

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 51 of 2025**

IN THE MATTER OF:

SANJEEV KUMAR SINGH

APPLICANT

VERSUS

MOEF&CC & ORS

RESPONDENTS

INDEX

Sl. No.	Particulars	Pages
1.	Reply On Behalf Of Respondent SEIAA and SEAC, U.P alongwith affidavit.	1-7
2.	Annexure A/1:- The Office Memorandum dated 29th June 2010 issued by the MoEF&CC	8

Date:08/01/2026

Place: New Delhi

THROUGH



Priyanka swami

Advocate

Standing Counsel For SEIAA, U.P

F-13, Jangpura, New Delhi

110014

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****APPEAL NO. 51 of 2025****IN THE MATTER OF:****SANJEEV KUMAR SINGH****APPLICANT****VERSUS****MOEF&CC & ORS****RESPONDENTS**

**REPLY ON BEHALF OF RESPONDENT SEIAA AND SEAC, U.P
ALONGWITH AFFIDAVIT.**

MOST RESPECTFULLY SHOWETH:

1. That the answering Respondents deny each and every statement, allegation, contention, submission, and averment made by the Appellant in the present Appeal, which is contrary to, inconsistent with, or not specifically admitted herein or borne out from the official records. All averments not expressly admitted herein are denied in totality. Any omission to specifically traverse any averment shall not be construed as an admission and no adverse inference may be drawn therefrom.
2. That the present Appeal is misconceived, devoid of merit, and liable to be dismissed in limine, as the Environmental Clearance impugned

herein has been granted strictly in accordance with the provisions of the Environmental Impact Assessment Notification, 2006, and the applicable statutory guidelines.

- 3.** That the present Appeal challenging the Environmental Clearance dated 04.06.2025 granted in favour of Respondent No. 8 in respect of Gata Nos. 259गा, 258गा, and 258खं situated on River Kooda at Village Chivarhiya, Tehsil Naugarh, District Siddharthnagar, Uttar Pradesh, admeasuring a leased area of 2.320 hectares.
- 4.** That the State Environment Impact Assessment Authority, Uttar Pradesh (SEIAA-UP) and the State Expert Appraisal Committee, Uttar Pradesh (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, functions as the Secretariat for both SEIAA-UP and SEAC-UP.
- 5.** That all proposals seeking prior Environmental Clearance are processed strictly in accordance with the Environmental Impact Assessment Notification, 2006, as amended from time to time. The SEAC examines proposals in detail and makes categorical recommendations to the regulatory authority, either for grant or

rejection of Environmental Clearance, with appropriate terms and conditions. The SEIAA, in turn, takes its final decision strictly on the basis of such recommendations.

- 6.** That in the present case, the proposal relating to the project titled "Ordinary Sand Mine (Category-1)" situated at Gata Nos. 259ग, 258ग, and 258खं, Village Chivarhiya, Tehsil Naugarh, District Siddharthnagar, Uttar Pradesh, admeasuring a leased area of 2.320 hectares, was duly examined by the competent authorities in accordance with law.
- 7.** That after following the prescribed procedure under the EIA Notification, 2006, the SEIAA granted Environmental Clearance vide order dated 04.06.2025 against Proposal No. SIA/UP/MIN/535318/2025 in favour of the project proponent, namely Respondent No. 8, Shri Rakesh Singh, resident of Bhimapar, Siddharthnagar, Uttar Pradesh-272207.
- 8.** That the Environmental Clearance was granted subject to specific and additional conditions, including the express stipulation that no mining activity shall be undertaken in the in-stream channel, strictly in accordance with the Sustainable Sand Mining Management Guidelines, 2016.

9. That the allegations made by the Appellant alleging lack of proper study or violation of environmental laws are wholly baseless, vague, and unsupported by any material evidence. The Environmental Clearance has been granted strictly in compliance with the applicable statutory framework.
10. That insofar as allegations of illegal mining are concerned, it is submitted that the primary responsibility for prevention, control, and enforcement lies with the District Administration and the Mining Department. The role of SEIAA is limited to appraisal and grant of Environmental Clearance at the pre-clearance stage.
11. That SEIAA, Uttar Pradesh, is a statutory authority constituted under the EIA Notification, 2006, with a limited mandate of evaluating potential environmental impacts and granting Environmental Clearances within its jurisdiction.
12. That the Office Memorandum dated 29.06.2010 issued by the Ministry of Environment, Forest and Climate Change categorically designates the Regional Offices of the Ministry as the competent authorities for post-clearance monitoring, compliance verification, and regulatory inspections. **The Office Memorandum dated 29th June 2010 issued by the MoEF&CC is filed herewith and marked as Annexure A-1.**

- 13.** That SEIAA does not possess any independent institutional mechanism for post-clearance monitoring or enforcement. Nevertheless, SEIAA remains committed to extending cooperation to the competent authorities and has, within its jurisdiction, issued show-cause notices to project proponents in cases of reported non-compliance and forwarded such matters to the appropriate regulatory authorities.
- 14.** That the Environmental Clearance granted in the present case reflects a balanced approach, keeping in view environmental protection, conservation of riverine ecology, and sustainable utilization of natural resources, while ensuring that local livelihoods are not adversely impacted.
- 15.** The answering Respondents respectfully submit that they remain at the disposal of this Hon'ble Tribunal and shall comply with any further directions or orders passed in the present matter.

Date:08/01/2026

Place: New Delhi

THROUGH



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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 51 of 2025**

IN THE MATTER OF:

SANJEEV KUMAR SINGH

APPLICANT

VERSUS

MOEF&CC & 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.



V. Bhandari

DEPONENT

VERIFICATION

Verified on solemn affirmatin at 08 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

*Identified By
Priyanka Swain
D/4476*
I identified the deponent who has signed in my presence



V. Bhandari
DEPONENT

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

08 JAN 2026

By Speed Post

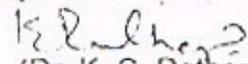
J-11013/5/2009-IA,II
Govt. of India
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 003.
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 "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, 5th 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** 16th