

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL JURISDICTION  
O.A. NO. 170 of 2024**

**IN THE MATTER OF:**

News Item Titled Barricade,

Illegal Sand Mining Pose Threat To

WGH Riverbank Appearing In

The Shillong Times Dated- 29.06.2024

... Applicant

**INDEX**

<b>S.No.</b>	<b>Particulars</b>	<b>Pg. No.</b>
1.	Reply on behalf of Respondent No.2	1-4
2.	<b>Annexure R/1</b> A copy of the tabular details of three compounded cases	5
3.	<b>Annexure R/2 (Colly)</b> Copies of copies of offence reports and compounding orders passed in the three cases	6-17
4.	<b>Annexure R/3</b> A copy of inspection report dated 01.07.2024	18-20
5.	<b>Annexure R/4</b> A copy of inspection report dated 19.07.2024	21-23
6.	<b>Annexure R/5 (Colly)</b> A copy of Cover letter dated 14.08.2024 along with inspection report dated 09.08.2024	24-28

7.	Proof of Service	29
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Dated: 27.11.2024

Filed By:



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL JURISDICTION  
O.A. NO. 170 of 2024**



**IN THE MATTER OF:**

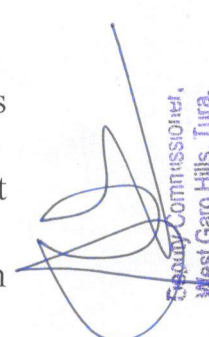
News Item Titled Barricade,  
Illegal Sand Mining Pose Threat To  
WGH Riverbank Appearing In  
The Shillong Times Dated- 29.06.2024

... Applicant

**REPLY ON BEHALF OF RESPONDENT NO. 4**

I, Jagdish Chelani, IAS, the Deputy Commissioner of West Garo Hills District, Tura, Government of Meghalaya having office at the Deputy Commissioner Office, West Garo Hills District, Tura, Meghalaya – 794 001, do hereby solemnly affirm and state as under:

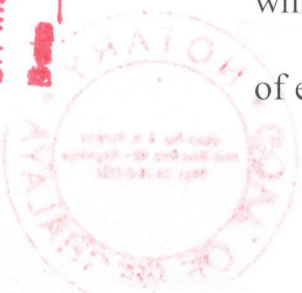
1. That I am presently posted as the Deputy Commissioner of West Garo Hills District, Tura, the Respondent No.4 in the captioned case. Being conversant with the facts and records of the present case in my official capacity, I am competent and authorized to swear this affidavit.

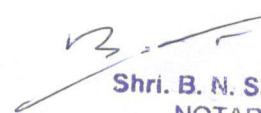
  
Deputy Commissioner,  
West Garo Hills, Tura.

2. That this Hon'ble Tribunal has been pleased to take *suo moto* cognizance of the issue of soil erosion of embankment of Rongai river for two reasons:

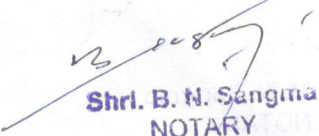
- a. The presence of iron barricading left since 1990s as incomplete part of Rongai Irrigation Project Dam has created an artificial Island which impedes flow of river in monsoon seasons resulting in erosion of embankment of river.

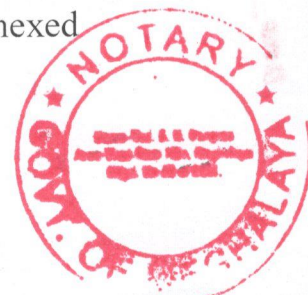
SI / Instrument No. 4781  
27-11-2024



  
Shri. B. N. Sangma  
NOTARY  
West Garo Hills District  
Tura, Meghalaya.

- b. The instance of illegal sand mining near the embankments of the river Rongai near Chibinang village.
3. That insofar as the first issue is concerned, it is most humbly prayed that the Public Works Department, (PWD) and Water Resources Department of Government of Meghalaya may kindly be impleaded as party respondents as the Rongai Dam Irrigation Project was executed by these Departments of the State Government of Meghalaya who will be best placed to respond to the allegations made in the news report. They would also be the agencies who could alleviate the concerns of the nearby villagers.
4. That insofar as the second issue of illegal sand mining is concerned, the Forest and Environment Department has constituted a District Level Task Force in each district to conduct inspection and survey for detection of illegal mining. The inspections from time to time have reported 17 cases of illegal sand mining which has been reported to the Meghalaya State Pollution Control Board (MSPCB) who have issued closure notices to the persons concerned.
5. That it is most respectfully submitted that in three (3) cases the offences have been compounded by the competent officer in the Forest and Environment Department and money has been realized from the offenders. A copy of tabular details of these three cases along with copies of offence reports and compounding orders passed in the three cases are annexed

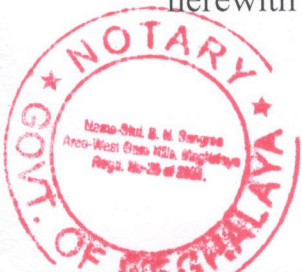
  
Shri. B. N. Sangma  
NOTARY  
West Garo Hills District  
Tura, Meghalaya.

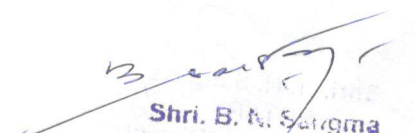


herewith and marked as **ANNEXURE R/1 and ANNEXURE R/2 (Colly)** respectively.

6. That in rest of the cases, it is being pursued with the office of designated officer for filing of complaints under Section 21 of the MMDR Act before the Court of competent jurisdiction.
7. Insofar as action of registering complaints under the Environmental legislation and imposition of environmental compensation on the violators are concerned, the MSPCB is pursuing the matter from its end.
8. That the Forest and Environment Department regularly conducts survey and inspection of the areas from where illegal mining is reported. Inspections have been carried out recently on 01.07.2024 and 19.07.2024 in the area in question in the present case and no incident of illegal mining has been reported at the site in question on the said dates. Copies of inspection reports in respect of inspections on 01.07.2024, 19.07.2024 and 07.08.2024 with photographs are annexed herewith and marked as **ANNEXURE R/3 and ANNEXURE R/4** respectively.
9. That the deponent also got an enquiry conducted from his end and has received the report dated 09.08.2024 under the cover of letter 14.08.2024 from the office of Divisional Forest Officer. A copy of letter dated 14.08.2024 along with report of inspection dated 09.08.2024 are annexed herewith and marked as **ANNEXURE R/5 (Colly)**.


  
Security Commissioner,  
West Garo Hills, Tura.



  
Shri. B. N. Sarigma  
NOTARY  
West Garo Hills District  
Tura, Meghalaya.

