

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

Original Application No.747/2023
(IA No.877/2023,IA No.876/2023,
IA No.119/2024 &IA No.115/2024)

Raj Kumar

Applicant

Versus

MoEF&CC&Ors.

Respondent(s)

Date of hearing: 07.05.2024

**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: Mr. Tanay, Adv. for Applicant (Through VC)

Respondent: Mr. Mukesh Verma, Adv. for Mining Department, State of UP
Dr. Sapna Aggarwal, Adv. for MoEF & CC (Through VC)
Ms. Priyanka Swami, Adv. for SEIAA, UP

ORDER

1. In this Original Application, main prayer of the applicant is to direct respondent no.7 not to grant any fresh mining lease till fresh DSR is prepared for District Banda.
2. Learned Counsel appearing for Sate does not dispute that DSR has not been prepared till now.
3. Reply file by District Magistrate, Banda dated 27.04.2024 also states that DSR for District Banda was prepared in the year 2017 and that work of updation/modification of DSR is in progress which reveals that after the expiry of the earlier DSR on lapse of five years in the year

2022 no fresh DSR with the approval of SEIAA has been prepared till now.

4. Learned Counsel for State is unable to inform the Tribunal that if without DSR State Authority will take steps for auction of mining areas.

5. Hence, we direct the District Magistrate, Banda to appear virtually before the Tribunal on 09.05.2024 and inform if he intends to proceed with auction of mines without preparation of DSR.

6. List on 09.05.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 07, 2024
Original Application No.747/2023
JG