

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**  
(UNDER SECTION 18(1) READ WITH SECTIONS 14 AND 15  
OF THE NATIONAL GREEN TRIBUNAL ACT, 2010)  
I.A. NO. **01** OF 2025  
IN  
ORIGINAL APPLICATION NO. 212 OF 2025

**IN THE MATTER OF:**

PRADEEP SINGH SHEKHAWAT ...APPLICANT  
VERSUS  
STATE OF ASSAM & ORS. ...RESPONDENTS

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Filed By: -

*M Bhatia*

**Madhav Bhatia & Vivek Sura  
Advocates**

A-446, LGF, Defence Colony,  
New Delhi-110024

Mob. +91 9910572585

Date: 03.12.2025

Place: Kolkata

Email: [madhavbhatia@vertarilegal.com](mailto:madhavbhatia@vertarilegal.com)



Impugned DSR and the Minutes of Meetings and the EC's are patently deficient and in violation of the Environment Impact Assessment Notification, 2006 ("EIA Notification, 2006"), the Sustainable Sand Mining Management Guidelines, 2016 ("SSMMG 2016"), and the Enforcement & Monitoring Guidelines for Sand Mining, 2020 ("EMGSM 2020"), all issued by Respondent No. 2 –MoEF&CC.

2. The Applicant submits that the Impugned DSR has been prepared without effective public consultation, without a valid replenishment study, without identifying cluster mines, and contrary to the requirement of separate mineral-wise reports. Notwithstanding these infirmities, Respondent No. 1 has proceeded to issue auction notices and grant Environmental Clearances (ECs) on the basis of the Impugned DSR, in direct contravention of the binding mandate of the Hon'ble Supreme Court in *State of U.P. v. Gaurav Kumar (2025 SCC OnLine SC 1069)*. Accordingly, the Applicant seeks quashing of the Impugned DSR and ECs, a restraint on any mining or grant of ECs in Morigaon until a lawful DSR is prepared, directions for preparation of a fresh DSR in strict compliance with the governing framework, and imposition of environmental compensation for illegal mining undertaken without a valid DSR as noted in the CAG's 2024 Report.
3. It is submitted that the concerning surge in the illegal mining of minor minerals in the State of Assam is exacerbating environmental degradation, and endangering public health of the people of State of Assam as such illegal mining activities is resulting in the destruction of natural habitats, soil erosion, and contamination of

water bodies as well as alarming depletion of ground water levels in the State of Assam. Additionally, this actions also leads to a depletion of natural resources which can lead to land subsidence and increased vulnerability to natural disasters such as floods and landslides.

4. Furthermore, the Respondents are conducting auctions of minor minerals in Morigaon in district of State of Assam without notifying a proper District Survey Report. It is submitted that the impugned DSR contravenes the various decisions passed by the Hon'ble Supreme Court and this Hon'ble Tribunal such as *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348, *State of U.P. vs. Gaurav Kumar*, 2025 SCC OnLine SC 1069, *UT of J& K vs Raza Muzzafar. vs. Gaurav Kumar*, Civil Appeal No 8055/2022, as well as the Sustainable Sand Mining Management Guidelines, 2016 ('SSMMG, 2016') and Enforcement Monitoring Guidelines for Sand Mining, 2020 ('EMGSM 2020') issued by the Respondents.
5. That on 20.07.2022, the Hon'ble Supreme Court passed an interim order in the case of *Mangal Singh Bundela vs. State of Madhya Pradesh & Ors.*, Civil Appeal No. 4593 of 2022, directing that no mining shall be carried out in terms of the e-auction without finalizing the District Survey Report.
6. That it has come to the knowledge of the Applicant that the State of Assam has since then issued a fresh Notice Inviting Tender dated 15.11.2025 for awarding the Minor Mineral Concession for Jagiroad Stone Mining Area No. F (6), located in Sonaikusi Reserve Forest, Jagiroad, Morigaon, even though the said mineral



concession area was never a part of the impugned DSR published on 10.09.2024 or the impugned DSR finalised on 10.10.2025.

7. Thus, the Applicant is preferring the present application seeking interim stay on any environmental or mining permission from being till the pendency of the present OA.
8. That the Applicant has a *prima facie* case as the said impugned DSR has been not been prepared following the statutory provision, is seriously deficient, suffers from multiple suppressions/non attachment of materially relevant documents and as has been prepared in violation of various decisions in *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348, *Anjani Kumar v. State of U.P.*, 2017 SCC OnLine NGT 979, *Subhash Bhai Ishwar Bhai Parmar v. State of Gujarat*, 2022 SCC OnLine NGT 3854, *Hanuman Laxman Aroskar v. Union of India* (2019) 15 SCC 401, *State of U.P. v. Gaurav Kumar*, 2025 SCC OnLine SC 1069, *UT of J&K v. Raza Muzaffar*, Civil Appeal No. 8055/2022 as well as the SSMMG, 2016 and EMGSM 2020.
9. That irreparable damage would be caused to the environment as well as to the Applicant if environmental, mining or sanctions based on impugned DSR are not stayed. That the balance of convenience lies in favour of the Applicant/Environment and no prejudice would be caused to any person since the auctions have not been conducted yet.
10. That the present application is bonafide and has been filed at the earliest opportunity.