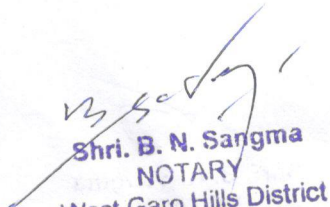
- 10. That it is most respectfully submitted that the office of the undersigned may be granted some more time to report on action taken by the DFO against the other violators found to have been carrying out illegal mining and against whom closure notices have been issued by MSPCB.
- 11. That the aforesaid information may kindly be taken on record in compliance of the notice issued by this Hon'ble Tribunal and orders may be passed as deemed fit and appropriate by this Hon'ble Tribunal.

It is prayed accordingly.

  
**DEPONENT**

**VERIFICATION:**

Verified at Tura on this 27<sup>th</sup> day of November 2024 that the content of the above affidavit is true and correct to the best of my knowledge and belief based on official records of the Government of Meghalaya and that nothing is false and nothing material is concealed therefrom.

  
**Shri. B. N. Sangma**  
 NOTARY  
 West Garo Hills District  
 Tura, Meghalaya.



  
**DEPONENT**



## Cases against Illegal River Sand mining in the Rongai River, West Garo Hills for the year 2024.

Sl. No.	Name and Address of the Accused Person	Name of Minor Mineral	No. of Case detected	Quantity	No. of case compounded	Action Taken	Remarks
1	Shri. Md.Monirul Islam, S/o Md. Rohoman Ali. Vill. Bholarbhita, P.O. Bholarbhita P.S. Phulbari, West Garo Hills District.	Sand	3 (three)	1.232 CuM	2 (two)	The case has been compounded with fine of Rs. 30,636/-	Vide O.O. no. 48 dated 02.05.2024 [Annexure- I(A)]
2	Shri. BabunalProdhani S/o Abdul RezakProdhani Vill. Bholarbita, P.O. Chibinang, P.S. Phulbari, West Garo Hills District.			1 (one) pumping machine.		Seizure Report has been received from the Range Forest Officer, Hollaidanga Forest Range. The Offence Report is being prepared by the Range Forest Officer, Hollaidanga Range.	Vide Memo no. HD/20/2024-25/81 dated HD. 08.10.2024. [Annexure-I(B)]
3	Shri. Md. Abdul Malek S/o Md. Raj Ali. Vill. Phulbari, P.O. & P.S. Phulbari, West Garo Hills District.			1.595 CuM		The case has been compounded with fine of Rs. 23,335/-	Vide O.O. no. 87 dated 06.11.2024 [Annexure-I(C)]

  
 Additional Forest Officer,  
 West & South West Garo Hills  
 District

## ANNEXURE R/2 (Colly)



GOVERNMENT OF MEGHALAYA  
DEPARTMENT OF FORESTS & ENVIRONMENT  
OFFICE OF THE DIVISIONAL FOREST OFFICER  
WEST & SOUTH-WEST GARO HILLS (T) DIVISION, TURA



O.O. NO. 48

Dated Tura, the 2 May, 2024.

**WHEREAS**, Section 23B of Mines and Minerals (Development and Regulation) Act, 1957 (henceforth read as MMDR) authorises officers to search any mineral raised in contravention of provisions of Act and rules made thereunder –

*If any gazetted officer of the Central or a State Government authorised by the Central Government or a State Government, as the case may be, in this behalf By general or special order has reason to believe that any mineral has been raised in contravention of the provisions of this Act or rules made thereunder or any document or thing in relation to such mineral is secreted in any place or vehicle*

**AND WHEREAS**, all the Forest Officers not below rank of Range Officer are authorised under Section 23 B of MMDR vide Govt. Notification No. MG.94/2011/42 dated 13.03.2019 to search any mineral which has been raised in contravention of Act and rules made thereunder,

**AND WHEREAS**, on 31<sup>st</sup> March, 2024, an operation carried out by Range Forest Officer, Hollaidanga Range and staff against illegally operating Sand Mining in the West Garo Hills District, Meghalaya.

**AND WHEREAS**, on search by Range Forest Officer, Hollaidanga Range, it is found that **Shri. Monirul Islam, S/o Md. Rohoman Ali., of Village Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District, Meghalaya**, have been operating an illegal Sand Mining from Rongai river at Bholarbhita under Demdema Block, and has been seized the loaded sand in the Pickup along with Pumping machine from the spot and extracted sand out of illegally Sand Mining app. **1.232 m<sup>3</sup>** (assessed from Sand loaded in the Pickup Regn. No. ML08 C 7718) as well as illegally transporting the sand,

**AND WHEREAS**, Sub-section 1 of Section 4 of MMDR prohibits unlawful raising of any mineral

*No person shall undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting licence or, as the case may be a mining lease, granted under this Act and the rules made thereunder*

and Sub-Section 1A of Section of MMDR restricts any transportation of such mineral,

*No person shall transport or store or cause to be transported or stored any mineral otherwise than in accordance with the provisions of this Act and the rules made thereunder,*



**AND WHEREAS**, sub – section 4 of section 21 of MMDR read with Rule 36 of Meghalaya Minor Mineral Concession Rules, 2016 (henceforth read as MMMCR) authorises seizure of any illegally raised material-

*Any person raises, transport or causes to be raised or transported, without any lawful authority, any mineral from any land and for that purposes, uses any tool, other thing shall be liable to be seized by an officer or authority specially empowered in this behalf.*

**AND WHEREAS**, the Forest Officer not below rank of Forest Guard has been authorised under sub-section 4 of section 21 of MMDR vide Govt. Notification No. MG./94/2011/40 dated 13.03.2019 to seize any mineral, which has been raised, transported or caused to be raised or transported, without any lawful authority from any land together with any tool, equipment, vehicle or any other thing used in such unlawful raising or transportation of any mineral specified in Schedule III of the MMMCR, which mentions Sand (others) at Sl.No.30,

**AND WHEREAS**, Forest Officer has seized Sand of illegally raised Sand Mining on 31st March, 2023.

**AND WHEREAS**, Shri.Monirul Islam, S/o Md. Rohoman Ali., of Village Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District, Meghalaya, has appeared before undersigned and accepted the charges and has submitted the petition for case compounding stating that he will not repeat such illegal activity in future,

**AND WHEREAS**, Sub-section 1 of section 23 A of MMDR provides for compounding of such offences,

*Any offence punishable under this Act or any rule made thereunder may, either before or after the institution of the prosecution, be compounded by the person authorised under section 22 to make a complaint to the court with respect to that offence, on payment to that person, for credit to the Government of such sum as that person may specify*

