

सत्यमेव जयते

# INDIA NON JUDICIAL Government of Assam

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LINA BARUA  
NOTARY GOVT. OF ASSAM  
Kamrup (Metro) Guwahati  
Regd. No - KAM-37

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Ramen Chandra Malakar

BEFORE THE LEARNED NATIONAL GREEN TRIBUNAL AT KOLKATA  
EASTERN ZONE BENCH, KOLKATA  
IA No. 77 Of 2025/EZ  
ORIGINAL APPLICATION 86/2024/EZ

IN THE MATTER OF:  
Pradeep Singh Shekhawat

...Applicant

VERSUS

Union of India & Ors

...Respondents

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Filed by:

*Amrita Pandey*

Amrita Pandey, Advocate F/747/2009



LINA BARUA  
NOTARY GOVT. OF ASSAM  
Kamrup (Metro) Guwahati  
Regd. No - KAM-37

24 SEP 2025

*Ramen Chandra Barua*

BEFORE THE LEARNED NATIONAL GREEN TRIBUNAL AT KOLKATA

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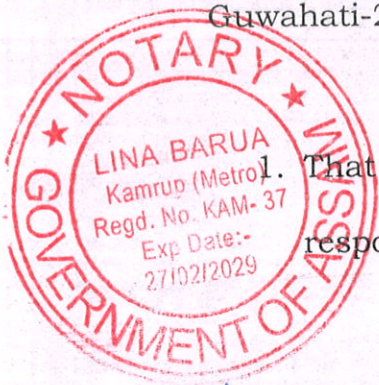
...Respondents

**Short Affidavit on behalf of the SEIAA, Assam being Respondent**

**no. 5**

I, Shri Ramen Chandra Malakar, son of Lt. Pran Chandra Malakar, aged about 59 years, by Occupation – Service, serving as Member Secretary, SEIAA, Assam having its address at Bamunimaidam, Guwahati-21 do hereby solemnly affirm and state as follows:

1. That I am the Member Signatory and authorized signatory of the respondent no. 5 herein.



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Regd. No - KAM.37

24 SEP 2025

Ramen Chandra Malakar

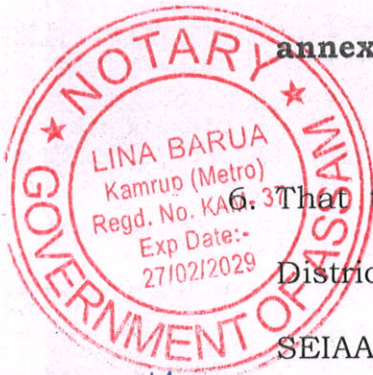
2. I am well conversant with the facts and circumstances of the case, and being competent, to swear this affidavit on behalf of Respondent no. 5.

3. Pursuant to the directions passed, the present affidavit is being affirmed. A short affidavit is being filed by the answering respondent at this stage and craves leave to refer and seeks liberty to file a detailed reply Affidavit to the aforesaid IA, as and when required.

4. That I have read and understood the contents of the Interlocutory Application No. 77 of 2025/EZ in Original Application No. 86 of 2024/EZ, and I am fully conversant with the facts of the case.

5. That the District Survey Report (DSR) for Morigaon District was duly approved by the SEIAA, Assam, in its meeting held on 13.02.2025, as reflected in the minutes of the said meeting 07.02.2025 **Copy of the minutes of the meeting dated ( ) is annexed hereto and marked with Annexure-I.**

*Done ✓ checked & cleared*



6. That the approved DSR was forwarded to the Office of the District Commissioner, Morigaon, vide letter No. SEIAA.3921/2024/23/438 dated 27.02.2025, for necessary action and uploading on the district website. **Copy of the**

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24 SEP 2025

**Office of the District Commissioner, Morigaon, vide letter No. SEIAA.3921/2024/23/438 dated 27.02.2025 is annexed hereto and marked with Annexure-II.**

7. That the District Commissioner, Morigaon, has since uploaded the approved DSR on the official website of the district. **A screenshot confirming the upload is annexed herewith as Annexure-III.**

8. That in view of the above, the contention raised in I.A. No. 77/2025/EZ regarding non-availability of the approved DSR for Morigaon District is factually incorrect and devoid of merit and as such the answering respondent respectfully prays for vacating the order dated 20.8.2025 and subsequent orders passed thereto. **Copy of the order dated 20.8.2025 is annexed hereto and marked with Annexure IV.**

9. The answering respondent respectfully states that I hold the deepest respect for this Hon'ble Court and am fully committed to abiding by any order or direction issued by this Hon'ble Tribunal.

