

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.97/2021/EZ
I.A. No.81/2021/EZ
I.A. No.84/2021/EZ

Shivdani Paswan

Applicant(s)

Versus

State of Bihar & Ors.

Respondent(s)

Date of hearing: 22.10.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Brijender Chahar, Sr. Advocate
Mr. Vanshdeep Dalmia, Advocate

For Respondent(s) : Mr. Rishi K. Awasthi, Advocate for State of Bihar.

ORDER

1. Heard Mr. Birender Chahar, Ld. Sr. Counsel assisted by Mr. Vanshdeep Dalmia, Ld. Counsel for the Applicant in O.A. 97/2021/EZ.
2. The prayer in the O.A. is for quashing the notice inviting tender dated 01.10.2021 issued by the Respondent No.6 with the further prayer not to auction any sand blocks and/or grant any mining lease in the State of Bihar till a proper, scientific and legally valid District Survey Report (DSRs) are prepared in terms of the Notification dated 15.01.2016, the Sustainable Sand Mining Guidelines 2016, the Enforcement and Monitoring Guidelines for Sand Mining, 2020 and the judgments of the Tribunal dated 14.10.2020, 22.12.2020 & 26.02.2021 in the cases of *Pawan Kumar, Geeta Devi & NGT Bar Association*, respectively. The further prayer is to quash the MOM dated 22.09.2021 issued by the Respondent No.5, SEIAA wherein 45 invalid and defective Environmental Clearances for Sand Blocks situated on the River Kiul, Barnar, Jhanji, Ulai and Anjana have been arbitrarily and illegally transferred in favour of the Respondent No.6 without following the EIA Notification dated 14.09.2006.

3. Mr. Rishi K. Awasthi, Ld. Counsel for the State of Bihar prays for 24 hours time to file counter affidavit and requests that the matter may come up on Monday.
4. **As prayed, list on 25.10.2021.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

October 21, 2021
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AKC