**AND WHEREAS**, the Divisional Forest Officer has been authorised under of Section 22 of MMDR vide Govt. Notification No. MG. 94/2011/41 dated 13.03.2019, to file written complaint in the Court and so authorised to compound offences,

THUS, in exercise of power vested by the Government to compound the offences, undersigned hereby directs to (name and location) to make payment of Government dues and Compounding Fee, as a fine, details given in the table below-




Particulars	Rate (per Cu.m) Sand – 1.232Cu.m	Total Amount	Head /Account Number for payment	Mode of Payment
Forest Roayalty	Rs. 110.00	Rs. 136.00	“8782-103-Forest Remittance”	Cash/Treasury Challan/Cheque
Meghalaya Minor Mineral Reclamation Fund (10% of PWD Schedule Rate)	Rs. 69.00	Rs.85.00	A/C No. 0158104000053923 IDBI Bank Shillong Branch IFSC Code:  IBKL0000158	NEFT/RTGS
DMF (30% of Forest Royalty)	Rs.33.00	Rs.41.00	Axis Bank bearing A/C No. 923010033785517	NEFT/RTGS
Mineral Cess	Rs. 35.00	Rs. 43.00	Cess shall be paid in the District Office of the Directorate Mineral Resources through treasury to the head of account: 0853-Non Ferrous Mining and Metallurgical Industries – 104-Mines Department (03) Cess on Minerals.	Cash/Treasury Challan/Cheque
Compounding Fee/Fine -	Hundred times of the royalty, MMRF, DMF and Mineral cess.	Rs. 30,500.00	“8782-103-Forest Remittance”	Cash/Treasury Challan/Cheque
	Total -	Rs. 30,805.00		

X

X

On payment of the above mentioned amounts, the offence stands compounded under Mines and Minerals (Development and Regulation) Act, 1957 Sub-section 1 of Section 23A, and as per Sub-section 2 of Section 23A no proceeding or further proceeding as the case may be, will be taken against the offender in respect of the offence so compounded and materials involved in the offence shall be released.


If the office of undersigned does not receive all or any one payment from above mentioned payments or their receipts within one month from receipt of this letter, the complaint under Section 4 & 21 of MMDR will be filed, and stands it is not compounded through this order, for which the legal proceeding will go through the Court.

  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura

Memo No.A/X/3/ 279  
Copy to :-

Dated Tura, the 2<sup>nd</sup> May, 2024.

The Conservator of Forests (WL&T), Garo Hills Circle, Tura for kind information.


  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura.

Memo No.B/X/3/ 920-24  
Copy to :-

Dated Tura, the 2<sup>nd</sup> May, 2024.

1. The Range Forest Officer, Hollaidanga Range for information and necessary action.
2. The Account Section for information and necessary action.
3. **Shri. Monirul Islam, S/o Md. Rohoman Ali., of Village Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District, Meghalaya, for information and necessary action. He is warned not to repeat such illegal activity in future.**
4. **Shri. Salgrang M Sangma, Revenue Section, for kind information and necessary action.**
5. The O.O.File.

O/c

  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura.

10

*[Signature]*

*14/10/2024*

**GOVERNMENT OF MEGHALAYA  
OFFICE OF THE RANGE FOREST OFFICER  
HOLLAIDANGA FOREST RANGE::HOLLAIDANGA**

Memo No. Hd/20/2024-25/8/

Dated Hollaidanga, the 8/10/2024

From Range Forest Officer  
Hollaidanga Forest RangeTo  The Divisional Forest Officer  
West & South West Garo Hills (T) Division Tura  
Through Range Forest Officer I/C HollaidangaSub: Seizure Report  
Sir,

With reference to the subject cited above I have the honour to report you that on 4<sup>th</sup> Oct 2024 at around 3:30 pm as per your direction over mobile phone. immediately Forest staff are went to the reported spot at Chibinang area and we have found one Pumping Machine and brought to the office compound for safe custody. Simultaneously NGOs of Chibinang unit came and gave me a letter regarding the Complained of illegally carrying sand from the Ringge river. But the next day the owner of the machine Shri.Babunal Prodahani came to Hollaidanga Range office and submit their Statement.

Moreover one pumping machine still there but due to the bad weather condition the level of water rise machine could not be retreat from the spot. Which was complained the NGOs of Bhaten in Pushkanipara village they are not mention the details name and address. Therefore we could not found the person of mention their address.

This is for favour of your kind information and take necessary action.

Enclosed herewith

1. Seizure List
2. Statement of Accused
3. Bail Bond
4. I.D of Accuse
5. I.D card of Bailer
6. I.D card of witness
7. Photo copy of the Pumping Machine
8. Written complain of NGO

Your's faithfully

*[Signature]*

Forwarded to D.F.O.  
Range Forest Officer  
West & South West Garo Hills  
I/C Hollaidanga Forest Range  
(T) Division, Tura.

11

## SEIZURE LIST

I Shri Nepilson P. Marak designation Forester II att.  
to Hollaidouga Revenue Station/Range have this day 6 Oct 24  
at about 11:30 Am seized

The following property of Shri/Smti Babunai Prodhan  
S/O. Abdel Razak Vill. Bholachhita  
P/O. Chibenang P.S. Phulbati  
District West Garo hills Meghalaya

in the presence of following witness (es) for an offence committed by him/her/them in

Illegal sand mining  
at place under Chibenang  
under Section Rule 36 of MMMCR, 2016, Section 4(1), 4(1A) and 21(2) of MMRD Act 1957.

The seized property has been recorded by me in the L.M.B page No. \_\_\_\_\_

And I have kept the seized property under departmental custody Hollaidouga

Range Post office Vill. Hollaidouga  
P/O. Hollaidouga Dist. West Garo hills Meghalaya.

After obtaining the Indemnity Bond in proper form.

## LIST OF SEIZED PROPERTY:

1 one pumping machined

Witness (es)

MOSTQF HUSKATI

2, Gajendra Babha Sgdt.

3, Shri Renedy A. Sangma (Fod.)

Signature of Babunai Prodhan


Name of the seized persons

Signature  
N.P. Marak, Fr-II  
Hollaidouga Range  
West Garo Hills (Megh.)

BAIL BOND

I Shri, Babunaj Prodhani S/O Abdul Razak  
 Of village Bhalabhit P.S. Phulhari  
 I this day on 6 Oct 2024 Hereby taking responsible to Shri. Mozamil  
hoque (Forest accused) and he released from the Forest custody in good  
 health and sound condition.

Name of Accused person:

 L.T.I. of Babunaj Prodhani

Witness (es)

MOSTAF HUSSAIN

Name of Bailor

L.T.I. of Mozamil Hoque



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## Statement

(Translate into English)

I shri: Babunal Prodhani S/O: Lt.Abdul Rezak Prodhani Vill:Bholarbita P.O Bholarbhitia P.S Phulbari Dist: West Garo Hills Meghalaya.