10. I affirm my readiness and willingness to comply with the directives of the Court. Furthermore, I respectfully pray and

reserve my right to submit additional affidavits, should the



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24 SEP 2025

*Handwritten notes in blue ink on the right margin: "relax" and "lower chances".*

Hon'ble Court deem it necessary or if further clarification is required to address any concerns arising from the present affidavit.

11. That the statements made in paragraph number 1 and 8 are true to my knowledge and are information derived from record and rest are my humble submissions before this Hon'ble Tribunal.

*Ranu Chandrasekhar*

Deponent

Identified by me

*Subham Mehta*

Advocate



*LS*  
LINA BARUA  
NOTARY GOVT. OF ASSAM  
Kamrup (Metro) Guwahati  
Regd. No. - KAM-37

24 SEP 2025

VERIFICATION

I, the deponent herein above, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief, that no part of it is false and nothing material has been concealed therefrom.

Verified at Guwahati on this <sup>th</sup> day of September, 2025.

*Ramesh Chandra Malakar*

Deponent

Identified by

*Sushom Meek.*  
Advocate

Enrollment No:

*1710/22*



*24 SEP 2025*

*Lina Barua*  
NOTARY GOVT. OF ASSAM  
Kamrup (Metro) Guwahati  
Regd. No - KAM-37

**Minutes of Meeting for approval of District Survey Report (DSR) of Minor Minerals of Morigaon District held on 07/02/2025.**

The District Survey Report (DSR) of Minor Minerals of Morigaon District as recommended by the SEAC after due evaluation and appraisal was taken up in the meeting of the State Environment Impact Assessment Authority (SEIAA) under Chairmanship of Shri Rajesh Kemprai attended by Smti Mauchumi Barua, Member Secretary of the State Environment Impact Assessment Authority and Dr. Sarat Phukan, Member of the State Environment Impact Assessment Authority for due discussion and approval of final DSR .

It is on record that the Proposal of final DSR was placed before the SEAC by the Morigaon District Committee and was appraised and recommended to SEIAA for approval of DSR on 18/01/ 2025. The same was thoroughly deliberated upon and discussed in the SEIAA meeting dated 07.02.2025.

The following salient points were noted and discussed:

1. The DSR for Minor Minerals is prepared as per the guidelines of the MoEF&CC under notification dated 25.07.2018.
2. Morigaon district is having **51 leases** covering **173.493 Hectares** of area, **15 leases** are of Sand mineral, **and 15 leases** of Stone, **21 leases** are of Brick Earth (Ordinary Earth).

Further, out of these **51 leases**, **28** are identified as potential mining zone for permit/grant of lease in near future and which comprises of **2** for Sand, **8** for Stone mineral and **18** are for mining of Brick Earth (Ordinary Earth).

3. The average rate of varies from 1.4 m to 1.5 m in various rivers of Morigaon. Though there is deposition up to 1.5 m in various river stretches, but as per guideline only 1 m is allowed for mining.

**4. Criteria followed forno- mining zone/ no-go zone:**

- The Area shall not be recommended for future Quarry / Lease which have distance of 100 meters from any existing railway line Bridge, outer periphery of the defined limits of any village, habitation, National highway, State highway, other roads, Minor Check Dam, Canal/ Tank/ Lake, Ropeway or Ropeway trestle, or Station, Heritage site and Protected Archaeological / historical monuments.

