

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**ORIGINAL APPLICATION NO. 64 OF 2024 (EZ)**

**IN THE MATTER OF:**

News item titled "Order restrains illegal mining quarrying"  
Appearing the Shillong times dated 06.01.2024.

....Applicant

Vs.

Meghalaya State Pollution Control Board & Ors.

....Respondent

**INDEX**

S. NO.	PARTICULAR	PAGE NO
1.	Short affidavit on behalf of Respondent No. 1, (Meghalaya State Pollution Control Board).	1 – 5
2.	Proof of Service.	6

Filed on: 08.05.2024  
New Delhi

Filed by

**K. ENATOLI SEMA**  
Advocate for Respondent  
310, lawyer's Chamber  
C.K. Daphtary block  
Supreme Court of India Tilak lane  
New Delhi-110001  
Mob.9818139636  
Enrollment No D-1931-a/2005  
Email-enatoli@gmail.com

HON'BLE NATINAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKOTA  
ORIGINAL APPLICATION NO.64/2024(EZ)

**IN THE MATTER OF:-**

News Item titled "Order restraining illegal mining, quarrying"  
appearing in the Shillong Times dated 6.01.2024 ....Applicant

Versus

Meghalaya State Pollution Control Board & Ors ....Respondents

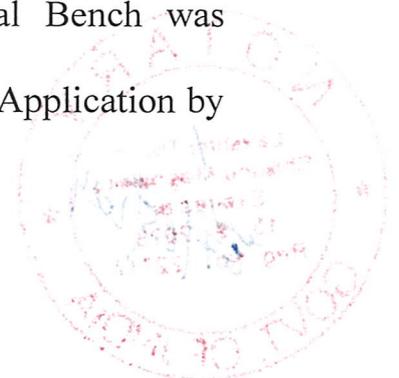
**SHORTAFFIDAVIT ON BEHALF OF RESPONDENT NO. 1-  
MEGHALAYA STATE POLLUTION CONTROL BOARD**

I,Dr. George H. Chyrmang, S/o Shri (L) Datip Kyndiah, Age 43 years,  
having office at Lumpyngngad, Shillong, Meghalaya, do hereby  
solemnly affirm and declare as under :-

1. That I presently posted as the Member Secretary of the  
Meghalaya State Pollution Control Board, MSPCB, and as such  
in my official capacity I am conversant with the facts and  
records of the case and hence competent and authorized to swear  
this affidavit on behalf of MSPCB, hereinafter referred to as the  
'Board'.
2. On 20.2.2024, this Hon'ble Tribunal, Principal Bench was  
pleased to suo moto register the present Original Application by  
observing as under: -

S. L. Instrument No. 08  
Date 07-05-2024

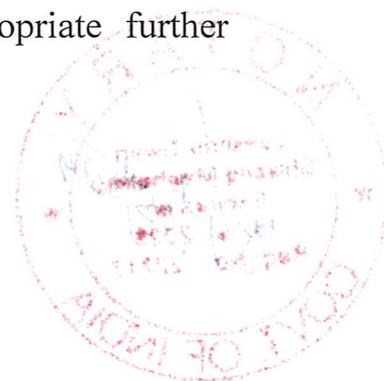
MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong



“1. This original application is registered on the basis of the news item titled "Order restrains illegal mining, quarrying" appearing in The Shillong Times dated 06.01.2024. The news item reveals that there is rampant illegal quarrying and mining particularly on hill slopes and removal of sand from river beds in various parts of the East Khasi Hills district, specifically in Sohiong, Mawblei and Umphyrnai and these activities have severely affected the water sources in the surrounding and adjoining areas. As per the said news item East Khasi Hills district magistrate has issued an order under section 144 CrPC restraining illegal mining and quarrying in the hill slopes and removal of sand from the river beds by any person, company, authority etc. without obtaining a mining license/quarry permit.

2. The news item raises substantial issue relating to compliance of environmental norms”

3. By the same order dated 20.2.2024, the matter was transferred to this Hon’ble Tribunal, Eastern Zone for appropriate further



action. It is humbly stated that the Answering Respondent, being a statutory and regulatory body, has a limited role in restricting illegal mining and quarrying in the State. It is stated that the State Pollution Control Board has been constituted under Section 4 of the Water (Prevention and Control of Pollution) Act, 1974. Consequently, and when The Air (Prevention and Control of Pollution) Act, 1981 was enacted it provided that the State Board constituted under the Water Act, 1974 would also be considered State Board under the Air Act. In view of the said provisions, the function of the State Pollution Control Boards under the statute is mainly related to prevention, control and abatement of water and air pollution.

4. It is submitted that the grant of mining lease and quarrying permit including restrictions on such lease and permit falls under the power of the State under the Meghalaya Minor Minerals Concession Rules, 2016 not being implemented by the Board. The regulation of activities by the Answering Respondent is through consent mechanism issued under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and



Control of Pollution) Act, 1981 and therefore consent to establish and consent to operate is issued only when the other statutory and regulatory criteria are met by the Applicant.

5. It is further stated that a District Level Task Force has been constituted vide Notification dated 10.1.2022 in every District in the State to check illegal mining and transport of minor minerals by the Forest and Environment Department, Government of Meghalaya.
6. I say that the facts stated in the above paras are true and correct to the best of my knowledge and information.

**Identified by:**

Miss. P. S. Barch

  
(Advocate)



  
07/05/2024  
Lakshmi Tiwari  
Notary Public  
Govt of India

Solemnly Affirmed before me this day on 7/05/2024 The deponent is identified By MISS P. S. BAREH

I Certify that the content of the Affidavit are read over and Explained to the Deponent who verified the same before me.



  
**DEPONENT**  
MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong

VERIFICATION

Verified at \_\_\_\_\_ on this the **8** day of May, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.

**DEPONENT**

MEMBER SECRETARY  
Meghalaya State Pollution Control Board  
Shillong



  
Lakshmi Tiwari  
Notary Public  
Govt of India

---

**OA No.64/2024(EZ) In the matter of News Item titled “Order restraining illegal mining, quarrying” appearing in the Shillong Times dated 6.01.2024 Versus Meghalaya State Pollution Control Board & Ors**

1 message

---

**amit singh** <semasingh.office@gmail.com>  
To: Avijit Mani Tripathi <avijitmani@gmail.com>

Wed, May 8, 2024 at 7:51 PM

Dear Sir,/Madam

Kindly Find attached scanned copy of Short Affidavit .being e- filed on behalf of The Meghalaya State Pollution Control Board. which is being served in advance copy as proof of service.

Thanking you.

Best Regards,  
Ms.K.Enatoli Sema Adv.  
Meghalaya State Pollution Control Board

(Clerk)  
Rahul 7503630697

--

Office of Mr Amit Kumar Singh & Ms.K.Enatoli Sema,  
Advocates-on-Record,  
House No.60,  
High Court Judges Colony,  
H.G-03,  
Sector 105,  
Noida -201301.  
U.P.  
Mobile + 91 9818139636.  
Phone (0120) 4926002

---

 **Short affidavit.pdf**  
2756K