same has to be given effect to.

The matters will remain on the Board and retain their position.

Service in some of the matters is not complete. The same will be completed.

(DEEPAK GUGLANI)  
AR-CUM-PS

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

1 "SEIAA", for short

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 3799-3800/2019

UNION OF INDIA

Appellant(s)

VERSUS

RAJIV SURI

Respondent(s)

IA No. 40984/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 25220/2020 - EXEMPTION FROM FILING O.T.

IA No. 26413/2020 - INTERVENTION APPLICATION

IA No. 25216/2020 - INTERVENTION APPLICATION

IA No. 20802/2020 - INTERVENTION APPLICATION

IA No. 231676/2023 - INTERVENTION APPLICATION

IA No. 30471/2020 - INTERVENTION APPLICATION

IA No. 115183/2019 - INTERVENTION/IMPLEADMENT

IA No. 25321/2020 - INTERVENTION/IMPLEADMENT

IA No. 19886/2020 - INTERVENTION/IMPLEADMENT

IA No. 173224/2019 - INTERVENTION/IMPLEADMENT

IA No. 155288/2019 - INTERVENTION/IMPLEADMENT

IA No. 40987/2019 - STAY APPLICATION

WITH

W.P.(C) No. 1342/2018 (PIL-W)

FOR EXEMPTION FROM FILING O.T. ON IA 188059/2024

IA No. 188059/2024 - EXEMPTION FROM FILING O.T.

C.A. No. 13009-13010/2024 (XVII)

FOR CONDONATION OF DELAY IN FILING ON IA 75962/2019

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 75964/2019

IA No. 75964/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

C.A. No. 13007/2024 (XVII)

FOR CONDONATION OF DELAY IN FILING ON IA 75739/2019

FOR STAY APPLICATION ON IA 75740/2019

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 75742/2019

FOR AMENDMENT OF APPEAL / PETITION / I.A. ON IA 98393/2019

FOR AMENDMENT OF APPEAL / PETITION / I.A. ON IA 98398/2019

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 98402/2019

IA No. 98393/2019 - AMENDMENT OF APPEAL / PETITION / I.A.

IA No. 98398/2019 - AMENDMENT OF APPEAL / PETITION / I.A.

IA No. 75742/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 98402/2019 - PERMISSION TO FILE ADDITIONAL

Signature Not Verified  
Digitally signed by  
NEETU SACHIN  
Date: 2025.07.31  
16:11:49 IST  
Reason:

## DOCUMENTS/FACTS/ANNEXURES

IA No. 75740/2019 - STAY APPLICATION

C.A. No. 5735/2019 (XVII)

IA FOR STAY APPLICATION ON IA 106694/2019

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 106696/2019

IA No. 106696/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 106694/2019 - STAY APPLICATION

C.A. No. 5799/2019 (XVII)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 107960/2019

FOR STAY APPLICATION ON IA 107961/2019

FOR EXEMPTION FROM FILING O.T. ON IA 22672/2020

IA No. 107960/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 22672/2020 - EXEMPTION FROM FILING O.T.

IA No. 107961/2019 - STAY APPLICATION

C.A. No. 7436/2019 (XVII)

IA FOR EX-PARTE STAY ON IA 136523/2019

FOR EXEMPTION FROM FILING O.T. ON IA 136525/2019

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 136526/2019

IA No. 136523/2019 - EX-PARTE STAY

IA No. 136526/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 136525/2019 - EXEMPTION FROM FILING O.T.

C.A. No. 2626/2020 (XVII)

IA No. 29632/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 29631/2020 - GRANT OF INTERIM RELIEF

C.A. No. 12492-12498/2024 (XVII)

IA FOR CONDONATION OF DELAY IN FILING ON IA 40820/2020

FOR STAY APPLICATION ON IA 40821/2020

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 40822/2020

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 40823/2020

IA No. 40823/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 40822/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 40821/2020 - STAY APPLICATION

C.A. No. 8181-8182/2023 (XVII)

IA FOR STAY APPLICATION ON IA 253123/2023

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 253124/2023

FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 46932/2024

IA No. 253124/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 46932/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON

