

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNA****WESTERN ZONE BENCH, PUNE****AT PUNE**

Appeal No. 488 of 2025(WZ)

RAMESHKUMAR NANJIBHAI PATEL

... APPELLANT

Versus

SEIAA, GUJARAT &amp; Ors

... RESPONDENT

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PUNE

DATE : 04/04/2026


**ADVOCATE FOR APPELLANT**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNA**  
**WESTERN ZONE BENCH, PUNE**

**AT PUNE**

**Appeal No. 488 of 2025(WZ)**

YASINBHAI ISMAIL ATHANIYA

... APPELLANT

Versus

SEIAA, GUJARAT & Anr

... RESPONDENT

**REJOINDER ON BEHALF OF THE**  
**APPELLANT**

**MAY IT PLEASE THE HON'BLE TRIBUNAL**

The Appellant above-named most respectfully submits this Rejoinder along with supporting documents to clarify the factual position regarding the mining lease:

1. The Appellant submits that the present Appeal has been filed by the Appellant impugning the order dated 30<sup>th</sup> March 2025. The Appellant submits that vide the said order, the Respondent No.1 was pleased to reject the application for reappraisal of the Environmental Clearance of the Appellant. The reason for rejection of the application was that it did not meet the distance criteria. **(Pg No.25 to Pg 26 of the Appeal Paper Book)**.
2. The Appellant submits that there is difference in the online application in latitude and longitude and all latitude and longitude of said mines in the DSR report. There is a huge difference in the online application in latitude and

longitude and the DSR report in mine in longitude and latitude. Copy of the geographical co-ordinates are annexed hereto and marked as ANNEXURE-A-1.

3. The Appellant further submits that the Respondent No.1 has granted environmental clearances in the adjoining areas and has discriminated the case of the Appellant which clearly smacks the purpose of equity and fair play. From 2015 to 2024, many mining sites, which are currently located in rivers and near roads, have been given EC by Respondent No.1.
4. The Appellant submits that in view of the above-supported documents and clarifications, it is established that the Respondent No.1 has taken a decision based on incorrect and erroneous geographical co-ordinates. Thus, it is prayed that the impugned order may be quashed and set aside and the case be remitted back to the Respondent No.1 to consider it from the stage of reappraisal of the application for grant of EC in view of the documents submitted above. The Appellant submits that this Hon'ble Tribunal in a batch of cases has passed a similar order on 9th December 2025. Copy of the order dated 9th December 2025 is annexed hereto and marked as ANNEXURE -A-2.

Date: 4/04/2026

Place: Pune



Advocate for the Appellant

Serial No. .... 604/26  
Book No. .... 45  
Page No. .... 62

Date: 4 APR 2026

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH, PUNE, AT PUNE**

Appeal No. 488 of 2025(WZ)

YASINBHAI ISMAIL ATHANIYA

... APPELLANT

Versus

SEIAA, GUJARAT & Anr

... RESPONDER

**AFFIDAVIT**

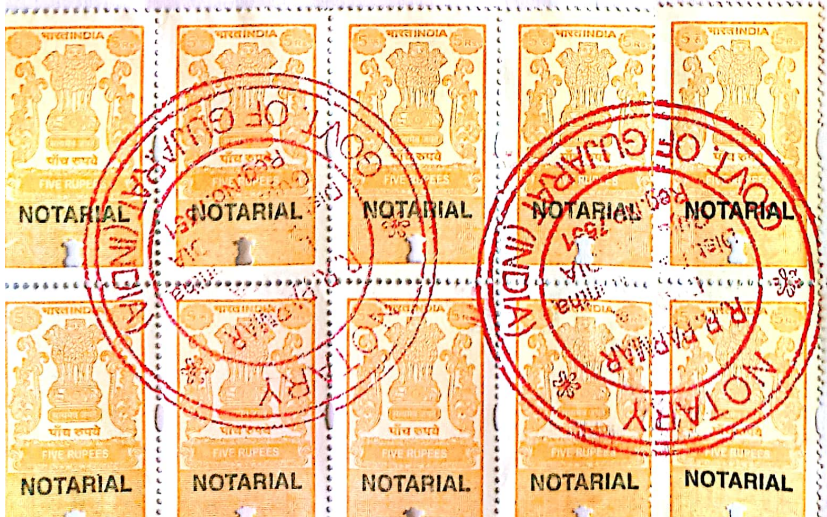
**MAY IT PLEASE THE HON'BLE TRIBUNAL:**

I, Mr. YASINBHAI ISMAIL ATHANIYA, adult, Occu.: business, having address at Survey No.139 Paiki, Village – Jaswantgadh, Taluka – Danta, District- Banaskantha, State- Gujarat do hereby state on solemn affirmation as under: -

I am the Appellant above named and responsible for day-to-day administration of my business. As such, I have gone through the memo of Rejoinder and annexure thereto being filed today. I find that the contents therein are true and correct to the best of my knowledge and belief and which may be treated as part and parcel of the present affidavit.

