

Email

Judicial Section

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**ORDER passed in Original Application No. 179/2024**

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**From :** Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in> Thu, Mar 07, 2024 11:23 AM  
**Subject :** ORDER passed in Original Application No. 179/2024 2 attachments  
**To :** Sh. RAJA CHATTERJEE Registrar <registrarngt-kolkata@gov.in>, Judicial Section <ngtjudicial-kolkata@gov.in>  
**Cc :** npc2@yahoo.com, DC Wokha <dcwok-ngl@nic.in>, geominenaga@gmail.com, osdgm@gmail.com  
**Reply To :** Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Respected Sir/Madam,

I am directed to forward a copy of the **Order dated 29/02/2024 passed in Original Application No. 179/2024 News item titled "Six workers killed in fire inside Nagaland rat-hole coal mine" appearing in The Hindu Bureau date 27.01.2024** . for your kind perusal & necessary action.

**REGARDS**  
**CONSULTANT (Judicial)**  
§ (N.G.T.)(P.B.) § New Delhi §



in No. 179/2024 News  
item titled "Six workers killed in fire inside Nagaland rat-hole coal mine"

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 **SUO-Moto OA no 179 of 2024.pdf**  
959 KB

 **Six workers killed in fire inside Nagaland.pdf**  
185 KB

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# France to tech'

talks on between Safran  
inter jet requirements

gies and industrial processes involved in the manufacture of jet engines and increase the capabilities of both public and private industries in India.

The F-114 engines are meant to power the indigenous Light Combat Aircraft (LCA)-MK2, a larger and more capable variant of the LCA currently in service, and the initial version of the AMCA.

The development of the AMCA is planned in two phases: MK1 with the F-413 engine, and MK2 with a more powerful engine in collaboration with France.

Very few countries have a proprietary right to jet engine technology and it is a closely guarded secret due to its extreme criticality in modern warfare. India made unsuccessful attempts in the past to develop an engine locally under the now shelved Averi project, which was intoned by the Cabinet committee on Security (CS) in 1989.

Over the course of 30 years before it was shut down, the project saw an expenditure of ₹2,035.56 crore and the development of a full prototype engines and four core engines.

# Six workers killed in fire inside Nagaland rat-hole coal mine

The Hindu Bureau  
GUWAHATI

Six workers were killed and four seriously injured after a fire broke out in a rat-hole coal mine in Wokha district of Nagaland on Thursday afternoon.

District officials did not provide details of the incident, but Naga People's Front MLA Achumbemo Kikon said the fire was reported from the rat-hole coal mine between half past noon and 1 p.m. The coal mine is at Risayan, an interior village in the Bhandari Assembly constituency, and all the workers were from Assam, mostly from Sonitpur district.

"The six coal miners were charred to death and the four injured are in a serious condition. This is not the first coal mine accident in my constituency and it will not be the last if the government does not take stern steps for scientific mining," Mr. Kikon told a local TV channel.

He said illegal rat-hole mining has been going on in the area rampantly and he had raised concerns with the Nagaland government, especially with the Geology and Mining Department toward stopping "illegal mining." He has also been trying to create awareness of safer and



This is not the first coal mine accident in my constituency and it will not be the last if the government does not take stern steps for scientific mining.

ACHUMBEMO KIKON  
Naga People's Front MLA

scientific mining among the people, he added.

The State government must take pre-emptive steps so that proper guidelines are followed and coal extracted scientifically, causing minimum damage to the environment. Otherwise, the system will collapse," he said.

The district administration has ordered a probe into the incident.

Land in Nagaland is either owned by the community or individuals and the government has no control over the minerals and other natural resources. A police official said the accident could have been avoided had the miners and mine owners followed safety protocols.

Rat-hole mining entails a tunnel big enough for a mid-sized adult to crawl through, squat and extract coal with a pickaxe.

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angled remains of the Russian military aircraft that crashed in the Belgorod region.

transporter President said it was a plane shot down. I don't know who did it or how. It was a thoughtless and vicious that in-fold his first crash.

gators are working nothing to add to it. Kremlin spokesman Dmitry Peskov said while Russian plane.

