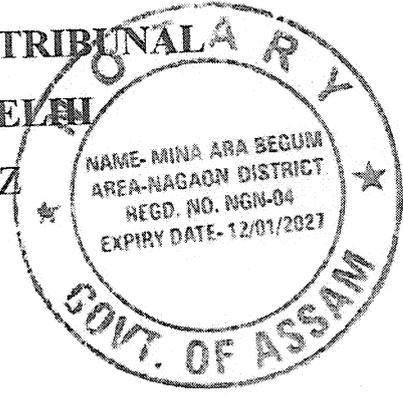


BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. No. 101 of 2025/EZ

IN

O.A. NO. 86/2024/EZ



In the matter of:

Pradeep Singh Sekhawat

..... Original Applicant

Vs.

Union of India & Ors.

... Respondents

And in the matter of:

Transfer Application by the Respondent No.2 – State of Assam

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S. No.	PARTICULARS	PAGE NO.
1.	Transfer Application filed under read with Section 4 (4)(d) of the National Green Tribunal Act, 2010 read with Rule 3(2) of the National Green Tribunal (Practices and Procedure) Rules, 2011	
2.	Proof of Service	

Filed on 05.11.2025

Filed by,

Shuvodeep Roy

SHUVODEEP ROY

Off. Add: 06, School Lane(GF),

Bengali Market,

New Delhi – 110001

Code: 1672

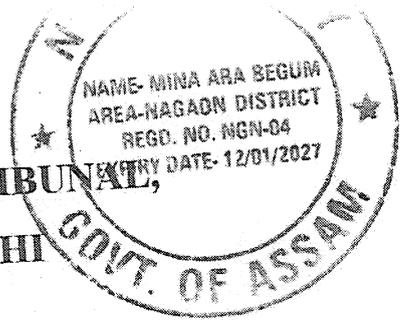
Mob: 9818182688

Email:- shuvodeep_roy@rediffmail.com

05/11/25
DARATHI LASKAR
Advocate, Nagaon
En. No. 143/21

5-11-25
NOTARY
Govt. of Assam
Area: Nagaon District

Kadam Sohas Tarachand



BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

I.A. No. _____ of 2025/EZ

IN

O.A. NO. 86/2024/EZ

In the matter of:

Pradeep Singh Sekhawat

.....Original Applicant

Vs.

Union of India & Ors.

... Respondents

And in the matter of:

Transfer Application by the Respondent No.2 – State of Assam


VARATHI LASKAR
Advocate, Nagaon
En. No. 142/21


K-11-24
NOTARY
Govt. of Assam
Area: Nagaon District

Kadam suhas Tarachand



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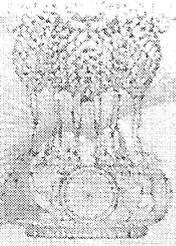
SRL. NO.	PARTICULARS	Page Nos.
1.	Transfer Application filed under read with Section 4 (4)(d) of the National Green Tribunal Act, 2010 read with Rule 3(2) of the National Green Tribunal (Practices and Procedure) Rules, 2011	1-10
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3	Proof of service	14

Kadern Subas Terrachand

[Signature]
 KATHI LASKAR
 Advocate, Nagaon
 En. No. 143/201

[Signature]
 5-4-24

NOTARY
 Govt. of Assam
 Area : Nagaon District



सत्यमेव जयते

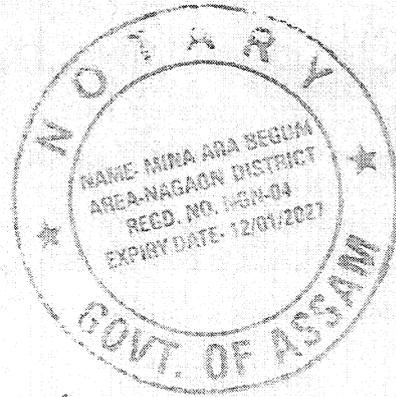
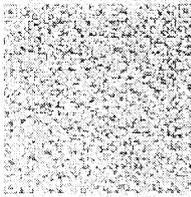
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Government of Assam

e-Stamp

Certificate No. : IN-AS96315485189288X
 Certificate issued Date : 05-Nov-2025 06:03 PM
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 Unique Doc. Reference : SUBIN-ASASCSCCEG0777326539921760X
 Purchased by : DFO NAGAON
 Description of Document : Article 4 Affidavit
 Property Description : Not Applicable
 Consideration Price (Rs.) : 0
 (Zero)
 First Party : DFO NAGAON
 Second Party : Not Applicable
 Stamp Duty Paid By : DFO NAGAON
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)

