

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

ORIGINAL APPLICATION NO. 99 OF 2025

IN THE MATTER OF:

Sovran Singh

... Applicant

Versus

State of Uttar Pradesh & Ors.

... Respondents

**REJOINDER TO RESPONSE FILED ON BEHALF OF
UPPCB**

MOST RESPECTFULLY SHOWETH:

1. That the applicant has gone through the contents of the response filed on behalf of UPPCB and have understood the contents thereof. At the outset the applicant denies each and every averment of law and facts made in the said reply save and except specifically admitted hereinafter. The denial made herein shall be treated as specific denial.

PARAWISE REPLY :

2. That the contents of para 1 are only a partial recital of facts. It is not merely the "plea" of the applicant but a matter of judicial record that the mining lease of Respondent No.7 was cancelled by the District Magistrate, Jhansi on 12.08.2024, and this formed the basis of the final order dated 23.09.2024 passed by this Hon'ble Tribunal in OA No. 742/2024. The subsequent lease restoration by the Special Secretary on 27.01.2025 is in blatant violation of the binding directions of the Hon'ble Tribunal and is without jurisdiction.

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Further, the SEIAA, in its 884th meeting dated 02.04.2025, has clearly held that the Environmental Clearance (EC) stood cancelled w.e.f. 12.08.2024, and no valid EC exists thereafter. Thus, the resumed mining operations by Respondent No.7 are wholly unauthorised, illegal, and in contempt of the Tribunal's order. The reply by UPPCB does not address these serious legal infirmities.

3. That the contents of Para 2 and 3 as stated do not call for any comments being matter of record and formal in nature.
4. That the contents of Para 4 as stated do not call for any comments so far as they are matter of record. The Environmental Clearance dated 28.04.2023, though initially granted, ceased to have any legal force after the cancellation of the mining lease on 12.08.2024. This position has been formally recorded by SEIAA itself in its 884th meeting held on 02.04.2025, wherein it was held that the EC stands cancelled w.e.f. 12.08.2024. Thus, mere reference to the original EC is misleading and cannot justify continued mining operations without valid EC and lease.
5. That the contents of Para 5 as stated do not call for any comments so far as they are matter of record. The mere issuance of CTO dated 19.10.2023 is irrelevant in the present context, as the foundational Environmental Clearance (EC) and mining lease have already been cancelled w.e.f. 12.08.2024. In absence of a valid EC and lease, the Consent to Operate (CTO) automatically

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becomes infructuous and non-est in law, and cannot be relied upon to justify continued mining operations.

6. That the contents of Para 6 as stated do not call for any comments so far as they are matter of record. The contents of this para reaffirm the applicant's case. The Hon'ble Tribunal's final order dated 23.09.2024 in OA No. 742/2024 clearly records grave and repeated violations by Respondent No.7, including illegal deep mining in the main river stream using prohibited machinery, and violation of EC conditions and Sustainable Sand Mining Guidelines, 2016. These findings formed the basis of lease cancellation. Any attempt to revive the lease or rely on earlier EC/CTO after this binding judgment is not only illegal but amounts to contempt of this Hon'ble Tribunal.
7. That the contents of Para 7 as stated do not call for any comments so far as they are matter of record. The fact of lease cancellation dated 12.08.2024 is admitted and rightly done in compliance with the Hon'ble Tribunal's directions. However, it is submitted that any subsequent action seeking to revive the lease—despite this cancellation—stands in direct contravention of the Tribunal's binding order and renders all post-cancellation approvals, including EC or CTO, illegal and void.
8. That the contents of Para 8 as stated do not call for any comments so far as they are matter of record. The action of keeping the CTO in abeyance vide letter dated 30.08.2024 is incomplete and insufficient, as the mining lease and EC

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stood cancelled on 12.08.2024. The UPPCB ought to have cancelled the CTO outright, rather than keeping it in abeyance, especially when mining operations without a valid lease and EC are patently illegal.

9. That the contents of Para 9 as stated do not call for any comments so far as they are matter of record. The issuance of letter dated 13.09.2024 by UPPCB seeking information for imposition of environmental compensation is a welcome but delayed step, which in itself acknowledges serious illegalities by the Project Proponent. However, despite repeated violations, no environmental compensation has yet been imposed, thereby defeating the purpose of deterrence and environmental accountability as envisaged under CPCB guidelines.
10. That the contents of Para 10 as stated do not call for any comments so far as they are matter of record. The reply of the Mining Department dated 17.09.2024 confirms that illegal mining and storage outside the lease area by the Project Proponent was established, with assessed value of ₹2,52,000/-. This official acknowledgment further substantiates the Applicant's case that the Project Proponent repeatedly violated statutory provisions, and such violations warrant not just penalties but complete denial of any revival or continuation of lease or EC/CTO permissions.
11. That the contents of Para 11 as stated do not call for any comments so far as they are matter of record. The issuance

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of show cause notice dated 19.09.2024 by UPPCB, calculating environmental compensation of ₹4,53,600/- based on illegal mining, further reinforces the serious violations committed by the Project Proponent. These violations, admitted by statutory authorities themselves, clearly disqualify the Project Proponent from any benefit of lease revival or continuation of EC/CTO, and affirm the Applicant's grievance before this Hon'ble Tribunal.