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Bhubaneswar the 20<sup>th</sup> January 2024  
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shall be opened at 11.00 A.M. of  
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in the

Item No. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 179/2024

News item titled "Six workers killed in fire inside Nagaland rat-hole coal mine" appearing in The Hindu Bureau date 27.01.2024

Date of hearing: 29.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Ms. K. Enatoli Sema, Adv. for Nagaland PCB

**ORDER**

1. This original application is registered *suo-motu* on the basis of the news item titled "**Six workers killed in fire inside Nagaland rat-hole coal mine**" published in "The Hindu Bureau" dated 27.01.2024. The news item reveals that six workers have been killed and four seriously injured after a fire broke out in a rat-hole coal mine in Wokha district of Nagaland. As per the said news item illegal rat-hole mining is in progress rampantly in the area concerned. Rat-hole mining entails a tunnel big enough for a mid-sized adult to crawl through, squat and extract coal with a pickaxe.

2. Supreme Court of India vide order dated 03.07.2019 in Civil Appeal No. 10720 of 2018 in the matter of *State of Meghalaya Vs. All Dimas Students Union, Dima Hasao Dist. Committee and Ors.* has considered the issue of unregulated coal mining in the tribal areas of Meghalaya, which has resulted in not only loss of lives but damage to the environment of the area.

3. The Tribunal also by order dated 17.04.2014 in Original Application No. 73/2014 and M.A No. 174/2014 in the matter of *All Dimasa Students Union Dima Hasao Dist. Committee Vs. State of Meghalaya & Ors.* had expressed that such rat-hole illegal and unscientific mining can never be allowed in the interest of maintaining ecological balance of the country and safety of the employees. It was also noted that by such rat-hole mining neither the government nor the people are benefited but only the coal mafia derives the benefit.

4. The Tribunal in the above matter had held as under:-

*"A reading of the said scientific study made by learned Professor on the subject shows an alarming situation existing in the State of Meghalaya especially in the Jaintia Hills wherein the rat-hole mining has been in practice for a long time. We are of the considered view that such illegal and unscientific method can never be allowed in the interest of maintaining ecological balance of the country and safety of the employees. It is also brought to the notice this Tribunal that by such illegal mining of coal neither the Government nor the people of the country are benefitted. It is only the coal mafias who are getting benefit by following this sort of illegal activities.*

*We are of the considered view that this act should be condemned and in any event such illegal activities are to be put to an end and the State of Meghalaya should come forward with an appropriate scheme and the statutory rules. Even though, in this application the applicant has restricted himself in respect of rat-hole mining operations in Jaintia Hills of the State of Meghalaya, we are of the view that if in the entire State of Meghalaya such illegal and unscientific operations of rat-hole mining are taking place, the same shall also be put to an end in the interest of people of the area and also people working in the mines for their safety as also for the protection of environment.*

*Accordingly, while admitting the application, we direct the Chief Secretary, Government of Meghalaya and the Director General of Police, State of Meghalaya to ensure that rat-hole mining/illegal mining is stopped forthwith throughout the State of Meghalaya and any illegal transport of coal shall not take place until further orders passed by this Tribunal. The Director General of Police, State of Meghalaya is also directed to report to this Tribunal about the compliance of the order by the next date of hearing."*

5. Hence, the news item raises substantial issue relating to compliance of the environmental norms.

6. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

7. In the circumstances of the case we implead the following as respondents in the matter:

- (i) Nagaland Pollution Control Board, through its Member Secretary
- (ii) Deputy Commissioner/District Magistrate, Wokha
- (iii) Directorate General of Mines Safety, through its Director General

*Ankita Sinha & Ors reported in 2021*

8. Ms. K. Enatoli Sema, learned counsel accepts notice on behalf of respondent no. 1 and seeks four weeks' time to file the reply.

9. Let notice be issued to Respondents No. 2 and 3 to file their response atleast one week before the next date of hearing before the appropriate bench of the Tribunal.

10. Since the matter relates to the Eastern Zonal Bench, Kolkata, therefore, OA is transferred to the Eastern Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Eastern Zonal Bench, Kolkata.

11. List before Eastern Zone Bench at Kolkata on 30.04.2024.

Respondents 2 and 3 to file their response at least one week before the next date of hearing before the appropriate bench of the Tribunal.  
**Prakash Shrivastava, CP**

for Eastern Zonal Bench, Kolkata

3

for Eastern Zonal Bench for appropriate further action.

Original record of the OA

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 29, 2024  
Original Application No. 179/2024  
AS.

Dr. Senthil Vel, EM