*[Handwritten signature]*

*[Handwritten signature]*

- The Area shall not be recommended for future Quarry/ Lease which is at 500 meters from any Irrigation structure/ Reservoir & Submergence Area.
  - The Area shall not be recommended for future Quarry up to a distance of 1 Kilometre from major bridges and highways on both sides, or five times (5x) of the span (x) of a bridge/ Public civil structure (including water intake points) on up- stream side, and ten times (10x) the span of such bridge on downstream side, subjected to a minimum of 250 meters on the up-stream side and 500 meters on the downstream side as envisaged in the AMMC Rules'2013 (amended up to date).
5. Impact on environment due to mining:
- Land degradation, habitat loss, water pollution, air pollution & Bio diversity loss including impact on riparian ecosystem and aquatic faunal diversity was discussed.
6. Remedial Measures to mitigate the impact of Mining on the Environment
- Removal and utilization of topsoil and management of overburden, reclamation and rehabilitation of land, air pollution, noise pollution, restoration of fauna/ flora was discussed.
7. Plantation and Green Belt Development in respect of leases already granted in the district.
- As per the guidelines or the Central Pollution Control Board (CPCB) and the Ministry of Environment, Forest & Climate Change (MoEF&CC), it is imperative to create a Greenbelt at or around the lease.

**Observations of the State Expert Appraisal Committee (SEAC):**

1. Morigaon district, has proposal for a total of **51** leases, covering **173.493** hectares of area. These comprises of **15** leases of **Sand** mineral, **15** leases of **Stone** and **21** leases are of **Brick Earth** (Ordinary Earth).  
Further, out of these **51** leases, **28** are identified as potential mining zones for permit/grant of lease in near future and **2** (two) of which are meant for mining of **Sand**, **8** (eight) are for quarrying of **stone**

mineral and 18 (eighteen) are for mining of **Brick Earth** (Ordinary Earth).

2. The details of the river bed mine and proposed mine leases are summarized under:

S. No.	Name of the River	No. of Leases	Kind of Mineral
			Sand
1	Kopili River	10	10
2	Wah Umsiang River	01	01
3	Kiling River	04	04
TOTAL			15

The details of the Non-River Bed mine are summarized under:

S. No.	Kind of Mineral	No. of Leases
4.	Stone	15
5.	Brick Earth	21
TOTAL		36

3. The details of permitted and not permitted areas in compliance to NGT direction vide O.A. NO 85/2018 (WZ) dated 30.09.2020 is given below:

S. No.	Name of Mine	Name of the River	Total Lease Area (in Ha.)	Go Zone (in Ha.)	No Go Zone (in Ha.)	Remarks
1	Nakhula Beat Sand Permit Area No. 2	Kiling	2.50	1.37	1.13	1.13 Ha is not recommended due to presence of human settlement within 100 m radius.

2	Boha Sand Mining Permit Area (Rev. Portion) on Kopili Riverbed	Kopili	4.95	2.33	2.62	2.62 Ha is not recommended due to presence of human settlement within 100 m radius.
3	Nakhula Beat Sand Permit Area No. 3	Kopili	4.10	0.85	3.25	3.25 Ha is not recommended due to presence of human settlement within 100 m radius.
4	Sonaikuchi Sand Permit Area	Wah Umsiang	2.63	2.34	0.29	0.29 Ha is not recommended due to presence of human settlement within 100 m radius.
5	Nakhula Beat Sand Permit Area No. 1 (Rev. Portion)	Kiling	3.65	0.35	3.30	3.30 Ha is not recommended due to presence of human settlement within 100 m radius.
6	Nakhula Beat Sand Permit Area No. 4 of 2019-21 (Rev. Portion)	Kiling	3.80	0	3.80	The entire lease area is not recommended due to presence of human settlement within 100 m radius.
7	Borkuloi Boha MCA Part II Sand Mining Permit Area on Kopili Riverbed	Kopili	4.85	3.30	1.55	1.55 Ha is not recommended due to presence of human settlement within 100 m radius.
8	Dhamkhonda Hatibagora Part-I Sand Mining Permit Area on Kopili Riverbed	Kopili	4.64	3.30	1.34	1.34 Ha is not recommended due to presence of human settlement within 100 m radius.
9	Hatiamukh	Kopili	4.24	4.14	0.10	1.34 Ha is not

