

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
AT NEW DELHI

EXECUTION APPLICATION NO. 19 OF 2020  
IN  
APPEAL NO. 258 OF 2018

IN THE MATTER OF:

Sunil Kumar

... Appellant

**-VERSUS-**

State of Uttar Pradesh & Ors.

... Respondents

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Dated: 21.06.2020

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REPLY ON BEHALF OF STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY, UTTAR PRADESH.

RESPECTFULLY SHOWETH: -

1. The captioned matter is pending adjudication before this Hon'ble Tribunal. The applicant has sought execution of order dt. 29.03.2019 passed by this Hon'ble Tribunal. It is submitted that this Hon'ble Tribunal vide order dt. 29.03.2019 was pleased to direct answering respondent to take remedial actions.

2. It is submitted that the EC granted by answering respondent on 22.11.2018 in favour of Sh. Rahul Panwar was inadvertently transferred in favour of Sh. Satendra on 18.06.2020. In order to take the remedial action a joint meeting of SEIAA and SEAC was

held on 07.12.2020 wherein joint committee also observed that geo-coordinates of the lease area mentioned in the Environmental Clearance mismatched from the geo-coordinates mentioned in LOI dated 23.01.2020. Hence, it was decided that a joint committee comprising of a member nominated by District Magistrate Saharanpur, Regional officer UPCCB, Saharanpur, and District Mining officer, Saharanpur should verify the geo-coordinates of the proposed project.

3. It is submitted that Uttar Pradesh Pollution Control Board vide letter dt. 08.02.2021 submitted the required joint committee inspection report.

4. It is submitted that a joint meeting of SEIAA and SEAC was held on 19.02.2021, wherein upon perusal of the report, it was observed that in the new LoI dated 23.01.2020, the geo-coordinates of the leased area are different from the coordinates mentioned in the original EC. The Joint committee discussed the matter in detail and decided to declare the transfer of EC as null and void and decided to revoke.

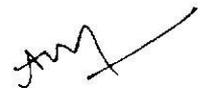
5. It is further submitted that another Joint Committee Meeting of SEIAA and SEAC was held on 16.04.2021 wherein, it

was observed that the joint committee in its meeting held on 19.02.2021 on the matter of proposed project located at Khand No./Gata No.-03, Lot No.-03, Village- Rehna, Tehsil- Behat, District-Saharanpur, U.P. (Leased Area - 8.05 Ha) had unanimously decided and declared the transferred EC dt.18.06.2020 in favour of Shri Satyendra as null and void and had revoked the aforesaid transferred EC.

6. It is submitted that in compliance of the order dt. 29.03.2019, the joint committee took remedial action and revoked the original EC dt. 22.11.2018 issued in favour of Sh. Rahul Panwar. It is submitted that the order dt. 29.03.2019 stands complied with in letters and spirit and the captioned execution application may be disposed of.

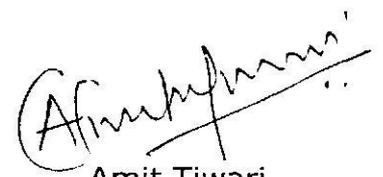
#### PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to take the reply on record and considering the remedial action taken by answering respondent dispose of the present execution application. Or such other order as deem fit may be passed.



Respondent No.1

Through



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Dated: 21.06.2020

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**AFFIDAVIT**

AFFIDAVIT OF SH. ANURAG KUMAR YADAV S/O SH. P N SINGH  
AGED ABOUT 45 YEARS POSTED AS DEPUTY DIRECTOR HAVING  
OFFICE AT E-12/1, SECTOR -1, NOIDA, 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.

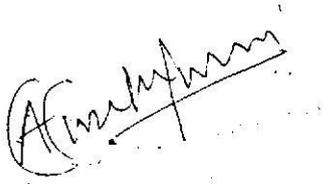


*[Handwritten Signature]*  
DEPONENT

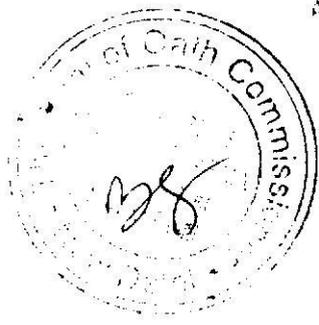
VERIFICATION: [21 JUN 2021]

Verified on solemn affirmation at New Delhi on this \_\_ day June, 2021, 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.

  
DEPONENT



solemnly sworn before me read over & explained to the deponent  
Admitted to be correct.  
  
Oath Commissioner, New Delhi



21 JUN 2021