WHATEVER STATED ABOVE is true and correct to the best of my knowledge and belief. In witness whereof I have signed hereunder at

DANTA on 4 day of April 2026.



*(Signature)*  
DEPONENT

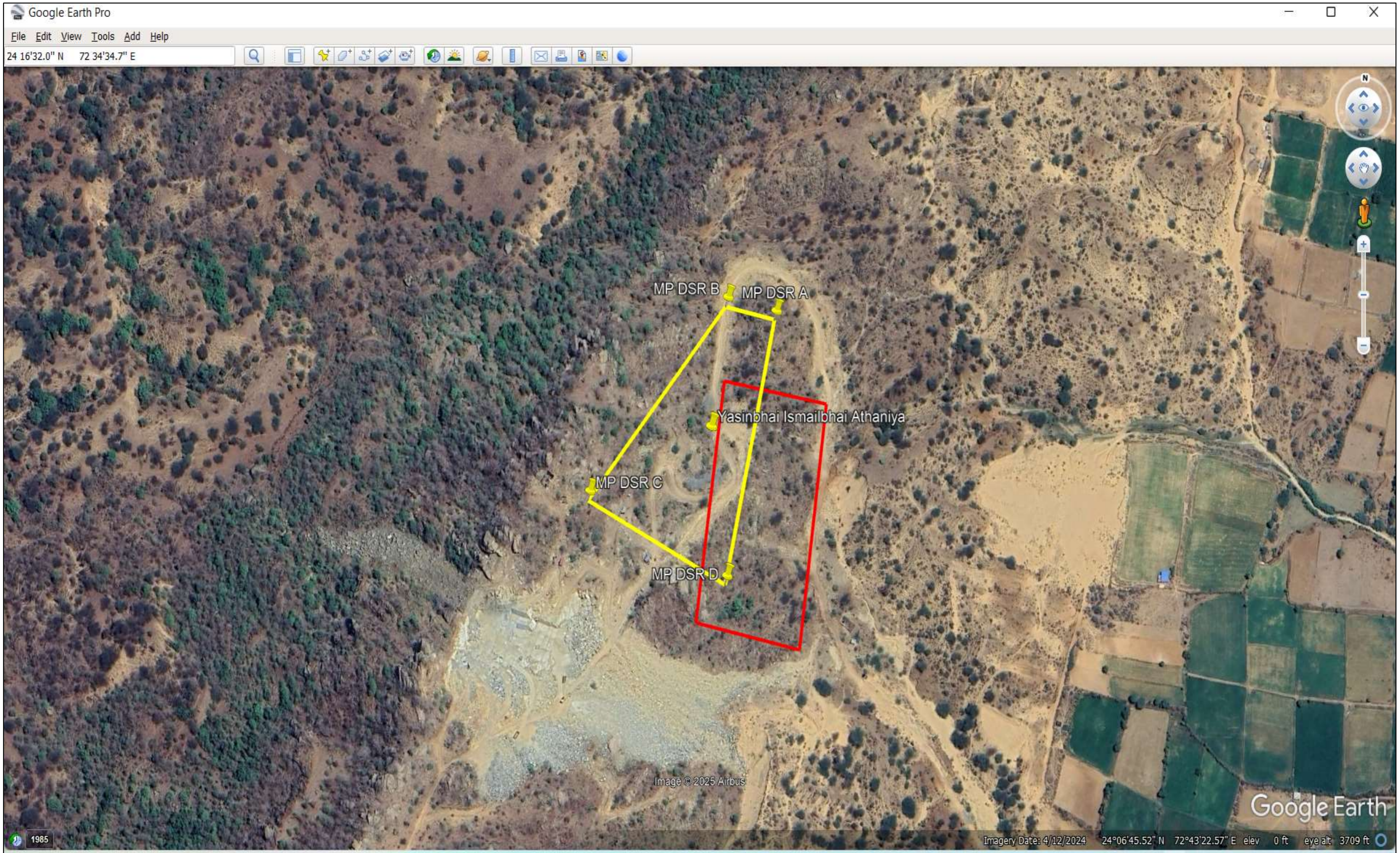


SOLEMNLY AFFIRMED  
BEFORE ME  
Rajendrasinh R. Parmar  
NOTARY  
GOVT. OF INDIA

ANNEXURE-A-1

Sr. No	PROPOSAL NO	DISTRICT	NAME AND ADDRESS	LAT LONG AS PER THE PARIVESH PORTAL		LAT LONG AS PER THE MINING PLAN			LAT LONG AS PER THE DSR			REMARKS
1.	501363	BANASHKANTHA	Yasinbhai Ismailbhai Athaniya  Survey No. 139 paiki, Village: Jashvantgadh, Taluka: Danta, Dist: Banaskantha, State: Gujarat	24° 6'48.59"N	72°43'20.26"E	E.	24°06'50.30"N	72°43'21.79"E	E.	24°06'50.30"N	72°43'21.79"E	Approved Mining Plan And DSR Lat long same and parivesh potal lat long change. Refer Ann 5
				24° 6'48.18"N	72°43'23.67"E	F.	24°06'50.57"N	72°43'20.16"E	F.	24°06'50.57"N	72°43'20.16"E	
				24° 6'41.63"N	72°43'23.26"E	G.	24°06'45.18"N	72°43'15.94"E	G.	24°06'45.18"N	72°43'15.94"E	
				24° 6'42.16"N	72°43'19.76"E	H.	24°06'43.20"N	72°43'20.64"E	H.	24°06'43.20"N	72°43'20.64"E	
							In Mining Plan No mentioned Lat long so above lat long is as per the DILR sheet					

1. Yasinbhai Ismailbhai Athaniya



Item No.3.1+

**ANNEXURE-A-2**

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**APPEAL NO.33 OF 2025 (WZ)**

M/s. Gurukrupa Stone Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.34 OF 2025 (WZ)**

M/s. Jai Sainath Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.35 OF 2025 (WZ)  
I.A. NO.227 OF 2025 (WZ AND I.A.NO.849 OF 2025**

M/s. Gurukrupa Stone Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.36 OF 2025 (WZ)**

M/s. Jai Sainath Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.37 OF 2025 (WZ)**

Ajaysinh Bhupatsinh Suratia  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.38 OF 2025 (WZ)**

M/S Dharma Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.39 OF 2025 (WZ)**

M/s. Dharma Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.40 OF 2025 (WZ)**

M/s. Dharma Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
