

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1225/2024****(IA NO. 82/2025)****IN THE MATTER OF:****AMIT KUMAR.****APPLICANT****VERSUS****UNION OF INDIA & ORS.****RESPONDENTS****INDEX**

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Date:15/12/2025**THROUGH****Place: New Delhi**

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

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1225/2024****(IA NO. 82/2025)****IN THE MATTER OF:****AMIT KUMAR.****APPLICANT****VERSUS****UNION OF INDIA & ORS.****RESPONDENTS****REPLY ON BEHALF OF RESPONDENT NO. 4 CHAIRMAN, SEIAA,
U.P. WITH AFFIDAVIT****MOST RESPECTFULLY SHOWETH**

1. That the answering Respondent deny each and every statement, contention, submission, allegation, and/or averment made by the Appellant in the complaint, which is contrary to or inconsistent with the present reply or the records of the case. It is categorically stated that all such statements, submissions, or averments made by the Appellant that are inconsistent with what is submitted in this reply are denied in totality, except those which are specifically and expressly admitted hereinafter. Furthermore, it is submitted that any omission to deny any of the averments

made by the Appellant should not be construed as an admission on the part of the answering Respondents, and no adverse inference should be drawn from such omissions.

- 2.** That the Ministry of Environment, Forest, and Climate Change (MoEF&CC), through its notification dated 14.09.2006 (as amended), has mandated obtaining prior Environmental Clearance (EC) for new projects, expansion, or modernization of existing projects likely to impact the environment. The objective of this process is to regulate projects based on their environmental impact potential and ensure that conditions are imposed to mitigate adverse effects.
- 3.** That the answering respondent, is a statutory body constituted under the EIA Notification, 2006, for granting ECs to projects under Category 'B' in the Schedule of the said notification. SEIAA bases its decisions on recommendations from the State Expert Appraisal Committee (SEAC) and operates within the jurisdiction set by the MoEF&CC guidelines.
- 4.** The SEIAA and SEAC in Uttar Pradesh were constituted via MoEF&CC notification dated 16.10.2017 and reconstituted on 11.06.2021. The Directorate of Environment, Government of Uttar Pradesh, functions as the Secretariat for SEIAA and SEAC,

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ensuring compliance with statutory requirements during the appraisal process.

- 5.** That the primary responsibility of answering respondent is evaluating and granting Environmental Clearances (ECs) to projects falling within its jurisdiction. Its role is focused on assessing the potential environmental impacts of proposed projects and ensuring compliance with applicable laws at the time of granting clearances. The Office Memorandum dated 29th June 2010 issued by the MoEF&CC clearly designates the regional offices of the Ministry as the competent authority for Post-clearance monitoring, enforcement of compliance, and regulatory inspection functions. SEIAA, U.P., operates within its jurisdiction and supports the regulatory authorities by providing necessary inputs when required. **The Office Memorandum dated 29th June 2010 issued by the MoEF&CC is filed herewith and marked as Annexure-1.**
- 6.** That SEIAA, U.P., operates strictly within its jurisdiction and has no institutional mechanisms to oversee or enforce compliance after the issuance of ECs. While the regulatory authority for monitoring projects lies with the MoEF&CC. SEIAA remains committed to extending its cooperation and assistance wherever

required. SEIAA has also taken proactive steps within its capacity, such as issuing show cause notices to project proponents where non-compliance has been reported and forwarding such matters to the appropriate regulatory authorities. SEIAA, U.P., assures the Hon'ble Tribunal of its dedication to upholding environmental laws and addressing concerns raised in the interest of safeguarding the environment.

7. That it is pertinent to mention that in the present matter, no application has been made by the concerned regarding grant of Environmental Clearance of M/S Kuber Traders, at Khasra No. 110, Village- Bhatti Majra, District- Shamli at SEIAA, UP.
8. That the answering Respondent respectfully submits that it remains at the disposal of this Hon'ble Tribunal and shall abide by and ensure strict compliance with any further orders or directions that may be passed in this matter.

Date:15/12/2025		THROUGH
Place: New Delhi		
		Priyanka swami Advocate Standing Counsel For State of U.P F-13, Jangpura, New Delhi 110014

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

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



V. Bhanu

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 15 DEC 2025 2025,
that the contents of the foregoing affidavit are true and correct to the best of
my knowledge and no part of it is false and nothing material has been
concealed therefrom

V. Bhanu

DEPONENT



ATTESTED

**NOTARY PUBLIC
(INDIA)**

15 DEC 2025

*I identified by
PRIYANKA SINGH
D/4416/10.
I identified the deponent who
has signed in my presence*

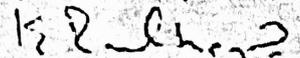
J-11013/5/2009-IA.II
Govt. of India
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 003.
29th June 2010

Office Memorandum

1. The Regional offices of Ministry of Environment and Forests have been entrusted with the responsibility of monitoring compliance status of the conditions stipulated while according environment clearance to various developmental projects under the EIA and CRZ Notifications. For the purpose, the officers from the Regional offices have been undertaking visits to the projects and based on the observations made during the visit, the monitoring reports are submitted to the Ministry of Environment and Forests.
2. It has been observed that the monitoring reports are often submitted very late, even in cases of serious violations, thereby, prejudicing effective action against the units found non compliant to the environment clearance conditions and defeating the very purpose of monitoring.
3. In view of the above, it has been decided that the Regional offices will, henceforth, send the monitoring reports to monitoring cell of IA division within one month of monitoring of project/ unit in respect of these projects which have been found in gross violation of environment clearance conditions. However, in all other cases, a simple statement indicating name of units monitored along with summary statement of observations made during monitoring may be sent every month for all other projects monitored in the previous month.

This issues with the approval of the Competent Authority.


(Dr. K. C. Rathore)
Scientist "F"

To

1. The Chief Conservator of Forests, Ministry of Env & Forests, Regional Office (East), A/3, Chandrasekharpur, Bhubaneswar 751023 Orissa.
2. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (South), Kendriya Sadan, 4th floor, E & F wings, 17th Main Road, Koramangala II B Bangalore-560034
3. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (WZ), Kendriya Paryavaran Bhawan, E-5, Arera Colony, Link Road-3, Ravishankar Nagar, Bhopal 452016, M.P.
4. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (NEZ) Uplands Road, Laitumkhrah, Shillong 793003, Meghalaya
5. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (CZ), Kendriya Bhawan, 5th floor, Sector "H", Aliganj, Lucknow 226020 U.P.
6. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (NZ), Bays No: 24-25, Sector 31A, Dakshin Marg, Chandigarh 160002