

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 422/2023

Abhishek Shukla

Applicant

Versus

State of U.P. & Ors.

Respondents

Date of hearing: 08.12.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person.

Respondents: Mr. Mukesh Verma Advocate for Respondent No. 4 with Mr. Sandeep Shrivastava, Director, DGMS.
Ms. Deeksha L. Kakkar and Ms. Akanksha Chaudhary Advocates for Respondents No. 7, 13, 15, 16 and 25.
Mr. S.G. Hasnain Senior Advocate with Mr. Syed Mohd. Fazal and Ms. Latika Bajaj Advocates for Respondents No. 8, 11, 20 and 26.
Mr. Manoj Kumar Advocate for Respondents No. 9, 12, 14, 19, 21, 24 and 27.
Mr. Yashovarman, Advocate for Respondents No. 17 and 18.
None for Respondents No. 1 to 3.

Application is registered based on a letter petition received by Post.

ORDER

1. Replies have been filed by respondents no. 9, 12, 14, 19 and 27 vide separate emails dated 29.11.2023, by respondent no. 21 vide email dated 04.12.2023 and by respondent no. 24 vide email dated 02.12.2023. Affidavits/replies have been filed by respondents no. 7, 8, 11, 13, 15, 16, 20 and 25 vide separate emails dated 07.12.2023 .

2. Reports have been filed by DM, Banda vide email dated 04.12.2023 and by Mining Department, U.P. vide email dated 05.12.2023.

3. Replies/responses by respondents no. 10, 17, 18, 22, 23, 26 and 27 may be filed on or before 10.01.2024 at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

4. In view of the provisions made in Section 20 of the National Green Tribunal Act, 2010 mandating this Tribunal to apply the precautionary principle and in exercise of powers under Section 19 (4) (j) of the National Green Tribunal Act, 2010 the mining lease holders are directed to cease and desist from carrying out any mining by way of blasting without obtaining requisite permission from DGMS, Dhanbad and in violation of environmental norms prescribing siting criteria.

5. The District Magistrate, the Superintendent of Police and the District Mining Officer, Banda are directed to take all requisite measures for ensuring that no mining takes place in violation of above interim injunctive order passed by this Tribunal.

6. List for further consideration on 15.01.2024.

7. A copy of this order be forwarded to the Director, Directorate of Geology and Mining, Uttar Pradesh and the District Magistrate, the Superintendent of Police and the District Mining Officer, Banda by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 08, 2023
AG