

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 591/2023
(I.A. No. 744/2023 & I.A. No. 745/2023)

Satish

Applicant

Versus

Ministry of Environment, Forests and
Climate Change & Ors.

Respondent(s)

Date of hearing: 05.10.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Pushpila Bisht & Ms. Pallavi Pratap, Advs.

ORDER

1. The plea of the applicant is that Gata No. 259Ga, 258Ga and 258Kha situated in Village Chivarahiya, Tehsil Naugarh, District Siddharthnagar admeasuring 2.32 hectare have been declared by District Magistrate, Siddharthnagar for the purpose of mining lease without carrying out prior spot inspection and that the advertisement dated 20.06.2021 was issued mentioning the Geo-coordinates different from the one mentioned in the mining plan.
2. Learned Counsel appearing for the applicant has raised the issue that mining is being done by Respondent No. 7 in the area which is completely illegal and contrary to the provisions of the State Rules (Uttar Pradesh Minor Minerals (Concession) Rules, 2021) and District Survey Report in compliance with SSMG 2016 and EMGSM 2020.
3. During the course of hearing, learned Counsel for the applicant has pointed out that the above issue has already been raised before the State

Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh and it was taken note in its minutes of 672nd meeting held on 18.11.2022 and it was also raised before the SEAC, UP and considered in 716th meeting of SEAC-2 dated 07.01.2023 whereby the pointwise reply was sought from the Project Proponent/Consultant and the matter was postponed for discussion after receipt of pointwise reply from the Project Proponent/Consultant.

4. The grievance raised by Counsel for the applicant at this stage is that the SEIAA/SEAC are keeping the issue pending and almost a year has passed and they have not decided it.

5. Hence, we deem it proper to issue notice to the Respondents No. 3, 4 and 7 at this stage.

6. The applicant is directed to serve the said respondents and file an affidavit of service before the next date of hearing.

7. List on 07.12.2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 05, 2023
Original Application No. 591/2023
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DV