Kadam Subhas Torachand

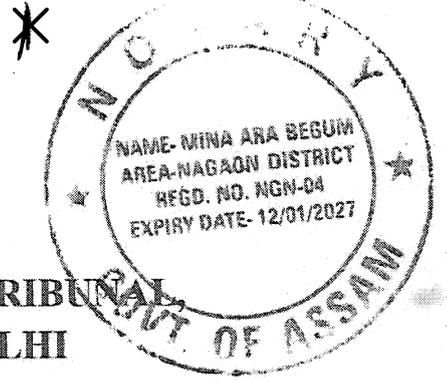


5-11-25

NOTARY
Govt. of Assam
Area: Nagaon District

9/11/25
DARSHI LASKAR
Advocate, No. 01
En. No. 433/01

PR 0021513419



BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. No. _____ of 2025/EZ

IN

O.A. NO. 86/2024/EZ

In the matter of:

Pradeep Singh Sekhawat

..... Original Applicant

Vs.

Union of India & Ors.

... Respondents

And in the matter of:

Transfer Application by the Respondent No.2 – State of Assam

Transfer Application on behalf of the Respondent No. 2, The State Of Assam, filed under Section 4 (4)(d) of the National Green Tribunal Act, 2010 read with Rule 3(2) of the National Green Tribunal (Practices and Procedure) Rules, 2011

To

The Hon'ble Chairperson and His Companion Member of the said

Hon'ble Tribunal

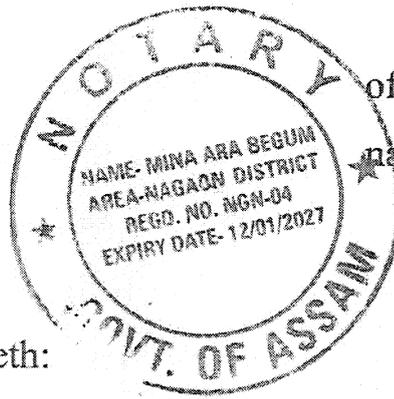
The humble
Application on behalf

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5-11-24

NOTARY
Govt. of Assam
Area : Nagaon District

Kadam Suhas Tarachand

(Handwritten signature)
ANATHI LASKAR
Advocate, New Delhi
En. No. 142/21



of the Applicant above-
named

Most Respectfully Sheweth:

1. That the instant Original Application has been filed before the Hon'ble Tribunal seeking directions, inter-alia, for quashing auctions of minor minerals which are being conducted in the 8 Districts of Assam, viz., Cachar, Tinsukia, Udalguri, Goalpara, Golaghat, Kamrup (Metro), Lakhimpur and Nagaon in the absence of District Survey Report (hereinafter called as DSR). And the instant I.A. 77/2025/EZ, has been filed before the Hon'ble Tribunal seeking directions, inter-alia, for quashing notices of auctions of minor minerals dated 16.07. 2025, which are being conducted in the District of Morigaon, on the ground of non-approval of the District Survey Report(DSR).

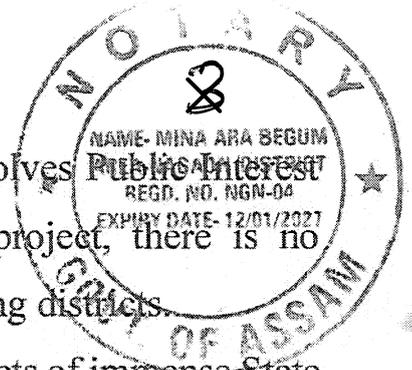
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Area : Nagaon District

Be it mentioned here, that the DSR of Morigaon district has been finally approved on 13.02.2025, and the finally approved DSR has also been uploaded in the Public domain. These facts have already been stated before the Hon'ble Tribunal through the affidavit dated 29.08.2025.

