

IN THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

I.A. No. 800 of 2023

IN

ORIGINAL APPLICATION NO.681of 2023

ABHINAY KUMAR RAI

...APPLICANT

VERSUS

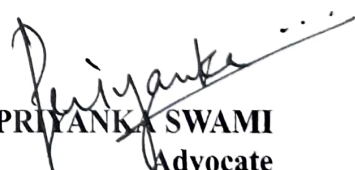
BLISS DELIGHT & ORS

....RESPONDENTS

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THROUGH

  
PRIYANKA SWAMI  
Advocate  
Counsel for SEIAA, U.P.  
F- 13, Ground Floor,  
Jangpura Extension,  
New Delhi- 110014

Date: 28. 02.2024

IN THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

I.A. No. 800 of 2023

IN

ORIGINAL APPLICATION NO. 681 of 2023

ABHINAY KUMAR RAI

...APPLICANT

VERSUS

BLISS DELIGHT & ORS.

...RESPONDENTS

Reply On Behalf of the behalf of respondent No. 02, State Level  
Environment Impact Assessment Authority

MOST RESPECTFULLY SHOWETH: -

1. At the outset, the answering respondent denies each and every allegation, contention and/or insinuation contained in the instant Application, which is contrary to and/or inconsistent with what is stated hereinafter. In any event, nothing contained in the Application which is not specifically admitted herein, be deemed to have been admitted, for want of denials or otherwise.
2. Ministry of Environment and Forest, Govt. of India through its notification dated 14/09/2006 (as amended) has made it mandatory to obtain Prior Environmental Clearance prior to establishment or

expansion of any such project or activity which is listed in the schedule of notification.

Environmental clearance shall be required for:


- a) All new projects or activities listed in the Schedule to this notification.
  - b) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
  - c) Any change in product-mix in an existing manufacturing unit included in Schedule beyond the specified range.
  - d) Objective of this process is to impose certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts.
3. The environmental clearance shall be taken from Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level, the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity. The State Environment Impact Assessment Authority (SEIAA) shall base its decision on the recommendations of a State level Expert Appraisal Committee (SEAC).

4. The SEIAA and SEAC, Uttar Pradesh have been constituted by Ministry of Environment and Forest & CC, Govt. of India vide notification bearing no. S.O 3338(E) dt. 16.10.2017 and subsequently reconstituted through notification bearing no. S.O. 2276(E) dated 11/06/2021
5. Directorate of Environment, Govt. of U.P. has been declared to function as Secretariat to these statutory bodies i.e. SEIAA and SEAC by State Government.
6. All such project proposals received to the SEIAA, UP for Prior Environmental Clearance are dealt according to the EIA Notification, 2006 (as amended).
7. It is submitted that no application for environmental clearance has been received on the Parivesh portal under the provisions of EIA Notification 2006 (as amended) for the Project "Group Housing Project Ansalapi-Bliss Delight, Block-1, 2, 3 & 4, GH-2, Sushant Golf City", Lucknow.
8. It is respectfully submitted before this Hon'ble Tribunal that in present situation, the answering respondent is neither a proper nor necessary party to the present proceedings and has been wrongfully impleaded.

**PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- i. Dismiss the present Interlocutory application with Exemplary cost Or
- ii. Pass any such other order as may deem fit.

  
THROUGH  
**PRIYANKA SWAMI**  
Advocate  
Counsel for SEIAA, U.P.  
F-13, Ground Floor,  
Jangpura Extension,  
New Delhi- 110014

Date: 28.02.2024

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AFFIDAVIT

Affidavit of Sh. ANURAG KUMAR YADAV, aged about 48 years s/o Sh. P.N.SINGH, presently posted as DEPUTY DIRECTOR, REGIONAL OFFICE, DIRECTORATE OF ENVIRONMENT, UP having office at E-12/1, NOIDA. Presently at New Delhi, Uttar Pradesh.

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 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 there from.





*[Handwritten Signature]*

DEPONENT

**Presently at New Delhi**

**VERIFICATION**

Verified on solemn affirmation at New Delhi on this 28 day of February, 2024, 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 there from.

*[Handwritten Signature]*

DEPONENT

I identified the deponent who has signed in my presence

**ATTESTED**  
*[Handwritten Signature]*  
**NOTARY PUBLIC**  
**(INDIA)**  
**28 FEB 2024**