.....Respondents

**AND**

**APPEAL NO.41 OF 2025 (WZ)**

M/s. SRG Stone LLP  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
.....Respondents

**AND**

**APPEAL NO.42 OF 2025 (WZ)**

Rajnikant Bhikabhai Desai  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
.....Respondents

**AND**

**APPEAL NO.43 OF 2025 (WZ)**

Mr. Hasmukhlal M. Shah  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
.....Respondents

**AND**

**APPEAL NO.45 OF 2025 (WZ)**

M/s. Prabhat Stone Quarry  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.46 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.47 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.48 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.49 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.67 OF 2025 (WZ)**

M/s. Umiya Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.68 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.69 OF 2025 (WZ)**

M/s. Shree Ram Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.70 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.72 OF 2025 (WZ)**

M/s. Shree Mukesh Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.73 OF 2025 (WZ)**

Mr. Devanandbhai Ramabhai Kandoriya  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.74 OF 2025 (WZ)**

M/s. Simandhar Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.75 OF 2025 (WZ)**

M/s. Krishna Stone Quarry  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.77 OF 2025 (WZ)**

M/s. Gurukrupa Stone Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.78 OF 2025 (WZ)**

M/s. Gurukrupa Stone Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.83 OF 2025 (WZ)**

M/s. Shiva Quarry Works  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.84 OF 2025 (WZ)**

M/s. Ekta Metals  
.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.  
....Respondents

**AND**

**APPEAL NO.85 OF 2025 (WZ)**

M/s. Shiva Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.86 OF 2025 (WZ)**

M/s. Kashyapi Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.87 OF 2025 (WZ)**