Today 06-09-2024 I came to Hollaidanga forest office at around 11: 30 Pm I wrote myself the statement and submit to this office.

when I extracted the sand near chibinang area at around 9;30. On 4<sup>th</sup> oct 2024 suddenly NGOs group came and seized my Pumping machine and pipe thereafter, they are handover to Hollaidanga Range Office. Therefore, Hollaidanga Forest Staff are Seized my one Pumping Machine. But I extracted for NRGs works nevertheless I am not take any permission to Forest Department. Also Sir, requesting you to not to take the case requesting you to compound the case , whatever fines or penalty may required I will accept your department

Therefore Sir, I also humbly request you to kindly forgive me for being the first time involved in such act and will not repeat the same in near future.

I Written this Statement without any internal support or pressure, but wrote this with all my good health and understanding before of the following witnesses.

Witnesses

Sd/-

2. Gejendro Rabha Fjol
3. Renedy A. Sangoma Fjol.

Sd/-



GOVERNMENT OF MEGHALAYA  
DEPARTMENT OF FORESTS & ENVIRONMENT  
OFFICE OF THE DIVISIONAL FOREST OFFICER  
WEST & SOUTH-WEST GARO HILLS (T) DIVISION, TURA



14

O.O. NO. 87

Dated Tura, the 6 Nov/ 2024.

**WHEREAS**, Section 23B of Mines and Minerals (Development and Regulation) Act, 1957 (henceforth read as MMDR) authorises officers to search any mineral raised in contravention of provisions of Act and rules made thereunder –

*If any gazetted officer of the Central or a State Government authorised by the Central Government or a State Government, as the case may be, in this behalf By general or special order has reason to believe that any mineral has been raised in contravention of the provisions of this Act or rules made thereunder or any document or thing in relation to such mineral is secreted in any place or vehicle*

**AND WHEREAS**, all the Forest Officers not below rank of Range Officer are authorised under Section 23 B of MMDR vide Govt. Notification No. MG.94/2011/42 dated 13.03.2019 to search any mineral which has been raised in contravention of Act and rules made thereunder,

**AND WHEREAS**, on 28<sup>th</sup> Sept, 2024, an operation carried out by the Forest staff against illegally transportation of Sand in the West Garo Hills District, Meghalaya.

**AND WHEREAS**, on search by the Forest staff, one Pickup bearing registration No. ML08 A 3791 has been intercepted at Shyamnagar under the jurisdiction of Phulbari Police Station and it is found that **Shri.Md. Abdul Malek Ali S/o Md. Raj Ali., of Village Phulbari, P.O. Phulbari, P.S. Phulbari, West Garo Hills District, Meghalaya**, was illegally transporting the Sand from Rongai river Chibinang under Demdema Block, and has been seized the loaded sand in the Pickup app.1.595m<sup>3</sup> (assessed from Sand loaded in the Pickup Regn. No. ML08 A 3791) and handed over temporarily to Phulbari Police Station on the same day. The staff of Hollaidanga Range has taken over the seized vehicle along with the sand from the custody of Phulbari Police Station on 28<sup>th</sup> Sept/2024.

**AND WHEREAS**, Sub-section 1 of Section 4 of MMDR prohibits unlawful raising of any mineral

*No person shall undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting licence or, as the case may be a mining lease, granted under this Act and the rules made thereunder*

and Sub-Section 1A of Section of MMDR restricts any transportation of such mineral,

*No person shall transport or store or cause to be transported or stored any mineral otherwise than in accordance with the provisions of this Act and the rules made thereunder,*

**AND WHEREAS**, sub – section 4 of section 21 of MMDR read with Rule 36 of Meghalaya Minor Mineral Concession Rules, 2016 (henceforth read as MMMCR) authorises seizure of any illegally raised material-

*Any person raises, transport or causes to be raised or transported, without any lawful authority, any mineral from any land and for that purposes, uses any tool, other thing shall be liable to be seized by an officer or authority specially empowered in this behalf.*

**AND WHEREAS**, the Forest Officer not below rank of Forest Guard has been authorised under sub-section 4 of section 21 of MMDR vide Govt. Notification No. MG./94/2011/40 dated 13.03.2019 to seize any mineral, which has been raised, transported or caused to be raised or transported, without any lawful authority from any land together with any tool, equipment, vehicle or any other thing used in such unlawful raising or transportation of any mineral specified in Schedule III of the MMMCR, which mentions Sand (others) at Sl.No.30,

**AND WHEREAS**, Forest Officer has seized Sand of illegally transportation of Sand on 28<sup>th</sup> Sept, 2024.

**AND WHEREAS**, Shri. Md. Abdul Malek Ali S/o Md. Raj Ali., of Village Phulbari, P.O. Phulbari, P.S. Phulbari, West Garo Hills District, Meghalaya, has appeared before undersigned and accepted the charges and has submitted the petition for case compounding stating that he will not repeat such illegal activity in future,

**AND WHEREAS**, Sub-section 1 of section 23 A of MMDR provides for compounding of such offences,

*Any offence punishable under this Act or any rule made thereunder may, either before or after the institution of the prosecution, be compounded by the person authorised under section 22 to make a complaint to the court with respect to that offence, on payment to that person, for credit to the Government of such sum as that person may specify*

**AND WHEREAS**, the Divisional Forest Officer has been authorised under of Section 22 of MMDR vide Govt. Notification No. MG. 94/2011/41 dated 13.03.2019, to file written complaint in the Court and so authorised to compound offences,

**THUS**, in exercise of power vested by the Government to compound the offences, undersigned hereby directs to (name and location) to make payment of Government dues and Compounding Fee, **as a fine**, details given in the table below-


Particulars	Rate (per Cu.m) Sand – 1.595Cu.m	Total Amount	Head /Account Number for payment	Mode of Payment
Forest Royalty	Rs. 110.00	Rs. 175.00	"8782-103-Forest Remittance"	Cash/Treasury Challan/Cheque
Meghalaya Minor Mineral Reclamation Fund (10% of PWD Schedule Rate)	Rs. 69.00	Rs.110.00	A/C No. 0158104000053923 IDBI Bank Shillong Branch IFSC Code: IBKL0000158	NEFT/RTGS
DMF (30% of Forest Royalty)	Rs.33.00	Rs.53.00	Axis Bank bearing A/C No. 923010033785517	NEFT/RTGS
Mineral Cess	Rs. 30.00	Rs. 48.00	Cess shall be paid in the District Office of the Directorate Mineral Resources through treasury to the head of account: 0853-Non Ferrous Mining and Metallurgical Industries – 104-Mines Department (03) Cess on Minerals.	Cash/Treasury Challan/Cheque
Compounding Fee/Fine -	sixty times of the royalty, MMMRF, DMF and Mineral cess.	Rs. 23160.00	"8782-103-Forest Remittance"	Cash/Treasury Challan/Cheque
	Total -	Rs. 23546.00		

17

4

On payment of the above mentioned amounts, the offence stands compounded under Mines and Minerals (Development and Regulation) Act, 1957 Sub-section 1 of Section 23A, and as per Sub-section 2 of Section 23A no proceeding or further proceeding as the case may be, will be taken against the offender in respect of the offence so compounded and materials involved in the offence shall be released.