	MCA Permit Area (MCA Part-I) (MCA Part-II site)					recommended due to presence of human settlement within 100 m radius.
10	Bhakatgaon MCA Permit Area (MCA Part-II)	Kopili	3.98	1.25	2.73	2.73 Ha is not recommended due to presence of human settlement within 100 m radius.
11	Dhamkhonda Hatibagora Part-I Sand Mining Permit Area on Kopili Riverbed	Kopili	4.64	4.64		The Mine lease is falling within <b>10 km</b> radius of <b>Pobitora WLS</b> . Hence, the approval of the National Board of Wildlife (NBWL) and permission from the competent authority (CWLW) is required.
12	Boghora Stone Mahal No. 10	--	1.00	1.00	--	The Mine lease is falling within <b>Tetelia Baghara Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
13	Ghagua Stone Contract Area (Reserve Forest Area)	--	7.00	7.00	--	The Mine lease is falling within <b>Tetelia Baghara Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
14	Golsepa Stone Contract Area	--	7.90	7.90	--	The Mine lease is falling within <b>Tetelia Baghara Reserve</b>

	(R.F)					Forest. Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980".
15	Koinakanda East Stone Contract Area (R.F)	--	5.10	5.10	--	The Mine lease is falling within <b>Tetelia Baghara Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980".
16	Koinakanda West Stone Contract Area (R.F)	--	7.10	7.10	--	The Mine lease is falling within <b>Tetelia Baghara Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980".
17	Niz Gaghua Stone Contract Area	--	8.50	8.50	--	The Mine lease is falling within <b>Tetelia Baghara Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980".
18	Nakhula Pahar Patta Land Stone and Sand Gravel Mining	--	0.20	0.20	--	Mining may be allowed after ascertaining that the Mine lease is falling outside the <b>Sonaikuchui Reserve Forest</b> . If the same falling in the RF then

	Permit Area					Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
19	Sita Jokhola Stone Contract Area No.1(R.F)	--	15.60	15.60	--	The Mine lease is falling within <b>Sonaikuchui Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
20	Sita Jokhola Stone Contract Area No.2(R.F)	--	9.68	9.68	--	The Mine lease is falling within <b>Sonaikuchui Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
21	Mantabori Sand Permit Area (Rev. Portion)	Kopili	4.45	4.45	--	The Mine lease is falling within <b>Kiling Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980".
22	Silchang Stone & Sand Gravel Mahal	--	5.00	5.00		The Mine lease is falling within <b>Kholahat Reserve Forest</b> . Hence, Forest Clearance (F.C) is required under the "Van (Sanrakshan Evam Samvardhan)

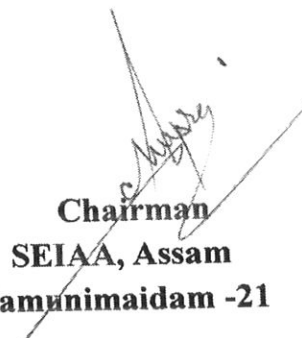
4. In compliance to the MoEF&CC Notification dated 25<sup>th</sup> July 2018, in all the 03 rivers, the proposed area of mining is less than **50 percent** and the proposal of mining is limited to **1 (one) meter depth** of the mineral deposit, keeping its mineable volume to tune of **60 percent** in all the proposed mine lease/contract area/permit areas.
5. Application of cluster- provision details: **As per guidelines, no cluster within 500 meters.**
6. Environmental sensitivity is taken as the maximum stipulated distance with reference to the AMMCR-2013 and the order of the NGT- in Appeal No. 03/2020 (WZ) [Original Application No. 85/2019 (WZ)) (I.A. No. 63/2020)].
7. All the **51 mine leases / contract areas / permit areas** have been examined based on the environment sensitivity and the individual lease mineable area, permissible for mining in compliance with environmental sensitivity, is arrived at. All the mine lease coordinates are plotted over Geo-referenced map using satellite image LISS IV.
8. The final DSR has covered the existing mine lease area, proposed mine lease area, new applications made for mine lease and also the mine leases whose application is pending for EC at SEAC/SEIAA, Assam. The DFO is informed that all such cases pending at SEAC/SEIAA would be evaluated in the light of the recommended/approved DSR. And, if any modification / change is required the same is to be accordingly incorporated as per need, shall be prepared in advance and re-submitted based on the recommended/approved DSR.
9. The transportation map of individual mine leases are submitted in the final DSR of the district.
10. The replenishment study has been conducted using satellite image. The variation in geo-referenced contour of mine lease area was recorded for the same coordinate for May' 2024 and November' 2024. On an average, replenishment is inferred as **1.0 to 1.5 meters**. In compliance to the Notification, value of **1.00 meter** deposition is used for calculation purpose for potential mining.
11. Royalty collected for the last 3-5 years for different minerals is found to be tabulated in order for the district.

