

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

**O.A. NO. 429/2017**

**IN THE MATTER OF:**

**KIRTI VARDHAN SINGH**

**APPLICANT**

**VERSUS**

**STATE OF UTTAR PRADESH &  
ORS**

**RESPONDENTS**

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**Date:27/01/2026**

**Place: New Delhi**

**THROUGH**



**Priyanka swami  
Advocate**

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

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH, NEW DELHI****O.A. NO. 429/2017****IN THE MATTER OF:****Kirti Vardhan Singh****APPLICANT****VERSUS****State of Uttar Pradesh & Ors****RESPONDENTS****ADDITIONAL REPLY ON BEHALF OF RESPONDENT No. 4 –  
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 SEIAA-UP and SEAC-UP were constituted vide Notification S.O. 2276(E) dated 11.06.2021 and subsequently reconstituted vide Notification S.O. 3921(E) dated 26.08.2025, issued by the Ministry of Environment, Forest and Climate Change. The Directorate of Environment, Government of Uttar Pradesh, has been designated to function as the Secretariat for both bodies. All proposals for Prior Environmental Clearance received by SEIAA-UP are processed strictly in accordance with the provisions of the EIA Notification, 2006 (as amended from time to time), wherein the State Level Expert Appraisal Committee (SEAC) is mandated to make categorical recommendations to the concerned regulatory authority—either for grant of prior environmental clearance with stipulated terms and conditions or otherwise. The State Environment Impact Assessment Authority (SEIAA) bases its final decision on the recommendations of the SEAC.
- 3.** It is pertinent to mention here that in the present matter also SEIAA/ SEAC, Uttar Pradesh followed the aforesaid procedures and in frame of rules and regulation SEIAA issued Grant of

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Environment Clearance under the provision of the EIA Notification 2006-

4. That till dated: 14/01/2026, 13 applications regarding Prior Environmental clearance for Sand/Moram mining operations in district, Gonda, Uttar Pradesh has been received to State level Environment Impact Assessment Authority, Uttar Pradesh. (SEIAA, UP) out of which Prior Environmental Clearances has been granted to 09 projects, in 01 application ToR has been granted by SEIAA, UP, 02 EC proposals has been delisted by parivesh portal and 01 proposal is under consideration. **True copy of the detailed status of applications relating to Prior Environmental Clearance for sand/moram mining in District Gonda is attached herewith and marked as Annexure P/1.**
5. That it is most respectfully submitted that with regard to illegal mining, the primary responsibility for its control rests with the District Administration and Mining Department. The State Environment Impact Assessment Authority (SEIAA) is responsible only for ensuring that Environmental Clearances (EC) are granted in strict compliance with all applicable rules and regulations.
6. That it is most respectfully submitted that SEIAA has evaluated the case while prioritizing the best interests of society and natural

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resources (rivers) from an environmental perspective. SEIAA's approach is not mine-centric but rather environmental and social, ensuring that local livelihoods are not adversely affected and that environmental sustainability is maintained under the prevailing circumstances.

7. That SEIAA, U.P., is a statutory body constituted under the Environmental Impact Assessment (EIA) Notification, 2006, with the primary responsibility of 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. **True copy of the Office Memorandum dated 29.06.2010 issued by the MOEF&CC is attached herewith and marked as Annexure P/2.**

- 8.** 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
- 9.** That the Respondents respectfully submits that they 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 the matter.

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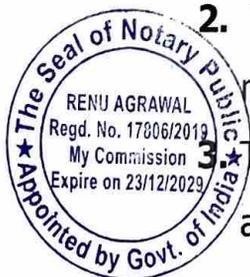
**STATE OF UTTAR PRADESH &  
ORS**

**RESPONDENTS**

**AFFIDAVIT**

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

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on behalf of Member Secretary, SEIAA before this Tribunal.
2. That the accompanying Reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying Reply are true and correct, and the knowledge has been derived from official records and nothing material has been concealed therefrom.
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.