## PRAYER

In view of the aforesaid facts and circumstances, the Hon'ble tribunal may be pleased the cognizance of the issues highlighted above and pass the following directions

- a. Stay the impugned DSR for Morigaon District as being violative of EIA Notification, 2006, the SSMG 2016 and EMGSM 2020;
- b. Stay the Minutes of Meeting dated 22.09.2025 passed by SEIAA by way of which the approved DSR for Morigaon was amended;
- c. Stay the Notice Inviting Tender dated 15.11.2025 for Jagiroad Stone Mining Area No. F (6), located in Sonaikusi Reserve Forest, Jagiroad, Morigaon
- d. Pass an order staying all ongoing and further mining activities in District Morigaon, Assam, pending final adjudication of the present Application and preparation of a lawful and compliant District Survey Report in accordance with the EIA Notification, 2006, the SSMMG, 2016, and the EMGSM, 2020.
- e. Pass any other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case

**Madhav Bhatia & Vivek Sura**  
**Advocates**

A-446, LGF, Defence Colony,  
New Delhi-110024

Mob. +91 9910572585

Email: [madhavbhatia@vertarilegal.com](mailto:madhavbhatia@vertarilegal.com)

Date: 03.12.2025

Place: Kolkata

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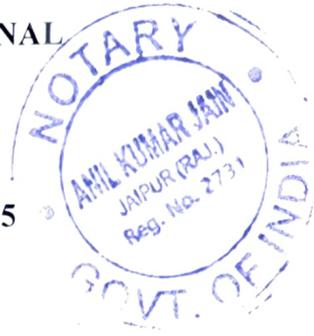
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH KOLKATA

I.A. No. \_\_\_\_\_ of 2025

IN

ORIGINAL APPLICATION NO. \_\_\_\_\_ OF 2025



IN THE MATTER OF:

PRADEEP SINGH SHEKHAWAT

...APPLICANT

VERSUS

STATE OF ASSAM & ORS.

...RESPONDENTS

**AFFIDAVIT**

I, Pradeep Singh Shekhawat, S/o Govind Singh, R/o A-34, A, Vivekanand Colony, Naya Khera, Jaipur, Rajasthan – 302023, aged about 39 Years, do hereby solemnly affirm and state on oath as under:

1. That I am the Applicant in the captioned matter and as such am fully conversant with the facts and circumstances of the case and competent to swear this Affidavit.
2. That I have gone through the contents of the accompanying interim application that has been drafted by my counsel according to my instructions and the contents of the same are true and correct to my knowledge.

DEPONENT

**VERIFICATION**

Verified on this \_\_\_\_\_ day of \_\_\_\_\_ 2025 that the contents of the present Affidavit are true and correct to my knowledge and nothing material has been concealed.

DEPONENT

**ATTESTED**

Anil Kumar Jain  
Notary (Govt. of India)  
JAIPUR (Raj.)

03 DEC 2025





 Outlook

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**Advance Service in Pradeep Singh Shekhawat vs The State of Assam & Ors. bearing OA No. 212 of 2025**

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**From** <muskanaggarwal@vertarilegal.com>

**Date** Mon 2025-12-22 12:59

**To** cs-assam@nic.in <cs-assam@nic.in>; secy-moef@nic.in <secy-moef@nic.in>; hoff-assam@gov.in <hoff-assam@gov.in>; chairman@pcbassam.org <chairman@pcbassam.org>; addlpcc.nodal@gmail.com <addlpcc.nodal@gmail.com>; dgmassam@gmail.com <dgmassam@gmail.com>; dc-morigaon@nic.in <dc-morigaon@nic.in>; rashmivothra24@gmail.com <rashmivothra24@gmail.com>; mrdey <mrdey@rediffmail.com>; apurba ghosh <apu7law@gmail.com>; surendra kumar <surendra\_kr15@rediffmail.com>; cso-meg@nic.in <cso-meg@nic.in>

**Cc** Madhav Bhatia <madhavbhatia@vertarilegal.com>; Vivek Sura <viveksura@vertarilegal.com>

 1 attachment (925 KB)

APPLICATION INTERIM RELIEF .pdf;

Dear Sir/ Ma'am Please find enclosed the Original Application No. 212 of 2025 titled as 'Pradeep Singh Shekhawat vs The State of Assam & Ors.' along with Interim Application. Link is attached below:

[https://1drv.ms/f/c/3ed16b6686ba11ef/IgBLwAXIm7uMR7O0\\_yVU0AuVAbkxyN3BwpM1TUornuFSI CQ?e=txyCs3](https://1drv.ms/f/c/3ed16b6686ba11ef/IgBLwAXIm7uMR7O0_yVU0AuVAbkxyN3BwpM1TUornuFSI CQ?e=txyCs3) Kindly treat this as an advance service of the OA and the I.A. Thanks & Regards  
Muskan Aggarwal Associate Vertari Legal A-446(LGF), Defence Colony, New Delhi - 110024 (M.)  
+91 8287770481