M/s. Shiva Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.88 OF 2025 (WZ)**

M/s. Shreyas Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.89 OF 2025 (WZ)**

Ajaysinh Bhupatsinh Suratia

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.90 OF 2025 (WZ)**

M/s. Kashyapi Quarry Works

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.92 OF 2025 (WZ)**

Raijibhai Laxmanbhai Parmar

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.93 OF 2025 (WZ)**

Mr. Vikrambhai B. Parmar & Mr. Jitendrasinh B. Jadeja

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.94 OF 2025 (WZ)**

Mr. Parsotamdas Devsibhai Patel

.....Appellant

***Versus***

State Environment Impact Assessment Authority, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO. 95 OF 2025 (WZ)**

Rajnikant Amrutlal Patel

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**Appeal No. 96 OF 2025 (WZ)**

Vishnubhai Amrutlal Patel

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**Appeal No. 97 OF 2025 (WZ)**

Thakor Gopalbhai Kalubhai

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL No. 98 OF 2025 (WZ)**

Rajnikant Amrutlal Patel

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.99 OF 2025 (WZ)**

Jigarbhai Avinash Brahmbhat

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.100 OF 2025 (WZ)**

Patel Subhaschandra Ji Jeshingbhai

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.101 OF 2025 (WZ)**

Sainath Stone Quarry

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.102 OF 2025 (WZ)**

Vinodbhai Gordhanbhai Hirpara

SEIAA, Gujarat  
*Versus*  
.....Appellant  
....Respondents

**AND**  
**APPEAL NO.103 OF 2025 (WZ)**

Jay Jalaram Stone Quarry  
*Versus*  
.....Appellant  
SEIAA, Gujarat  
....Respondents

**AND**  
**APPEAL NO.116/2025 (WZ)**

M/s Arbuda Quarry Works  
*Versus*  
.....Appellant  
SEIAA, Gujarat & Anr.  
....Respondents

**AND**  
**APPEAL NO.120 OF 2025 (WZ)**

Himanshu Ramniklal Shah  
*Versus*  
.....Appellant  
SEIAA, Gujarat  
....Respondents

**AND**  
**APPEAL NO.121 OF 2025 (WZ)**

Himanshu Ramniklal Shah  
*Versus*  
.....Appellant  
SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.122 OF 2025 (WZ)**

Rajnikant Gordhanbhai Chaniyara

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND**

**APPEAL NO.155 OF 2025 (WZ)  
I.A. NO.202 OF 2025 (WZ) &  
I.A. NO.203 OF 2025 (WZ)**

M/s. Manico Resources Pvt.

.....Appellant

***Versus***

SEIAA, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.156 OF 2025 (WZ)  
I.A. NO.200 OF 2025 (WZ) &  
I.A. NO.201 OF 2025 (WZ)**

M/s. Manico Resources Pvt.

.....Appellant

***Versus***

SEIAA, Gujarat & Anr.

....Respondents

**AND**

**APPEAL NO.157 OF 2025 (WZ)  
I.A. NO.198 OF 2025 (WZ) &  
I.A. NO.199 OF 2025 (WZ)**

M/s. Manico Resources Pvt.

.....Appellant

***Versus***

SEIAA, Gujarat & Anr.

....Respondents

**AND****APPEAL NO.124 OF 2025 (WZ)**

Jay Antibhai Mohanbhai Mevada

.....Appellant

***Versus***

SEIAA, Gujarat

....Respondents

**AND****Appeal NO.152 OF 2025 (WZ)  
I.A. NO.197 OF 2025 (WZ)**

Prajapati Maneklal Bhikabhai

.....Appellant

***Versus***

SEIAA, Gujarat &amp; Anr.

....Respondents

**AND****Appeal NO.153 OF 2025 (WZ)  
I.A. NO.212 OF 2025 (WZ)**

Devjibhai Galbabbhai Korot

.....Appellant

***Versus***

SEIAA, Gujarat &amp; Anr.

