

SL. 4
20.02.2026
Court No.19
BP

WPA 3059 of 2026

Soid Amir Ali alias Saiyed Amir Ali
-versus-
The State of West Bengal and others

Mr. Mohit Chatterjee
Mr. Sk. Humayan Reja
..for the petitioner

Mr. Lalit Mohan Mahata, A.G.P.
Ms. Ashima Das (Sil)
..for the State

The petitioner applied for grant of sand mining lease under the provisions of the West Bengal Sand (Mining, Transportation, Storage and Sale) Rules, 2021.

The learned advocate appearing for the petitioner submits that in spite of a representation being made by the petitioner dated 14th October, 2025 requesting the authorities of the State of West Bengal to pass necessary orders for approval to grant sand mining lease in favour of the applicant in respect of Plot No. 541(P) within Mouza-Panterai, J.L. No. 42 in the River Bed of Darakeswar under Police Station Indus in the District of Bankura, no decision on such representation has been communicated to the petitioner till date.

The learned advocate appearing for the petitioner refers to the provisions of Rule 4(3) of the 2021 Rules in support of his contention that the District Level Sand Committee with the prior approval of the State Government, may grant sand mining lease to persons

other than the West Bengal Mineral Development & Trading Corporation Limited.

Mr. Mahata, learned Additional Government Pleader appears. He submits that as per the 2021 Rules it is the West Bengal Mineral Development and Trading Corporation Limited who is the competent authority to grant the sand mining lease. He submits that such mining lease is granted by holding auction only.

Rule 4 (3) states that the District Level Sand Committee, with the prior approval of State Government, may grant sand mining lease to persons other than West Bengal Mineral Development & Trading Corporation Limited or any other Government company or Government authority or statutory body by auction only. The auction shall be in accordance with Chapter VIII (Procedure for Grant of Mining Lease) of the West Bengal Minor Mineral Concession Rules, 2016 and the West Bengal Minor Mineral (Auction) Rules, 2016 or such other law applicable on grant of concessions for minor minerals by auction as prescribed by the State Government from time to time. Thus it appears that the grant of sand mining lease to persons other than the Corporation or any other Government company or Government authority or statutory body has to be by way of auction only. In case the competent authority decides to grant sand mining lease by way of auction, it will be open to the petitioner to

participate in such auction in accordance with law, if he is otherwise entitled to do so.

With the above observations, WPA 3059 of 2026 stands disposed of.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)