12. Mineral testing report is submitted in the final DSR report.
13. Mining Plan and Environment Clearance for mining activity shall be in the name of the project Proponent only who shall apply accordingly.
14. No mining activity shall be allowed to be carried out / undertaken by any person without Environment Clearance and for any violation the primary stake holders shall be responsible.
15. The District Commissioner and other Regulatory Authorities in the district shall ensure compliance of the CPCB guidelines governing establishment of Brick Kilns and mining of Ordinary Earth by these units.

After perusal of the observations and recommendations of the SEAC, due discussions and deliberations, SEIAA unanimously decide to **Approve the recommended District Survey Report** of Minor Minerals of Morigaon District with the following observations:

1. The DFO, Nagaon Division submitted mineral testing report and found satisfactory.
2. The Final DSR of Morigaon covers River Bed Minerals consisting of Sand, Stone and Brick Earth (Ordinary Earth).
3. The final DSR covers all the existing mine leases (areas having approved mine plan), mine leases in operation and areas of future potential mining zones.
4. Replenishment study of pre monsoon and post moon season are incorporated in the final DSR of Morigaon.
5. Environmental sensitivity / siting criteria have been identified keeping in view the various NGT Orders requiring compliance and the AMMCR' 2013 (as amended up to date).
6. Each mine lease has been checked for Environmental sensitivity /siting criteria.
7. Go Zone / Mining Area and No-Go Zone / Non-Mining area have been identified.
8. Total mining proposed in Single River is less than 50-60 percent of the river area along with the depth limitation of up to 1 Meter. Potential mining

- quantity is considered as 60 percent of the total volume in confirmation to the MoEF&CC Notification of 25<sup>th</sup> July 2018.
9. High resolution satellite image have been used to prepare maps, existing & proposed mine lease area.
  10. All the mine leases have been looked from the cluster perspective and the Final DSR have identified no Clusters.
  11. District committee and the Knowledge partner have confirmed the compliance of the Sustainable Sand Mining Guidelines – 2016, Enforcement and Monitoring Guidelines for Sand Mining -2020, MoEF&CC Notification of 01.07.2016 (for Cluster), MoEF&CC Notification of 25.07.2018 for DSR preparation and various NGT Orders from time to time.


  
**Chairman**  
**SEIAA, Assam**  
**Bamunimaidam -21**

Memo No. SEIAA.3921/2024/Pt.-I/392A  
 Copy to:

Dated : 11.02.2025

- 1) The Special Chief Secretary to the Govt of Assam, Environment and Forest Department, Janata Bhawan, Dispur, Ghty-6 for favour of kind information.
- 2) The PCCF and HoFF, Assam, Panjabari, Guwahati-37 for favour of kind information.
- 3) The Chairman, State Environment Expert Appraisal Committee (SEAC), Assam for kind information.
- 4) The Member Secretary, State Environment Expert Appraisal Committee

- (SEAC), Assam for favour of kind information.
- 5) The District Commissioner, Morigaon for favour of kind information.
  - 6) The Member Secretary, Pollution Control Board, Assam for his information and requisite action.
  - 7) The Director, Directorate of Geology and Mining, Govt of Assam for favour of kind information.
  - 8) The Member of the SEIAA, Assam for kind information.
  - 9) The Secretary, co-ordination to the Chief Secretary, Govt. of Assam, Dispur, Guwahati -6 with a request for kind appraisal of the Chief Secretary.
  - 10) The DFO, Nagaon Division for kind information.
  - 11) Office file.

