

WP(C) 4103/2014

BEFORE

THE HON'BLE MR JUSTICE HRISHIKESH ROY

The matter pertains to the settlement of the Mining Contract of the Batha Sand Mahal No.2 for which the Sale Notice was issued on 26.8.2013 (Annexure-1) by the D.F.O., Kamrup West Division. The petitioner's offer of Rs.7,02,75,100/- was the highest for the 7 year settlement period (2013-2020) and accordingly the Letter of Intent (LOI ) was issued to him on 25.4.2014 (Annexure-6).

Mr. B.D. Goswami, the learned Counsel refers to the letter dated 19.7.2014 of the D.F.O. to project that the available sand quantity was hugely overestimated as 5000 Cu.M per year whereas only 3500 Cu.M each year is the available quantity as shown in the D.F.O's letter. But even more alarming projection is made by the State Level Environmental Impact Assessment Authority (SEIAA) in their letter dated 31.7.2014, where it is projected that only 1000 Cu.M. will actually be available in the Batha Sand Mahal No.2.

Accordingly the petitioner who has quoted the bid on the basis of inflated projection in the Sale Notice had requested for re-consideration of the sand quantity so that all the other parameters including the bid price may be reconsidered.

In view of above, let Notice returnable in 3 weeks be issued. Mr. R.K. Bora, the learned Counsel representing the Forest Authorities accepts notice for all the 5 respondents. Extra copies be furnished to him.

Pendency of the case shall not be bar for the Forest Authorities to reassess the sand quantity available in the Batha Sand Mahal No.2.