2. In this connection, the Applicant herein, further begs to state that a mega project, with investment of RS. 27000 Crore, i.e. "Tata Semi Conductor Project" is being set up in Jagiroad in Morigaon District.

DARATHI LASKAR
Advocate, N. - 011
En. No. - 1437/21

Kadam Subas Tarachand



It is pertinent to mention that the project involves **Public Interest** and of National importance and for such project, there is no resources in Morigaon and also in neighbouring districts.

Be it also mentioned that, there are other projects of immense State / National importance and Public Interest, such as *Guwahati Ring Road Projects, Bridge on Brahmaputra river connecting North and south bank in Morigaon district, Elevated Corridor project (~31 km in length in 3 segments)* near Kaziranga National Park, being so far the biggest animal friendly passage project in the country and including many other highway road projects. Therefore, kind attention of Hon'ble Tribunal is drawn to fact that there is very acute shortage of critical minerals in and around Morigaon for which the Stone Mineral Concession Area, No F6, measuring 20 Ha, is most crucial for provisioning of stone in the shortest possible time. As such, the State as well as the Nation will suffer if such on going projects are stalled.

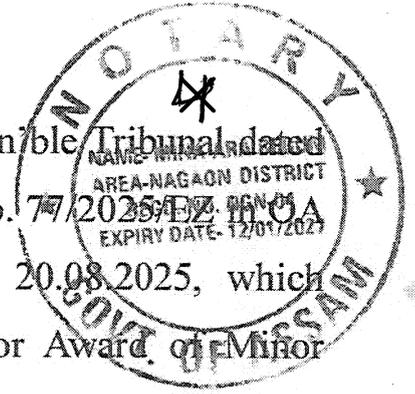
3. That the Applicant herein, further begs to submit that the minor mining areas in Morigaon District of Assam have approved mining plans as per Assam Minor Mineral Concession Rules, 2013, Environmental Clearance as per EIA Notification of 2006 and Forest Clearances as per Forest Conservation Act 1980 wherever necessary. No mining areas are allowed to operate without fulfilling these criteria. Moreover, the Respondent authorities have complied with all the required formalities fully, pursuant to the orders of the Hon'ble Tribunal Dt. 23.07.2024 in the I.A. No.32/2024/EZ in the Original Application No.86/2024/EZ.

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Area: Nagaon District

JARATHI LASKAR
Advocate, Nagaon
En. No.-143/21

Kadam Suhos Tarachand



Further, in pursuance of the Order of the Hon'ble Tribunal dated 06.10.2025 in OA No. 86/2024/EZ and IA No. 77/2025/EZ in OA No. 86/2024/EZ, the interim Order dated 20.08.2025, which directed that the 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, was directed to continue in force.

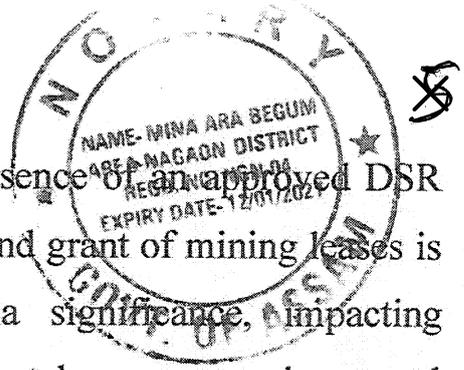
4. The the Applicant herein is compelled to file the present Transfer Application seeking transfer of the accompanying Original Application from the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, to the Hon'ble Principal Bench, New Delhi, as the issue raised involves substantial questions of law and matters of larger public importance, and there is an interim order of Stay, for which all the mining works are stalled in the entire District, despite having a finally approved DSR.
5. The Original Application challenges the conduct of auctions for minor minerals across eight (8) districts of Assam, including those being carried out in Morigaon District, on the ground of non-approval of the respective District Survey Reports ("DSR"). The said issue directly concerns the legality of mining operations without statutorily approved DSRs, which is a recurring and substantial question of environmental law.