  
**Member Secretary  
SEIAA, Assam  
Bamunimaidam - 21**



**OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA  
BAMUNIMAIDAM, GUWAHATI-21.**

No. SEIAA.3921/2024/23/ 438

Dated 27/02/2025

**From,**

The Member Secretary,  
SEIAA, Assam  
Bamunimaidam, Guwahati-21

**To,**

The Divisional Forest Officer /Member Secretary,  
DSR, Committee, Morigaon – Assam.

**Sub:** Approval of District Survey Report of Morigaon District – reg.

**Sir,**

With reference to the subject cited above, it is to inform you that the final District Survey Report (DSR) was duly considered by the SEIAA on 7/02/2025 for deliberation and discussion. The SEIAA unanimously decided to approve the **District Survey Report** of Morigaon District with the observations made by the SEAC/ SEIAA for due Compliance.

The approval copy of the DSR, duly authenticated, is enclosed to place in public domain by uploading in the Website of the District and a future reference.

**Encl:** As stated above,

Yours faithfully

*[Signature]*  
**Member Secretary  
SEIAA, Assam**

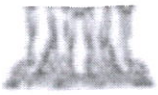
Dated. 27/02/2025

Memo No. SEIAA.3921 /2024/23/ 438

**Copy to:**

- 1) The Special Chief Secretary (Forest) to the Govt of Assam, Environment and Forest Department, Janata Bhawan, Dispur, Ghty - 6 for favour of kind information .
- 2) The PCCF and HoFF, Assam, Panjabari, Guwahati - 37 for favour of kind information.
- 3) The Chairman, State Environment Impact Assessment Authority (SEIAA), Assam for kind information.
- 4) The Chairman, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 5) The Director, Directorate of Geology and Mining, Govt of Assam for favour of kind information.
- 6) The District Commissioner, Morigaon district for favour of kind information.
- 7) The Member Secretary, State Expert Appraisal Committee (SEAC), Assam for favour of kind information.
- 8) The Member Secretary, State Pollution Control Board, Assam for favour of kind information.
- 9) The Member, SEIAA, Assam for kind information.
- 10) The DFO, Nagaon Division for kind information and further necessary action for compliance of the observations.
- 11) Office copy

*[Signature]*  
**Member Secretary,  
SEIAA, Assam**



# Tales of Sanchar Sakhi

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## CK LINKS

- > DSR of Morigaon District
- > Who's who
- > Voter Services
- > Tenders

## LATEST

# District at a Glance

Division: Cental Division

Item No. 14

20

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No. 86/2024/EZ  
(I.A. No. 86/2024/EZ and I.A. No. 77/2025/EZ)

Pradeep Singh Shekhawat

Applicant

Versus

Union of India & Ors.

Respondents

Date of hearing: 20.08.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Mr. A. D. N. Rao, Sr. Advocate with Mr. Madhav Bhatia, Mr. Vivek Sura and Mr. Rahul Mishra, Advocates for the Applicant.

Respondents: Ms. Amrita Pandey, Advocate for respondents no. 1 and 5 (through V.C).  
Ms. Malabika Roy Dey, Advocate for respondents no. 2,3 and 6 to 14 (through V.C).  
Mr. Surendra Kumar, Advocate for respondent no. 4 (through V.C).

