

IN THE MATTER OF:

Mr.Prabhakar Rai & Ors.

...Applicant

Versus

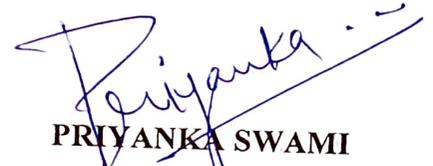
Union of India & Ors.

...Respondent(s)

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THROUGH



PRIYANKA SWAMI

Advocate

Standing Counsel for U.P, SIEAA

F- 13, Ground Floor, Jangpura Extension,

Date: 16. 04.2024

New Delhi- 110014

399
IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Appeal no. 06 of 2022 (I.A. No. 29/2022)

IN THE MATTER OF:

Mr.Prabhakar Rai & Ors.

...Applicant

Versus

Union of India & Ors.

...Respondent(s)

Reply on behalf of respondent No. 02 State Level Environment Impact Assessment Authority, U.P, in Compliance to order dated 06.02.2024 passed by Hon'ble Tribunal.

MOST RESPECTFULLY SHOWETH :-

1. In Appeal No. 06 of 2022: Mr. Prabhakar Rai & ors. Vs Union of India & Ors., wherein the Hon'ble NGT vide its Order dated 06.02.2024, has passed the following directions :-

“3. In view of the facts and circumstances of the case we consider response of SEIAA, Uttar Pradesh, CPCB and UPPCB to the observations made in the report of the Joint Committee to be essential for just and proper adjudication of the question involved in the case. UPPCB is also directed to provide information about other CBWTF established in residential area and also as to adverse environmental impact of the same if any reported.”

2. That it is respectfully submitted that, in pursuance to the order quoted above, State Level Environment Impact Assessment Authority discussed the matter in its 803th meeting dated 05.03.2024 and made following observation:-

SEIAA gone through the order dated 06.02.2024 of Hon'ble NGT in appeal no- 06/2022 (I.A. No. 29/2022), Mr. Prabhakar Rai & ors. Vs union of india & ORS &Ors., which states that:-

“3. In view of the facts and circumstances of the case we consider response of SEIAA, Uttar Pradesh, CPCB and UPPCB to the observations made in the report of the Joint Committee to be essential for just and proper adjudication of the question involved in the case. UPPCB is also directed to provide information about other CBWTF established in residential area and also as to adverse environmental impact of the same if any reported”

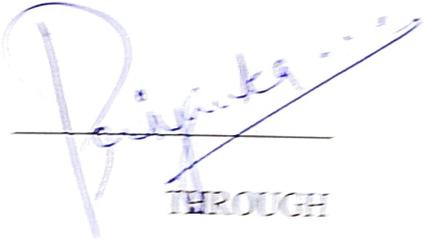
3. That it is pertinent to mention here that, SEIAA gone through the report of joint committee received in the office vide letter no. H98915/C6/Gen658/06/2022 (IA No. 29/2022) dated 07.08.2023 and accepted the report of the joint committee. Accordingly SEIAA agrees with the findings of the joint committee. Copy of minutes of 803th SEIAA meeting held on 05.03.2024 is being filed herewith and marked as **Annexure No.01.** to this response.

Further any order/Judgment passed by the Hon'ble Court shall be complied accordingly.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- i. Dismiss the present Interlocutory application Exemplary cost Or
- ii. Pass any such other order as may deem fit.



THROUGH

PRIYANKA SWAMI

Advocate

Standing Counsel for U.P., SIEAA

F- 13, Ground Floor, Jangpura Extension,

New Delhi- 110014

Date: 16.04.2024

IN THE NATIONAL GREEN TRIBUNAL

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AFFIDAVIT

Affidavit of Sh. Anurag Kumar Yadav aged about 48 years s/o Sh. P.N.Singh , presently posted as Deputy Director, Directorate of Environment, Regional Office, E-12/1,Noida,UP. Presently at New Delhi

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 action taken report has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct, the knowledge has been derived from official records and nothing material has been concealed therefrom.



A handwritten signature in blue ink, appearing to be "Anurag", written over a horizontal line.

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 16 APR 2024 day of April, 2024, 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.

I identified the deponent who has signed in my presence

Presently at New Delhi



16 APR 2024
ATTESTED
NOTARY PUBLIC
(INDIA)



DEPONENT

Minutes of the 803rd Meeting of the SEIAA, UP held on 05.03.2024

- 14- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
- 15- The project proponent shall install organic bio converter.
- 16- Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.

3. Proposed CBTWF in Muzzafarnagar at Khasra No.- 539/3, Village- Makhiyali, District- Muzafarnagar, U.P., M/s Rudra Waste Management (P) Ltd. File no- 5832 .

SEIAA noted the above project was taken in its 732th meeting in which it was noted that clear gap analysis has not been submitted only information obtained through RTI has been forwarded. Hence SEIAA opined that a letter shall be send to UPPCB for clear gap analysis report.

4. Appeal no- 06/2022 (IA No- 29/2022) Prabhakar Rai & ors. Union of India.

SEIAA gone through the order dated 06.02.2024 of NGT in Appeal no- 06/2022 (IA No- 29/2022) Prabhakar Rai & ors. Union of India, which states that:-

".... 3 In view of the facts and circumstances of the case we consider response of SEIAA, Uttar Pradesh, CPCB and UPPCB to the observations made in the report of the Joint Committee to be essential for just and proper adjudication of the question involved in the case. UPPCB is also directed to provide information about other CBWTF established in residential area and also as to adverse environmental impact of the same if any reported...."

SEIAA gone through the report of the joint committee received in the office vide letter no. H98915/C6/Gen658/ 06/2022 (IA No- 29/2022) dated 07.08.2023 and accepted the report of the joint committee.

Nodal Officer
SEIAA, UP

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEIAA during the meeting.

(Smt. Mamta Sanjeev Dubey)
Chairman
SEIAA


(Sanjeev Kumar Singh)
Member-Secretary
SEIAA

(Paras Nath)
Member
SEIAA