If the office of undersigned does not receive all or any one payment from above mentioned payments or their receipts within one month from receipt of this letter, the complaint under Section 4 & 21 of MMDR will be filed, and stands it is not compounded through this order, for which the legal proceeding will go through the Court.

  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura

Memo No.A/X/3/ 707  
Copy to :-

Dated Tura, the 6<sup>th</sup> Nov/ 2024.

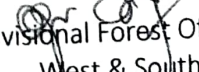
The Conservator of Forests (WL&T), Garo Hills Circle, Tura for kind information.

  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura.

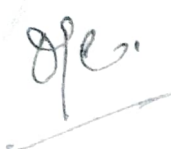
Memo No.B/X/3/ 2403-407  
Copy to :-

Dated Tura, the 6<sup>th</sup> Nov, 2024.

1. The Range Forest Officer, Hollaidanga Range for information and necessary action. He is directed to submit the report along with the Xerox copy of Challan, RTGS etc of payment made by the accused on case compounding.
2. The Account Section for information and necessary action.
3. Shri.Md. Abdul Malek Ali S/o Md. Raj Ali., of Village Phulbari, P.O. Phulbari, P.S.Phulbari, West Garo Hills District, Meghalaya, for information and necessary action. He is warned not to repeat such illegal activity in future and the case compounding order should be kept with you while transporting to your home on release of seized vehicle along with sand.
4. Shri. Salgrang M Sangma, Revenue Section, for kind information and necessary action.
5. The O.O.File.

  
Divisional Forest Officer,  
West & South-West  
Garo Hills (T) Division, Tura.

To,

  
The Divisional Forest Officer  
West & South-West Garo Hills  
(T) Division, Tura.

Through Asst. Conservator of Forests  
I/C Hollaidanga Range

Dated Hollaidanga, the 2<sup>nd</sup> July/2024

Sub: Enquiry report.

Sir,

With reference to the subject cited above, I have the honour to report herewith that on 1<sup>st</sup> July/2024 at about 3:30 PM, as per your direction I along with Hollaidanga Range Staff viz. 1. Shri. Nepilson Marak, Fr-II, 2. Shri. Renedy Sangma, Fgd. 3. Shri. Gajendra Rabha, Fgd. 4. Shri. Mohit Rabha, RCW, went to the said site at Chibinang. During enquiry, we have found that No fresh illegally extracted sand from Rongai River and also since the water level was high enough, no sand can be extracted from Rongai River. Further, we talked to locals there and they also said no illegal extraction of sand has been going on in recent times. Therefore Sir, I hereby attached the geotagged photograph of the above said site along with GPS Co-ordinates.

(GPS Co-ordinates = N- 25° 51' 30.9" E- 090° 05' 07.8")

This is for favour of your kind information and necessary action.

Yours faithfully

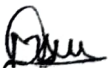


(Shri. Sujit Marak, Fr -I)

Attached to Hollaidanga Range

Memo No. HD/101/2024-25/44  
Dated Hollaidanga, 9<sup>th</sup> July/2024

Forwarded to D.F.O.  
West & South West Garo Hills  
(T) Division, Tura.



Asst. Conservator of Forests,  
I/c Hollaidanga Range,  
West Garo Hills.

**Actions already taken:**

- Seized: - Seizures already done, O.O. No. 48 Dated Tura, 2<sup>nd</sup> May/2024 Case of Shri. Monirul Islam, S/o. Md. Rohoman Ali, Village Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, Dist. West Garo Hills for Illegal Sand Mining and seized 1 (one) pumping machine etc. The case has been compounded and Shri. Monirul Islam accepted his guilt and paid the compounding fees etc. to the competent authority.
- Regular Patrolling Duty: -Regular Patrolling had been done by Shri. Dilip Lahary, Fr-I I/c Gaptoli Sub-Beat along with his staff viz. Rahidas Rabha, RCW, etc.
- Talked to locals, created awareness regarding illegal extraction of sand from Rongai river and asked them to report any such activity at the earliest.
- Co-ordination with Police department to detect illegal sand extracted.
- And also, co-ordination with GHADC to detect illegal sand extracted.

**Actions proposed to be taken:**

- Use of technology: - Satellite imaginary, drones, etc. in order to detect illegal sand mining.
- Further increase in patrolling in the area and have placed informers to alert promptly.
- Regular co-ordination with Police and GHADC to detect and seize illegal sand extracted.

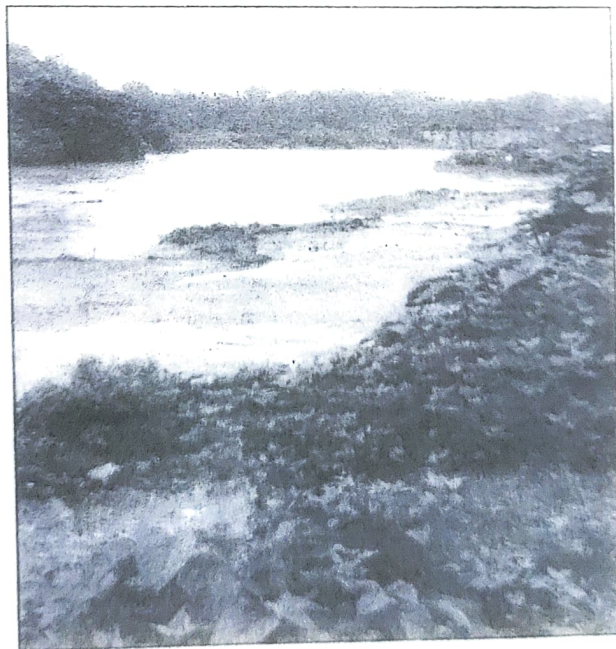
This is for favour of your kind information and necessary action.

Yours faithfully



(Shri. Sujit Marak, Fr-I)  
Attached to Hollaidanga Range

PHOTOGRAPHS



Submitted.