*√ Bheroti*



DEPONENT

**VERIFICATION**

Verified on solemn affirmatin at 27 JAN 2026 on this ..... day of ..... 2026, 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

*√ Bheroti*  
DEPONENT

*Identified by  
Adv. Brijendra Swami  
D/24476/10.  
I identified the deponent who  
has signed in my presence*

**ATTESTED**  
*[Signature]*  
**NOTARY PUBLIC  
(INDIA)**

**27 JAN 2026**

List of Sand mining Projects as of District- Gonda					
Sl no-	File no-	Proposal no-	Project Title	Project addressh	Status
1.	1843	Offline	Sri Devnarayan, Vill-Chakarsul, Tehsil-Tarabganj, Gonda, U.P.	EC for Sand/Morum Mining Project at Khasra No-8, Vill-Godwa, Tehsil-Karnailganj, Distt- Gonda, U.P. (Area 1.61 Hac) (Category-B-2)	EC Issued by SEIAA on dated 12/10/2013
2.	1847	Offline	Sri Abbash Ali, Vill-Chakarsul, Nawabganj, Distt-Gonda, U.P.	EC for Sand/Morum Mining Project at Khasra No-2624, 2685, River Saryu-Durgaganj, Tehsil-Tarabganj, Distt-Gonda, U.P. (Area 2.34 Hac) (Category-B-2)	EC Issued by SEIAA on dated 12/10/2013
3.	1850	Offline	Sri Kaayam Ali, Vill-Chakarsul, P.S. & Pargana-Nawabganj, Distt-Gonda, U.P.	EC for Sand/Morum Mining Project at Khasra No-60,61,62,66,110,River Saryu, Vill-Saraynamu, Tehsil-Tarabganj, Distt- Gonda, U.P. (Area 2.38 Hac) (Category-B-2)	EC Issued by SEIAA on dated 12/10/2013
4.	1851	Offline	Sri Kaayam Ali, Vill-Chakarsul, P.S. & Pargana-Nawabganj, Distt-Gonda, U.P.	EC for Sand/Morum Mining Project at Khasra No- 66, 70, 71, River Uttarganga, Vill-Harivanshpur, Tehsil-Tarabganj, Distt- Gonda, U.P. (Area 1.31 Hac) (Category-B-2)	EC Issued by SEIAA on dated 12/10/2013
5.	2606	Offline	Sri Mubarak Ali, Vill-Chakarsool, Tehsil-Nawabganj, Distt-Gonda	EC for Sand Mining Project at Vill-Retwagara, Pargana & Tehsil & Distt-Gonda (Area-1.675 Hac) B2	EC Issued by SEIAA on dated 23/02/2016
6.	4102	SIA/UP/MIN/73232/2018	Shri Virendra Bhadr Singh S/o Shri Feku Singh, H. No. - 44 B, Gajpur, Sant Kabir Nagar, Khaliilabad, U.P., M/s A.P.M. Mining And Infra Pvt. Ltd.	Proposed River Bed Sand Mining Project from Ghaghra River for M/s A.P.M. Mining And Infra Pvt. Ltd, located at Plot No.-2081, 2083, Village- Paraspatti Majhwar, Tehsil-Tarabganj, District- Gonda, U.P., Sanctioned Lease Area: 10.98 Ha, Effective Area: 10.980 Ha	EC Issued by SEIAA on dated 31/03/2018
7.	4107	SIA/UP/MIN/73246/2018	Shri bheem Singh S/o Shri Shiv Kumar Singh, Village- Kadaru, Tehsil- Tarabganj, Disrtrict-Gonda,U.P., M/s Kumar Construction	Proposed River Bed Sand Mining Project from Ghaghra River for M/s Kumar Construction, located at Plot No.-6191 Aksha, Village- Sonauli Mohammadpur, Tehsil- Tarabganj, District- Gonda, U.P., Sanctioned Lease Area: 6 Ha, Effective Working Area: 6.000 Ha	EC Issued by SEIAA on dated 31/03/2018