**ORDER**

1. The applicant has filed present application under Section 18 read with Sections 14 and 15 of the National Green Tribunal Act, 2010 *inter alia* seeking issuance of suitable order/directions setting aside and quashing the E auction/auctions of the minor minerals being conducted in the Districts of Cachar, Tinsukia, Udalguri, Goalpara, Golathat, Kamrup (Metro), Lakhimpur and Nagaon without the preparation of District Survey Report (DSR); passing of suitable order/ directions directing the respondents not to grant any mining lease till the DSR for the Districts of

Cachar, Tinsukia, Udalguri, Goalpara, Golaghat, Kamrup (Metro), Lakhimpur and Nagaon is notified in accordance with law and passing of suitable order/directions directing the respondents to prepare and notify the DSR for Districts of Cachar, Tinsukia, Udalguri, Goalpara, Golaghat, Kamrup (Metro), Lakhimpur and Nagaon and other Districts in Assam in accordance with law and within a reasonable time-period.

2. Notice of the original application was issued to the respondents and in the course of hearing, replies/responses have been filed by respondents no.1, 2 and 4.

3. Applicant has filed **I.A No. 77 of 2025/EZ** praying for quashing/setting aside of the notice inviting Tender dated 16.07.2025 for Award of Minor Mineral Concession Area of Jagiroad Stone Mining Area No. F(6), Sonaikusi, Reserve Forest, Jagiroad, Morigaon" Bid Reference No: NGN-T/MMCA/F-6/2025 and staying the same till the pendency of the present original application.

4. Copy of I.A. No. 77/2025/EZ has been supplied to learned Counsel for the respondents.

5. Learned counsel for the applicant has submitted that the DSR of District Morigaon has not been notified/uploaded on the website so far and the respondents have also not placed copies of minutes of the meeting of SEIAA approving the DSR of District Morigaon as undertaken in order dated 14.11.2024 passed on the present original application and learned Counsel for the applicant has prayed for issuance of ad-interim order staying the impugned notice.

6. Learned Counsel for respondents no. 1-MoEF & CC and 5-SEIAA has submitted that DSR of District Morigaon was approved by SEIAA on 13.02.2025 and notice inviting tender has been issued on the basis thereof.

7. Learned Counsel for respondents no. 1-MoEF & CC and 5-SEIAA and learned Counsel for respondents no. 2,3 and 6 to 14 seek time for placing copies of the minutes of meeting of SEIAA and approved DSR.
8. In the course of hearing, learned counsels for respondents no. 1-MoEF & CC and 5-SEIAA and learned Counsel for respondents no. 2,3 and 6 to 14 were required to inform as to whether DSR approved by SEIAA has been notified/uploaded on the website or not and also to provide the relevant link but after resumed hearing learned counsels for respondents no. 1-MoEF & CC and 5-SEIAA and learned Counsel for respondents no. 2,3 and 6 to 14 have submitted that the concerned respondents could not be contacted today and they seek time for placing the same on record.
9. Reply/response to I.A. No. 77/2025/EZ alongwith copies of DSR and Minutes of Meeting of SEIAA may be filed by respondent no. 5- SEIAA and respondents no. 2,3 and 6 to 14 within 10 days.
10. List on 02.09.2025 for further consideration.
11. In view of the settled position of law that no tender can be invited and no mining lease can be granted without preparation and due publication/notification of DSR approved by SEIAA, the facts and circumstances of the present case and in view of Precautionary Principle embodied in Section 20 of the National Green Tribunal Act, 2010, it is ordered that Notice Inviting Tender for Award of Minor Mineral Concession Area of Jagiroad Stone Mining Area No. F(6), Sonaikusi, Reserve Forest, Jagiroad, Morigaon" Bid Reference No: NGN-T/MMCA/F-6/2025 dated 16.07.2025 shall remain in abeyance till further orders to the contrary.

12. A copy of this order may be sent to the Chief Secretary, Government of Assam, Member Secretary, SEIAA, Assam and District Magistrate, Morigaon by email for requisite compliance.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

August 20, 2025  
Original Application No. 86/2024/EZ  
(I.A. No. 86/2024/EZ and I.A. No. 77/2025/EZ)  
AB