 KARATHI LASRATH
 Advocate, N. - on
 Ep. No. 143/21


 5-11-25

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 Govt. of Assam
 Nagaon District

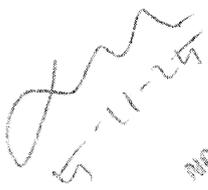
Kadam Suhas Torachand



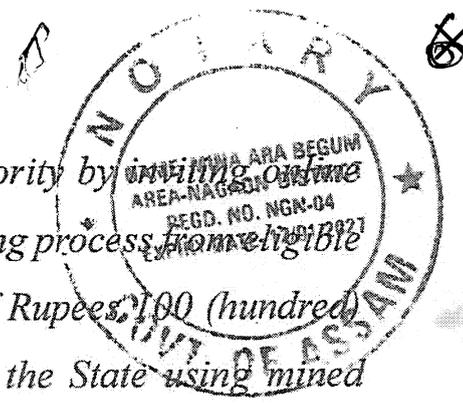
6. The determination of whether the absence of an approved DSR vitiates the entire process of auction and grant of mining leases is an issue of general and pan-India significance, impacting regulatory compliance and environmental governance in several States. The concern raised by the Applicant which addresses a larger public issue warrants the transfer of the present matter for adjudication to the Principal Bench at New Delhi.
7. The matter also involves interpretation of notifications, guidelines, and directions issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) and the Hon'ble Supreme Court concerning environmental clearance procedures and the mandatory nature of DSRs. It therefore raises a question of law of general application, meriting adjudication by the Hon'ble Principal Bench to ensure uniformity in environmental jurisprudence across all States.
8. It is pertinent to mention here that, that the Notice dated 16.07.25, has been issued in accordance with the terms of the Notification of the Government of Assam, dated the Dispur, 19th May, 2025, whereby the Assam Minor Mineral Concession Rules, 2013, has been amended.

As per the said amendment, after sub-rule (6), the following new sub-rule (7) shall be inserted, which is as follows: "(7) (i) *Mining lease for Circular Economy Based Zero Waste (CEBZW) mining by use of high-end technology shall be granted for a period*


DARATHI LASKAR
Advocate, N- on
En. No.- 1427/21


5-11-25
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Govt. of Assam
Nagaoon District

Kadam Suhans Tarachand



Kedam Subas Tarachand

of 30 (thirty) years by the competent authority by inviting open bids which shall be in two stage, bidding process from eligible bidders having a capacity of investment of Rupees 100 (hundred) Crore or more in setting up industries in the State using mined minerals as raw material and bringing enabling technologies for Circular Economy Based Zero Waste (CEBZW) Mining.

Explanation: "Circular Economy Based Zero Waste (CEBZW) Mining" means a mining activity that,

- a) Does not allow any significant emissions of Particulate Matter (PM) 2.5 and Particulate Matter (PM) 10 particles in the environment; and
- b) Accounts for every waste of the mining to be re-used to reduce different by products which are commercial in nature and which have minimum discharge in the surrounding areas. Short title and commencement Amendment of Rule 8 MINES-11/17/2025-MINES/MINERALS-Mines and Minerals Department I/1071722/2025.....”.

Thus, it is evident that such mining activities are good and essential for our environment, and such activities should be allowed, and as such if such activities are stopped, the State as well as the Environment will suffer.

[Signature]
DARATHI LASKAR
Advocate, No. 1422/21
En. No. 1422/21

A True Copy of the said notification dated Dispur, 19.05.2025, is annexed herewith and marked as Annexure-A (Page No. 11 to 13).

[Signature]
5-11-25
NOTARY
Govt. of Assam
No. Nagam District

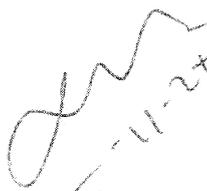
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9. The Applicant-State respectfully submits that transferring the matter to the Principal Bench, New Delhi, would avoid multiplicity of proceedings and conflicting findings on identical issues pending before different Benches of the Tribunal. The transfer would also facilitate effective hearing by the Bench which routinely deals with national-level environmental policy and compliance matters.