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8.	4120	SIA/UP/MIN/73370/2018	Shri Ajay Kumar Singh, Owner, H.No.Plot No.-9, Ajay Nagar, Village - Kamta, P.O.- Chihat, District- Lucknow, U.P.	Proposed River Bed Sand Mining Project from Ghaghra River for M/s Aaradhya Enterprises, located at Plot No.- 6186 ja, Village- Sonauli Mohammadpur, Tehsil- Tarabganj, District- Gonda, U.P., Sanctioned Lease Area: 6.00 Ha	EC Issued by SEIAA on dated 05/04/2018
9.	4128	SIA/UP/MIN/73364/2018	Shri Karan Bhushan Sharan Singh, Owner, Village- Bishnoharpur Nawabganj, Tehsil- Tarabganj, District- Gonda, U.P., M/s Nandini Infrastructure	Proposed River Bed Sand Mining Project from Ghaghra River for M/s Nandini Infrastructur located at Khasra No.- 2769 Mi, Village- Durgaganj, Tehsil- Nawabganj, District- Gonda, U.P., Sanctioned Lease Area: 24.00 Ha	EC Issued by SEIAA on dated 14/05/2018
10.	4142	SIA/UP/MIN/22491/2018	Shri Karan Bhushan Sharan Singh, Owner, Village- Bishnoharpur Nawabganj, Tehsil- Tarabganj, District- Gonda, U.P., M/s Nandini Infrastructure	Proposed River Bed Sand Mining Project from Ghaghra River for M/s Nandini Infrastructur located at Khasra No.- 2509 Mi, Village- Tulsipur, Tehsil- Tarabganj, District- Gonda, U.P., Sanctioned Lease Area: 38.44 ha, Effective Workable Area- 36.76 ha	TOR Issued by SEIAA on dated 11/04/2018
11.	4142	SIA/UP/MIN/22491/2019	Shri Karan Bhushan Sharan Singh, Owner, Village- Bishnoharpur Nawabganj, Tehsil- Tarabganj, District- Gonda, U.P., M/s Nandini Infrastructure	Proposed River Bed Sand Mining Project from Ghaghra River of M/s Nandini Infrastructur Pvt. Ltd., located at Khand No.- 2509 Mi, Village- Tulsipur, Tehsil- Tarabganj, District- Gonda, U.P., Sanctioned Lease Area: 38.44 Ha	EC proposal DELISTED BY Parivesh Portal
12.	9480	SIA/UP/MIN/512437/2024	Shri Namo Narayan, R/o- Narayanpur Majha Gonda, District Gonda, UP	Proposed Project of Sand mining project on Gata No.- 1663Kha, 1668Kha, 1665Ka, Village Narayanpur Manjha of Colonelganj Tehsil of Gonda District Uttar Pradesh, Area of 1.169 Ha	EC proposal DELISTED BY Parivesh Portal
13.	10549	SIA/UP/MIN/562223/2025	Akhilesh Kumar Srivastav, S/O Shri Arun Lal Srivastav Add-311, Vishnu Puri Colony, Civil Line, District-Gonda, U.P.- 271001 Prop . M/S A K Sri Construction	Sonauli Mohammadpur Sand Mining Project, Located on river bed of Ghaghra River Gonda District Uttar Pradesh. Area of 06 Ha	SEAC meeting dated 07/01/2026

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By Speed Post

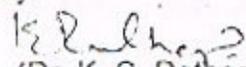
J-11013/5/2009-IA,II  
Govt. of India  
Ministry of Environment and Forests  
IA Division

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110 003.  
29<sup>th</sup> 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, Chandrasekharapur, **Bhubaneswar** 751023 Orissa.
2. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (South), Kendriya Sadan, 4<sup>th</sup> floor, E & F wings, 17<sup>th</sup> Main Road, Koramangala "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** 462016, 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, 5<sup>th</sup> floor, Sector "H", Aligunj, **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** 16<sup>th</sup>