IA No. 253123/2023 - STAY APPLICATION

C.A. No. 7981-7982/2023 (XVII)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 254601/2023

FOR STAY APPLICATION ON IA 256200/2023

IA No. 254601/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 256200/2023 - STAY APPLICATION

C.A. No. 8183-8184/2023 (XVII)

IA FOR STAY APPLICATION ON IA 256192/2023

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 256195/2023

FOR EXEMPTION FROM FILING O.T. ON IA 256196/2023

FOR ADDITION / DELETION / MODIFICATION PARTIES ON IA 256199/2023

IA No. 256199/2023 - ADDITION / DELETION / MODIFICATION PARTIES

IA No. 256195/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 256196/2023 - EXEMPTION FROM FILING O.T.

IA No. 256192/2023 - STAY APPLICATION

C.A. No. 8185-8186/2023 (XVII)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 258849/2023

FOR STAY APPLICATION ON IA 258851/2023

FOR EXEMPTION FROM FILING O.T. ON IA 258852/2023

IA No. 258849/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 258852/2023 - EXEMPTION FROM FILING O.T.

IA No. 258851/2023 - STAY APPLICATION

C.A. No. 188-189/2024 (XVII)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 268411/2023

FOR STAY APPLICATION ON IA 268412/2023

FOR EXEMPTION FROM FILING O.T. ON IA 268413/2023

IA No. 268411/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 268413/2023 - EXEMPTION FROM FILING O.T.

IA No. 268412/2023 - STAY APPLICATION

C.A. No. 12476/2024 (XVII)

IA No. 254464/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 254462/2024-STAY APPLICATION and IA

No. 254465/2024-EXEMPTION FROM FILING O.T.

IA No. 256829/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 254464/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 254465/2024 - EXEMPTION FROM FILING O.T.

IA No. 256928/2024 - INTERVENTION/IMPLEADMENT  
 IA No. 254462/2024 - STAY APPLICATION

C.A. No. 12477/2024 (XVII)

IA No.254486/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.254485/2024-STAY APPLICATION and IA No.254487/2024-EXEMPTION FROM FILING O.T.

IA No. 254486/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 254487/2024 - EXEMPTION FROM FILING O.T.

IA No. 254485/2024 - STAY APPLICATION

C.A. No. 12478/2024 (XVII)

IA FOR STAY APPLICATION ON IA 255689/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 255691/2024

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 255693/2024

FOR INTERVENTION APPLICATION ON IA 256833/2024

FOR INTERVENTION APPLICATION ON IA 260515/2024

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 260520/2024

IA No. 260520/2024 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 255693/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 260515/2024 - INTERVENTION APPLICATION

IA No. 256833/2024 - INTERVENTION APPLThe interim order is extended till the next date of hearing.

List on 15.03.2024. ICATION

IA No. 255691/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 255689/2024 - STAY APPLICATION

C.A. No. 14391-14393/2024 (XVII)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 285694/2024

FOR EX-PARTE STAY ON IA 287697/2024

IA No. 287697/2024 - EX-PARTE STAY

IA No. 285694/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

C.A. No. 13927-13929/2024 (XVII)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 275851/2024

FOR EX-PARTE STAY ON IA 275852/2024

IA No. 275852/2024 - EX-PARTE STAY

IA No. 275851/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

C.A. No. 14338/2024 (XVII)

IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 272947/2024

FOR STAY APPLICATION ON IA 272948/2024

IA No. 272947/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

## JUDGMENT

IA No. 272948/2024 - STAY APPLICATION

Diary No(s). 57955/2024 (XVII)

IA No. 20108/2025 - CONDONATION OF DELAY IN FILING

IA No. 20114/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 20113/2025 - EXEMPTION FROM FILING O.T.

IA No. 20110/2025 - STAY APPLICATION

Diary No(s). 24254/2025 (XVII)

Date : 31-07-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) : Ms. Garima Prasad, Sr. A.A.G.  
Mr. Pradeep Misra, AOR  
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UPON hearing the counsel the Court made the following

O R D E R

The interim order is extended until further orders.

List on 11.09.2025.

(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)  
COURT MASTER (NSH)