*[Handwritten signature]*

AS  
22/7/2024

218  
22/7/24

ANNEX- II

ANNEXURE R/4

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE RANGE FOREST OFFICER  
HOLLAIDANGA FOREST RANGE :: HOLLAIDANGA

21

Memo No. HD/101/2024-25/ 49

Dated Hollaidanga, the 20<sup>th</sup> July/2024

From:

The Asst. Conservator of Forests  
I/c Hollaidanga Forest Range

To:

The Divisional Forest Officer  
West & South-West Garo Hills (T)  
Division. Tura.

16/011  
1421  
23/7/24

Sub:

Press Clipping, dated 28.06.2024— Reg.

Ref:

DFOs letter No. B/16/VII/1447 Dated Tura, the 12<sup>th</sup> July, 2024.

Sir,

With reference to the subject cited above, I have the honour to report herewith that on 19<sup>th</sup> July, 2024, I along with my staff went for the inspection at Rongai river. We did not find any fresh illegal sand extraction activity happening in the area. Also, since the water level is high enough, any sand extraction is very difficult. The geotagged photographs of the area has been attached alongwith for your reference.

Also, earlier on 1<sup>st</sup> of July, 2024, an inspection of the area was done, copy of the report vide Memo No. HD/101/2024-25/44 dated Hollaidanga, the 3<sup>rd</sup> July, 2024 is also being attached alongwith. Regarding iron barricading as per the local people, irrigation department and civil authorities, have already been informed and requested to take necessary action.

This is for favor of your kind information and necessary action.

Enclosed: As above.

Yours faithfully



Asst. Conservator of Forests  
I/c Hollaidanga Forest Range  
West Garo Hills.

**Actions already taken:**

- Seized:- Seizures already done, O.O No. 48 Dated Tura, 2<sup>nd</sup> May/2024 Case of Shri Monirul Islam, S/o. Md. Rohoman Ali, Vill. Bholarbhita, P.O. Bholarbhita, P.S. Phulhari, Dist. West Garo Hills for Illegal Sand Mining and seized 1(one) pumping machine etc. The case has been compounded and Shri. Monirul Islam accepted his guilt and paid the compounding fees etc. to the competent authority.
- Regular Patrolling Duty: - Regular Patrolling had been done by Shri. Dilip Lahary, Fr-I I/c Gaptoli Sub-Beat along with his staff viz. Shri Rahidas Rabha, RCW, etc.
- Talked to locals, created awareness regarding illegal extraction of sand from Rongai river and asked them to report any such activity at the earliest.
- Co-ordination with Police department to detect illegal sand extracted.
- And also, co-ordination with GHADC to detect illegal sand extracted.

**Actions proposed to be taken:**

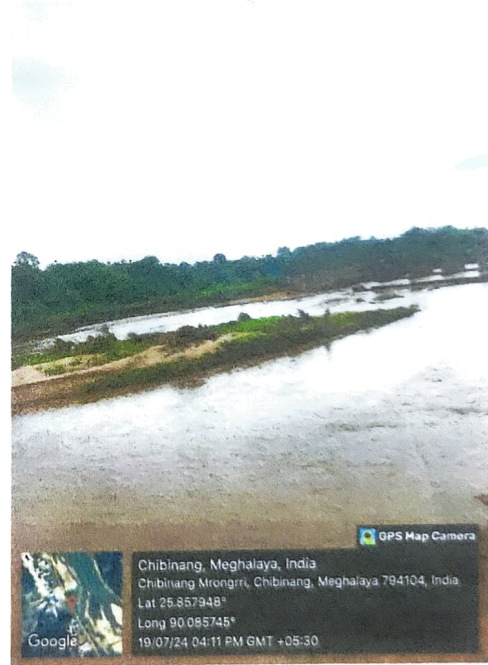
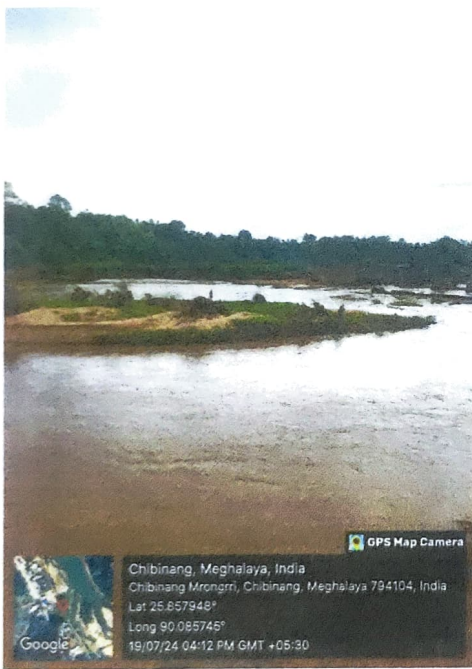
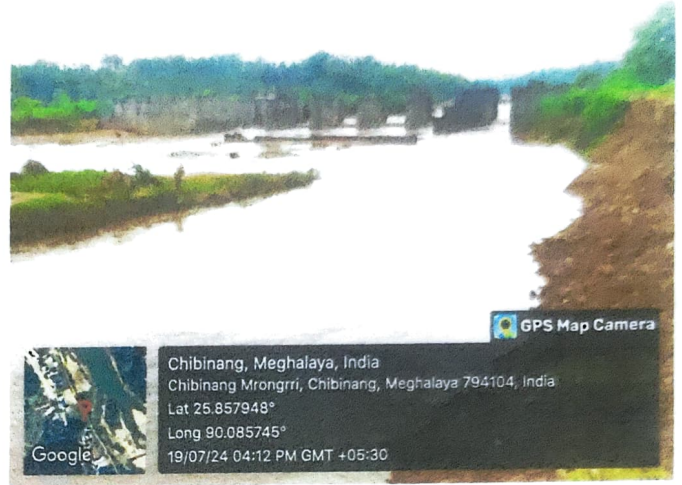
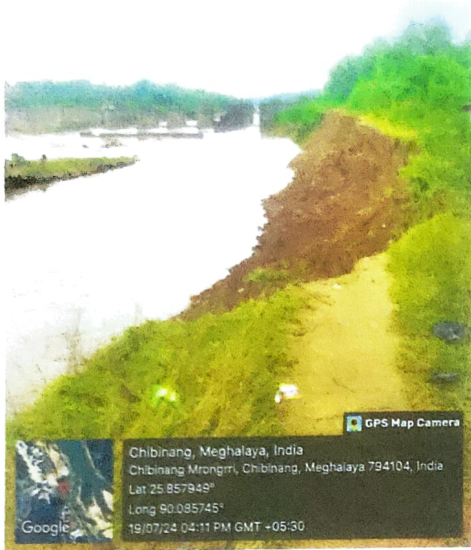
- Use of technology: - Satellite imaginary, drones, etc. in order to detect illegal sand mining.
- Further increase in patrolling in the area and have placed informers to alert promptly
- Regular co-ordination with Police and GHADC to detect and seize illegal sand extracted.