....Respondents

**Date of hearing : 09.12.2025****CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER**Appellants : Mr. Saurabh Kulkarni, Advocate along with Mr. Adwait  
Gokhale, AdvocateRespondents : Mr. Maulik Nanavati, Advocate for R-1/SEIAA in all Appeals  
Mr. Pushkal Mishra, Advocate for R-2/MoEF&CC in  
all Appeals

**ORDER**

1. In compliance with our previous order dated 01.12.2025, Mr. Maulik Nanavati, learned counsel, representing respondent No.1 – SEIAA, states that they have filed a report in the form of an affidavit dated 08.12.2025, stating that re-appraisal was done on the basis of information and documents submitted by the appellants in all these appeals. During the time of appraisal, the new documents, contentions or submissions and record generated after the decision, were found to be out of scope of consideration of SEAC and SEIAA. The appellants have shown errors in geographical positioning (latitude and longitude) of their mining area and demonstrated that there is variation in the correct geographical coordinates of their leased area within which they are conducting mining and the geographical coordinates given in District Survey Report (DSR) while describing their lease area. The appellants have placed visual images of defined areas being markedly different when plotted on terrestrial maps/cadastral maps by feeding the geographical coordinates as stated in the mining plan. On the strength of pictorial material, the appellants have contended that the application of proximity criteria by the regulatory authority, even if the distance parameter of 200/100 meters is accepted as applicable and reasonable, would return erroneous results because of the mismatch in the geographical positioning or the location of their mining area. Therefore, a suggestion is given that suitable directions may be issued to District Geologist to again visit the mining area of the appellants and earmark the exact location of the mining area. The District Geologist may make suitable corrections, if so required, in the locational description of the mining areas. Post completion of this exercise by the District Geologist, the regulatory

authority i.e. SEIAA and SEAC shall re-appraise the environmental clearances granted to the appellants by the District Environment Impact Assessment Authority (DEIAA).

2. It is further mentioned in the report of SEIAA that since it does not have the authority in law to review and revise its own decision, this Tribunal may pass appropriate order directing the appellants to submit fresh application via PARIVESH and direct for physical inspection of the mining sites by the District Geologist and require the regulatory authority i.e..SEIAA to appraise afresh the application of environmental clearance on the basis of factual material as may be collected by the District Geologist.

3. A copy of this report/affidavit has been served on the learned counsel for the appellants, who does not want to file any rejoinder to this affidavit.

4. After having gone through the aforesaid affidavit/report of respondent No.1 – SEIAA, we proceeded to hear this matter finally today only.

5. The appellants in all these appeals (56 in number, stated above), seek quashing of the order dated 01.01.2025 passed by respondent No.1 – SEIAA, whereby they have rejected the Environmental Clearances granted to them by DEIAA for mining, on the ground that the lease area was situated in the riverbed of various rivers and road, which were not found in compliance with the distance criteria prescribed by this Tribunal (Principal Bench) in the order dated 30.09.2020 passed in Original Application No.85 of 2019.

6. We have considered these matters at length vide our earlier orders dated 08.04.2025, 02.05.2025, 13.06.2025, 28.07.2025, 12.09.2025, 06.11.2025 and 01.12.2025 and in continuation of these orders, we are passing this order.

7. After considering our earlier aforesaid orders and the report/affidavit dated 08.12.2025 submitted by respondent No.1 – SEIAA, referred to above,

we have arrived on a conclusion that the impugned orders need to be set aside, because of the discrepancy having been found in the geographical location of the leased area, because geographical coordinates in the mining plan of DSR of these areas are found to be different. Therefore, distance criteria would certainly be affected due to locational discrepancy. No appropriate assessment is possible to be done by the SEIAA of these Environmental Clearances granted by the DEIAA to the appellants unless this discrepancy is removed.

8. Therefore, in the result, we allow all these appeals (56 in number) and set aside the impugned orders passed by respondent No.1 – SEIAA, with a direction to respondent No.1 – SEIAA that fresh consideration shall be made by the SEIAA after ensuring that the discrepancy in the geographical locations of the leased area of the appellants i.e. the geographical coordinates (latitude and longitude coordinates) in the mining area of the appellants is cured by the Authority concerned. After such exercise is done, a fresh order shall be passed by respondent No.1 – SEIAA on the Environmental Clearances granted by DEIAA to all these appellants and for that, if any application is required to be moved by the appellants before the respondent No.1 – SEIAA via PARIVESH, they may move the same.

9. With above directions, all these appeals (56 in number) are allowed and disposed of.

10. No order as to costs.

**Dinesh Kumar Singh, JM**

**Dr. Sujit Kumar Bajpayee, EM**

December 09, 2025  
APPEAL NO.33 OF 2025 + Ors. (WZ)  
npj