Kadam Subhas Tavaichand


GARATHI LASK
Advocate, N-7
En. No. 142/21




5-11-24

NOTARY
Govt. of Assam
Area: Nagaon District

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PRAYER

In view of the foregoing, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- (a) Allow the present Transfer Application directing that the Original Application No. O.A. NO. 86/2024/EZ pending before the Hon'ble NGT, Eastern Zone Bench, Kolkata, be transferred to the Hon'ble Principal Bench, New Delhi;
- (b) Pass such further or other orders as may be deemed fit and proper in the interest of justice.

And for this act of kindness Your Applicant as in duty bound shall ever pray.

Filed by,

(Handwritten signature)

**SHUVODEEP ROY
ADVOCATE**



(Handwritten signature)
DARATHI LASKAR
 Advocates, Nagaland
 En. No. 142/2021

(Handwritten signature)
 5-11-24
NOTARY
 Govt. of Assam
 Area: Nagaland District

Kadam Suhans Tarachand

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. No. _____ of 2025/EZ

IN

O.A. NO. 86/2024/EZ



In the matter of:

Pradeep Singh Sekhawat

..... Original Applicant

Vs.

Union of India & Ors.

... Respondents

And in the matter of:

Transfer Application by the Respondent No.2 – State of Assam

AFFIDAVIT

I, Sri Kadam Suhas Tarachand, son of Kadam Tarachand Gabaji, the Divisional Forest Officer, Morigaon District Assam, do hereby solemnly state and affirm as under :-

1. That the deponent is working as Divisional Forest Officer, Morigaon District Assam., and in course of discharge of his official duties, deponent has become conversant with the facts of the instant case and being duly authorized on this behalf by Respondent no.6 herein, the deponent is fully competent to swear the present Affidavit.

5-11-25
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Govt. of Assam
Area: Morigaon District

2. That the contents of the accompanying Transfer Application filed under read with Section 4 (4)(d) of the National Green Tribunal Act, 2010 read with Rule 3(2) of the National Green Tribunal (Practices and Procedure) Rules, 2011 has been read over by the deponent and the deponent states that the same are true and correct to the best of deponent's knowledge and belief.

DARATHI LASKAR
Advocate, No. on
En. No. - 1432/21

Kadam Suhas Tarachand

XO

- 3. That the annexures accompanying the instant Application are true copies of their respective originals.

Kadam Suhav Tarachand

DEPONENT

VERIFICATION:-

Verified at Nagaon on this 05 day of November, 2025 that the contents of the above affidavit are true and correct to my knowledge derived in course of discharge of official duties. No part of it is false and nothing material has been concealed therefrom.

Verified at Nagaon on this 05 day of November 2025.

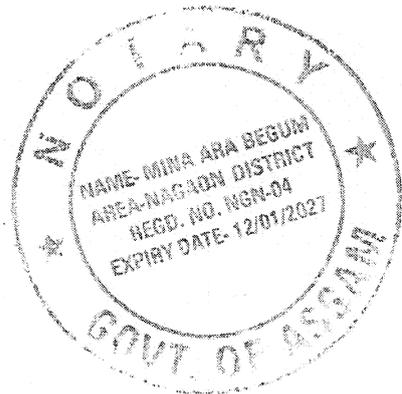
Kadam Suhav Tarachand

DEPONENT

[Signature]
DARATHI LASKAR
 Advocate, Nagaon
 En. No. 1432/21

[Signature]
 11-25

NOTARY
 Govt. of Assam
 Area - Nagaon District



ANNEXURE - A

IX

**GOVERNMENT OF ASSAM
MINES AND MINERALS DEPARTMENT
DISPUR, GUWAHATI-6**

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated the Dispur, 19th May, 2025

ECF No.638769/10: In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Governor of Assam is hereby pleased to make the following rules further to amend the Assam Minor Mineral Concession Rules, 2013, hereinafter referred to as the principal Rules, in the manner hereinafter appearing, namely:

- | | | |
|--|----|---|
| Short title and commencement publication | 1. | (1) These rules may be called the Assam Minor Mineral Concession (Amendment) Rules, 2025.
(2) They shall come into force on the date of their in the Official Gazette. |
| Amendment of Rule 8 | 2. | In the principal Rules, in rule , after sub-rule (6), the following sub-rule (7) shall be inserted, namely: |

- “(7) (i) Mining lease for Circular Economy Based Zero Waste (CEBZW) mining by use of high-end technology shall be granted for a period of 30 (thirty) years by the competent authority by inviting online open bids which shall be in two stage, bidding process from eligible bidders having a capacity of investment of Rupees 100 (hundred) Crore or more in setting up industries in the State using mined minerals as raw material and bringing enabling technologies for Circular Economy Based Zero Waste (CEBZW) Mining.

Explanation: "Circular Economy Based Zero Waste (CEBZW) Mining" means a mining activity that,

- a) Does not allow any significant emissions of Particulate Matter (PM) 2.5 and Particulate Matter (PM) 10 particles in the environment; and
- b) Accounts for every waste of the mining to be re-used to reduce different by-products which are commercial in nature and which have minimum discharge in the surrounding areas.



- (ii) The lessee of Circular Economy Based Zero Waste (CEBZW) mines shall be allowed to sell up to fifty percent (50%) of the mined minerals in the open market.
- (iii) Each Circular Economy Based Zero Waste (CEBZW) mine which shall be allotted for 30 (thirty) years on lease under these rules and shall be made fully secured within four months of time from the date of executing the lease agreement by installation of appropriate weigh bridges, CCTV, geo-fencing and other security devices as directed by the competent authority.
- (iv) The bid for Circular Economy Based Zero Waste (CEBZW) Mining shall have two components of Earnest Money Deposit (EMD);
 - a) a fixed amount of Rs. 10 Lakhs or more for initial participation in the online tender as decided by the competent authority;
 - b) ten percent (10%) of the proposed investment in the form of Bank Guarantee shall be required to be submitted before the opening of the financial bid, if the bidder is qualified in the technical round.
- (v) The bidder proposing the highest investment which shall be based on pro-rata rate of minimum investment expected per hectare of the proposed leased area as decided by the Administrative Department in this regard shall be the successful bidder as defined in the bid document.
- (vi) If a single valid bid with eligible technical and financial bids is received, the same shall be termed as valid bid only after the bid period has been extended twice and each time for 15 days and based on the merit of the case, and if found fit, the competent authority may proceed to award the lease.
- (vii) No lease shall be awarded below the Government royalty of the minerals as per Schedule-1 of these rules and that no minerals shall be removed from the lease area without payment of applicable Government royalty in advance.

- (viii) The successful bidder shall be bound to implement the investment as per the valid financial bid submitted within a period of 3 (three) years of signing of the agreement, failing which the Earnest Money Deposits of the successful bidder shall be forfeited and the bidder shall be debarred from participating in such online open bids for a period of five years for grant of fresh mineral concession in the State.
- (ix) The provision of sub-rule (4) of this rule shall not be applicable to the lease granted under Circular Economy Based Zero Waste (CEBZW) mining."

Digitally signed by
Ajay Tewari
Date: 19-05-2025
13:20:39

Additional Chief Secretary to the Govt. of Assam
Mines & Minerals Department



standingcounsel office <standingcounseloffice@gmail.com>

Service- Original Application 86/2024 (NGT) Pradeep Singh Shekhawat Vs Ministry Of Environment Forest And Climate Change

1 message

standingcounsel office <standingcounseloffice@gmail.com>

Thu, Nov 13, 2025 at 11:44 AM

To: adnrao@adnroo.com, Amrita Pandey <amritalegal@gmail.com>, rashmibothra24@gmail.com, mrdey@rediffmail.com, madhavbhatia@vertarilegal.com, surendra kumar <Surendra_kr15@rediffmail.com>

Please find attached herewith scanned copy of Transfer Application in subject Case.

From

Office

Shri Shuvodeep Roy
Standing Counsel for State of Assam

 **02_IA_002_1762428352640.pdf**
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