This is for favour of your kind information and necessary action.

Yours faithfully



Asst. Conservator of Forests  
Asst. Conservator of Forests,  
D.C. Hollacunda Forest Range  
West Garo Hills.



Submitted

**Asst. Conservator of Forests,  
Mc Hollaidanga Range,  
West Garo Hills.**



GOVERNMENT OF MEGHALAYA  
DEPARTMENT OF FORESTS & ENVIRONMENT

OFFICE OF THE DIVISIONAL FOREST OFFICER  
West & South-West Garo Hills (T) Division, Tura



24

No. B/16/VII/1758

Dated Tura, the 14 Aug., 2024.

To,

The Deputy Commissioner,  
West Garo Hills, Tura.

Sub:

Matters relating to illegal barricade and sand mining.

Ref:

1. No. PA.10/NGT/2022/347 dated 05.08.2024.
2. No. A/16/VII/468-69 dated 31.07.2024.
3. MFG.83/10/Illegalities/MMMCR/Pt.III/3770 dated 01.07.2024.
4. Memo No. HD/101/2024-25/49 dated 20.07.2024.

Sir,

With reference to the subject cited above, I am furnishing herewith the detailed report along with action taken and actions proposed to be taken on matters relating to illegal barricade and sand mining (Reference no. 4 enclosed). The same has been received from the Conservator of Forests (T), Khasi and Jaintia Hills, Meghalaya, Shillong vide above reference no. 3 and furnished vide reference no. 2, copies enclosed.

This is for your information and necessary action.

Enclosed: As stated above.

Yours Faithfully,

Divisional Forest Officer,  
West & South West  
Garo Hills (T) Division, Tura.

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE RANGE FOREST OFFICER  
HOLLAIDANGA FOREST RANGE :: HOLLAIDANGA

25

Memo No. HD/101/2024-25/58

Dated Hollaidanga, the 9<sup>th</sup> Aug. /2024

From:

Shri. Sujit Marak, Fr - I  
Hollaidanga Range

To,

The Divisional Forest Officer  
West & South-West Garo Hills (T)  
Division, Tura.

Through

Asst. Conservator of Forest  
I/c Hollaidanga Forest Range

Sub: Press Clipping, dated 28.06.2024- Reg.

Ref: DFOs letter No. B/16/VII/1447 Dated Tura, the 12<sup>th</sup> July, 2024.

Sir,


With reference to the subject cited above, I have the honour to report herewith that on 19<sup>th</sup> July, 2024, we went for the inspection at Rongai river. We did not find any fresh illegal sand extraction activity happening at the reported site. Also, since the water level is high enough, sand extraction is very difficult. We are constantly patrolling and monitoring the area and geotagged photographs of the site dated 01.07.2024, 19.07.2024, 07.08.2024 has been attached alongwith for your reference. In addition to this we are constantly monitoring entire river stretch for small or large illegal sand extraction. We have increased our vigilance and have been catching illegal sand extraction activities in nearby areas and details of which has been attached alongwith.

Also, earlier reports have already been sent on 03.07.2024 and 20.07.2024, copy of the report vide Memo No. HD/101/2024-25/49 dated Hollaidanga, the 20<sup>th</sup> July, 2024 and Memo No. HD/101/2024-25/44 dated Hollaidanga, the 3<sup>rd</sup> July, 2024 is also being attached alongwith. Regarding iron barricading it was not put by Forest Department. Also, Forest department is not involved in upkeep, management or looking after of the iron barricading. Also, to best of our knowledge and information and also as per the local people, irrigation department and civil authorities, have already been informed and requested to take necessary action.

This is for favor of your kind information and necessary action.

Enclosed: As above.

Forwarded to D.F.O.  
West & South West Garo Hills  
(T) Division, Tura.

  
Asst. Conservator of Forests,  
I/c Hollaidanga Range,  
West Garo Hills.

Yours faithfully

  
S.M. Marak, Fr-I  
Hollaidanga Range  
West Garo Hills (Megh.)

**Actions already taken:**

- Seized: - Seizures already done, O.O. No. 48 Dated Tura, 2<sup>nd</sup> May/2024 Case of Shri. Monirul Islam, S/o. Md. Rohoman Ali, Vill: Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, Dist. West Garo Hills for Illegal Sand Extraction and seized 1(one) pumping machine etc. The case has been compounded and Shri. Monirul Islam accepted his guilt and paid the compounding fees etc. to the competent authority.
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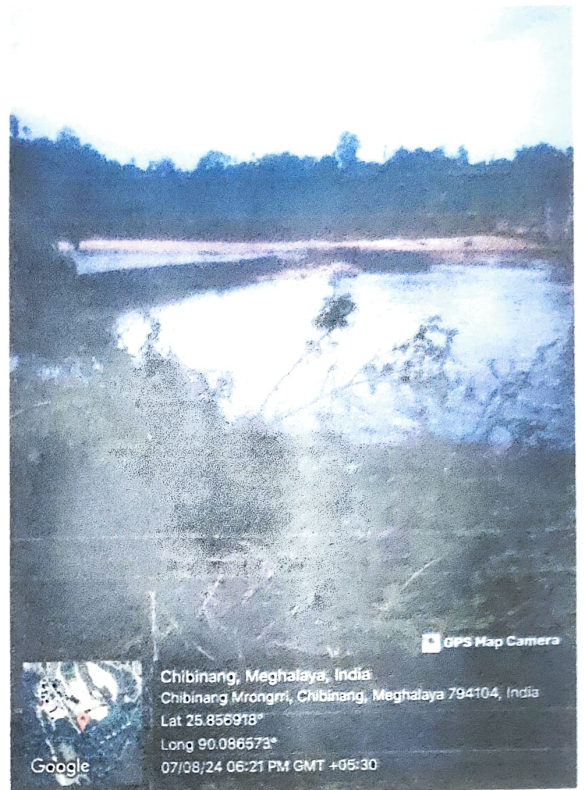
This is for favour of your kind information and necessary action.

