

Item No. 13

Court No. 1

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

Original Application No. 591/2023
(IA No 745/2023, IA No 744/2023)

Satish

Applicant

Versus

Ministry of Environment Forest
and Climate Change & Ors.

Respondent(s)

Date of hearing: 16.08.2024

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

Amicus Curiae: Mr. Rahul Khurana, Adv. (Amicus Curiae)

Respondent: Ms. Priyanka Swami, Adv. for SEIAA, UP
Mr. Purushottam Sharma Tripathi & Mr. Prakhar Singh, Advs. for
MoEF & CC (Through VC)

ORDER

1. In this original application, Applicant had raised the plea that the area of 2.32 hectare was declared by the District Magistrate for the purpose of mining lease without carrying out the spot inspection and that the geo-coordinates mentioned in the advertisement dated 20.06.2021 were different from the one mentioned in the mining plan and Environmental Clearance (EC) dated 14.12.2021. The SEIAA, UP - Respondent No. 3 has filed the reply dated 01.05.2024 taking the stand that the geo-coordinates mentioned in the earlier EC were incorrect by mistake and, therefore, the amendment in EC on 20.02.2024 has been issued mentioning the correct geo-coordinates.

2. Learned Counsel for Respondent No. 3 referring to paragraph 9 of the reply of SEIAA has submitted that in the meeting of the SEAC dated 16.10.2023, the EC dated 14.12.2021 was put in abeyance. Respondent

No. 3 is directed to find out and disclose if any mining on the basis of the EC dated 14.12.2021 was done till 16.10.2023 in the area which was not mentioned in the advertisement dated 20.06.2021 and are not part of the amendment dated 20.02.2024. Let the further report in the form of affidavit be filed by Respondent No. 3 within four weeks. Respondent No. 3 will also disclose the details of EC identification and the details of the area which was mentioned in the lease deed executed in the favour of Respondent No. 7.

3. List on 29.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 16, 2024
Original Application No. 591/2023
(IA No 745/2023, IA No 744/2023)
DV