12. That the contents of Para 12 as stated do not call for any comments so far as they are matter of record. The Hon'ble Tribunal's order dated 23.09.2024 in *OA No. 742/2024* clearly acknowledges repeated instances of instream mining by Respondent No. 7, in violation of EC conditions and mining rules. The directions issued to UPPCB and SEIAA for expeditious action confirm that serious environmental breaches have occurred. The Applicant respectfully submits that revival of the mining lease, EC, or CTO in the face of such findings is wholly untenable and contrary to the spirit of the Hon'ble Tribunal's order.
13. That the contents of Para 13 as stated do not call for any comments so far as they are matter of record. The mere filing of an affidavit dated 20.09.2024 does not fulfill the substantive directions of the Hon'ble Tribunal. The affidavit must demonstrate actual compliance with the Tribunal's findings and orders, including action on instream mining violations and EC breaches, which is lacking.

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14. The contents of Para 14 reaffirm the Applicant's stand regarding repeated and continued violations by Respondent No. 7, including in-stream mining and breach of EC Condition No. 32. The UPPCB's own recommendation for further environmental compensation and issuance of an additional show cause notice only strengthens the case that revival of the lease despite such serious environmental infractions is wholly unsustainable and contrary to the Hon'ble Tribunal's directions and environmental law.
15. The contents of Para 15 are matter of record. However, the fact that the Hon'ble Tribunal found it necessary to restrain Respondent No. 7 from indulging in illegal mining clearly reflects ongoing concerns regarding his non-compliance with statutory and environmental obligations, thereby justifying the Applicant's prayer for setting aside the lease revival and associated approvals.
16. The judgment dated 17.07.2025 in Writ-C No. 4816 of 2024, referred to in Para 16, clarifies the procedural limitation on the UPPCB's power to impose environmental compensation directly. However, this does not invalidate the substantive findings of environmental violations committed by Respondent No. 7, which were recorded by both the UPPCB and District Authorities through multiple inspection reports. The UPPCB remains empowered to approach this Hon'ble Tribunal under Sections 15 and 18 of the NGT Act, 2010 for compensation, and such procedural correction, if any, does not absolve Respondent No. 7 of liability for repeated illegalities and EC violations.

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17. The contents of Para 17 are duly noted. However, the fact that the UPPCB is still awaiting a reply from the Mining Officer regarding the latest status of mining underscores the continuing regulatory inaction and lack of real-time enforcement. Given the repeated violations already established, such delays only enable further unauthorized activities and weaken environmental compliance.
18. The contents of Para 18 are misconceived and evasive. Once SEIAA itself recorded in its 884th Meeting dated 02.04.2025 that the Environmental Clearance stood cancelled due to lease termination, any further letter by the ADM (Judicial) seeking "validation status" is redundant and contrary to record. The said EC ceased to be valid from 12.08.2024, and its revival is legally impermissible, especially in view of the binding findings and directions of the Hon'ble NGT.
19. The statement in Para 19 is merely a general averment and does not address the specific violations, non-compliance, and procedural lapses already demonstrated in the applicant's pleadings. Mere assertions of commitment cannot override the factual record of inaction and unlawful revival of a cancelled lease in contravention of the Hon'ble Tribunal's orders.
20. The contents of Para 20 are formal in nature and do not warrant any specific response. However, it is reiterated that the present reply fails to effectively meet the core issues raised in the Original Application and does not justify the

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illegal revival of lease or continued environmental violations.

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Sovran Singh
Applicant

Through

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Date: .08.2025

New Delhi

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AFFIDAVIT

I, Sovran Singh, Aged about 35 years, S/o Gyan Singh R/o Targuwan, Lalitpur, Uttar Pradesh – 284126, do hereby solemnly affirm and states as under:

1. That the deponent is applicant in the above-mentioned matter and as such he is well conversant with the facts and circumstances of the present case.
2. That the deponent has gone through the contents of the accompanying response filed on behalf of UPPCB. The same has been drafted as per my instructions and has explained to me in vernacular. The contents of the same are true and correct to the best of my knowledge and nothing material has been concealed there from.

DEPONENT

VERIFICATION

I, the deponent above named do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge derived from the records and nothing relevant has been concealed therefrom. Verified at _____ on this _____ day of August, 2025.

DEPONENT



... No. 27/25
his affidavit has been sworn
by Shri. Sovran Singh, S/o Gyan Singh
R/o Targuwan, Lalitpur, Dist. Lalitpur
on this day 27/8/25 at Lalitpur
to time 12 months Year 2025
The contents of the affidavit have been
read over and explained to the deponent
and he admitted that the same are true and correct.
Received Rs. _____
OATH COMMISSIONER, JHANSI
12-8-25

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