Yours faithfully



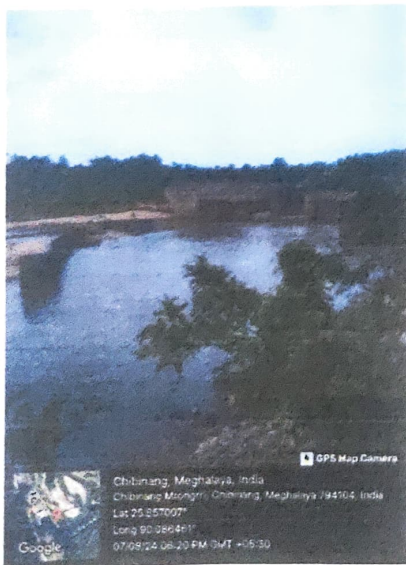
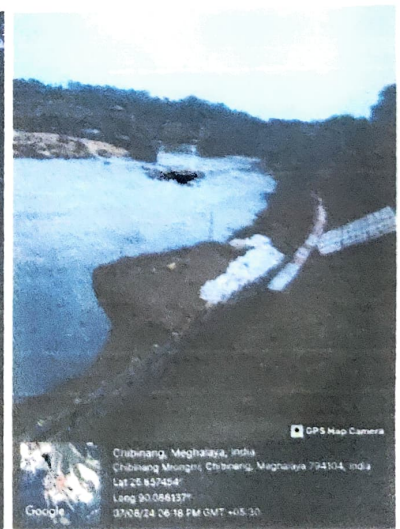
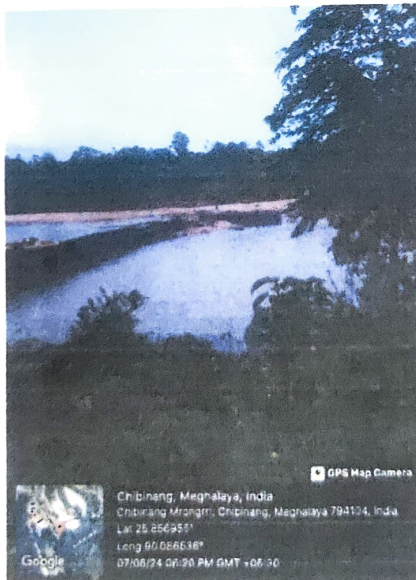
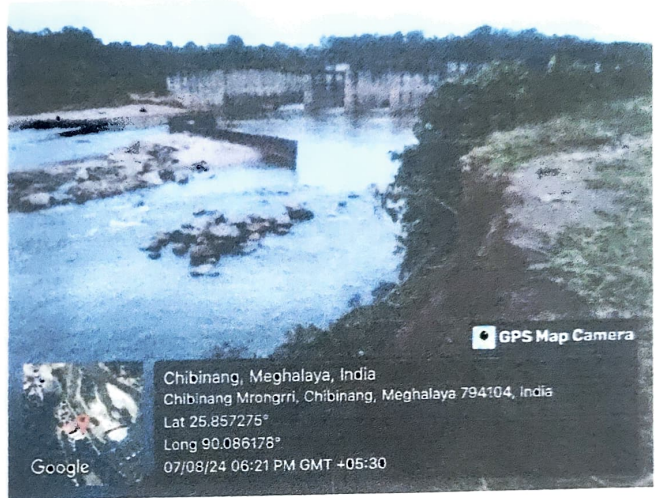
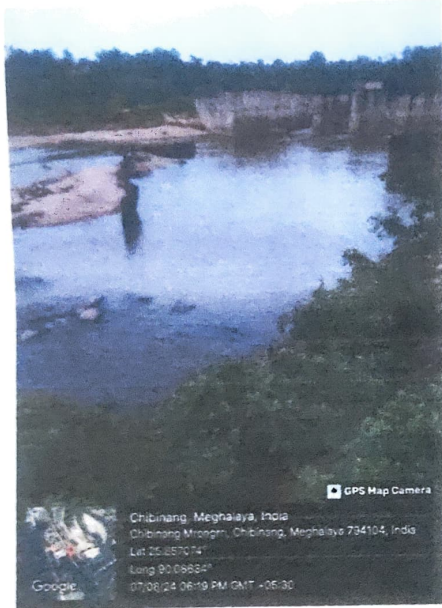
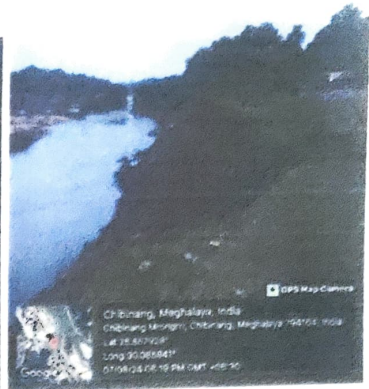
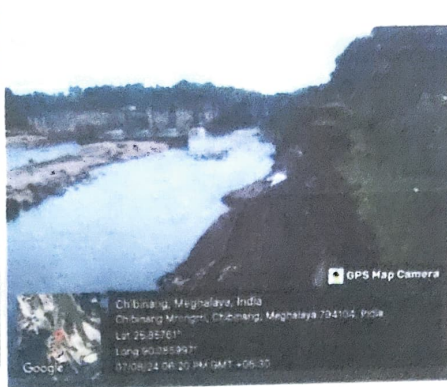
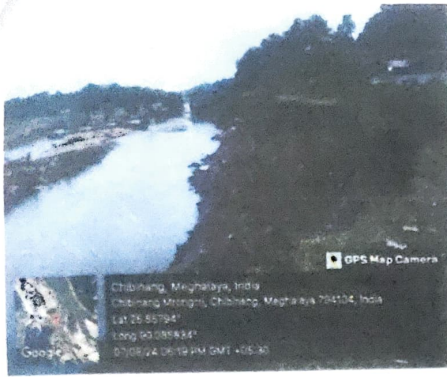
**S.M. Marak, Fr-I  
Hollaidanga Range  
West Garo Hills (Megh.)**

20



*S.M. Marak*

**S.M. Marak, Fr-I  
Hollaidanga Range  
West Garo Hills (Megh.)**



*S.M. Marak*  
**S.M. Marak, Fr-I  
Hollaidanga Range  
West Garo Hills (Megh.)**



Avijit Mani Tripathi <avijitmani@gmail.com>

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**O.A. No. 170/2024- NGT EZ- Reply State of Meghalaya**

1 message

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**Avijit Mani Tripathi** <avijitmani@gmail.com>

27 November 2024 at 14:06

To: enatoli sema <enatoli@gmail.com>, Surendra Kumar <surendra\_kr15@rediffmail.com>, Anamika Pandey <legumjure@gmail.com>

Ma'am/Sir,

PFA the advance copy of reply affidavit being filed in the subject case on behalf of Resp. State of Meghalaya.

Regards,  
Avijit Mani Tripathi  
Advocate on Record  
Supreme Court of India  
B 17, Fourth Floor, Jangpura Extension  
New Delhi-110014  
Ph.011-43582788, 9958537705

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 **OA 170 2024 final affidavit meghalaya.pdf**  
10230K