

QUORUM

HON'BLE MR. JUSTICE B. D. AGARWAL, FORMER
JUDGE; GAUHATI HIGH COURT, GUWAHATI

MR. S. C. BHOWMIK, PROFESSOR REPRESENTATIVE
OF INDIAN SCHOOL OF MINES,
(IIT - ISM), DHANBAD
(Email id: bhowmik44@gmail.com)

DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)

IN THE MATTER OF

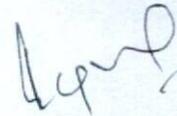
Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

The State of Meghalaya & Ors. And
other connected matters

PRESENT

- : **Mr. C. P. Marak, IFS (Retd),**
Chairman,
Meghalaya State Pollution Control Board Government of
Meghalaya
Email id: megspcb@rediffmail.com,
cpmarak1@gmail.com
- : **Mr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya, Mining &
Geology Department
Email id: manju2020@gmail.com
- : **Mr. A. Kembhavi, IAS**
Director, Directorate of Mineral Resources,
Government of Meghalaya,
Email id: arunkumar.kembhavi@gmail.com
- : **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board, Regional
Directorate North East, Shillong
Email id: zchangsan.cpcb@nic.in
- : **Mr. J. H. Nengnong,**
Member Secretary
Meghalaya State Pollution Control Board, Shillong Email id:
megspcb@rediffmail.com



Mr. S. Tiwari, Director
Coal India Limited
Email id: insnm.ci@loadlink.com

Mr. J. K. Borah,
General Manager,
North Eastern Coalfields, Coal India Limited
Email id: gm_nec.cil@coalindia.in

Mr. G. Mathew
Chief Manager (M & S)
Coal India Ltd
Email id: tsdm.cil@cialindia.in

PROCEEDINGS NO. 24

RECORD OF MINUTES OF TWENTY FOURTH SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B.D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD THROUGH VIDEO CONFERENCE ON 03rd AUGUST, 2020 AT 11:00 A.M. AT COMMITTEE HALL- II, MAIN SECRETARIAT BUILDING, MEGHALAYA, SHILLONG

AGENDA

1. To consider the report submitted by the North East Regional Directorate of Central Pollution Control Board in relation to the Coke oven units of Meghalaya.
2. To review the Comprehensive Plan prepared by Mining & Geology Department Government of Meghalaya, in accordance with the directions of Hon'ble NGT and Hon'ble Supreme Court of India dated 03.07.2019 in Civil Appeal No. 10720 of 2018.
3. With the aid of the high resolution satellite imaginaries preparation of land use and land cover maps of the coal dump sites existing prior to the date of filing the affidavit by the Mining & Geology Department in the Hon'ble Supreme Court in Civil Appeal No. 10720 of 2018 as directed by the Hon'ble NGT in it's Order dated 27/07/2020 in OA No. 110_(THC)/2012.

AGENDA-I

- I. Consider the report submitted by the North East Regional Directorate of Central Pollution Control Board in relation to the Coke oven units of Meghalaya.

Accepted

1. Pursuant to the decision taken in the 18th proceeding held on 15.09.2019, the Central Pollution Control Board (CPCB) was directed to cause an audit of the sources of coal being utilized by the coke oven industries in Meghalaya. A three member team was constituted by the Central Pollution Control Board. Finally the CPCB has submitted a report to this Committee on 15.07.2020, subsequently corrected on 31.07.2020. A copy of the said report was submitted to the Industries Department, Government of Meghalaya, as well as Meghalaya State Pollution Control Board. Today nobody represented the Industries Department. The Chairman of Meghalaya State Pollution Control Board, Mr. C. P. Marak, submitted that they have issued Consent to Operate (CTO) only to four units, clearance to establish these four units have been issued by the Single Window Agency (SWA) of the Government of Meghalaya, and the owners of other coke oven units have not yet reached the stage for obtaining either Consent to Establish (CTE) or CTO.

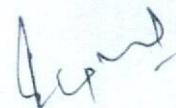
The Committee has carefully perused the report of CPCB and finds that nearly 20 (twenty) Industries are using Meghalaya coal though its purchase and transportation have been banned by the Hon'ble NGT and Hon'ble Supreme Court.

Hence, notices to all these 20 (twenty) units/industries listed in the report shall be issued to show cause as to why the Committee shall not recommend to the Hon'ble NGT to close their operations and also to pay royalty, contribution to MEPRF, GST/VAT, GST compensation and additional penalty for purchasing and using Meghalaya coal in violation of the Hon'ble Supreme Court and Hon'ble NGT Orders. The State of Meghalaya and Meghalaya State Pollution Control Board (MSPCB) are also directed to submit their written replies against the Report of CPCB. The reply is to be submitted to this Committee within two weeks of receipt of the notices, which would thereafter be considered in the next sitting of the Committee.

AGENDA-II

4. To review the Comprehensive Plan prepared by Mining & Geology Department Government of Meghalaya, in accordance with the directions of Hon'ble NGT and Hon'ble Supreme Court of India dated 03.07.2019 in Civil Appeal No. 10720 of 2018.

In the matter pertaining to preparation of comprehensive plan by Mining & Geology Department, Government of Meghalaya, under supervision of the NGT Committee relating to auction and transport of coal the Hon'ble NGT has given the following direction in their order dated 27/07/2020 :



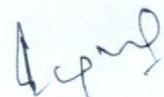
*"We find that the recommendation of permitting 'coal owners' to transport the coal and for **such coal owners to be identified by the State by draw of lots** is contrary to the judgment of the Hon'ble Supreme Court. Under the said judgment, it was observed that coal owners had already been identified as per record and that process of handing over coal was to be undertaken by the State. The quantum of coal unscientifically mined was mentioned to be 23,25,663.54 MT (para 188). It was held that the said coal be handed over to CIL for disposal by the State in the manner laid down by the Committee. Out of the sale price, an amount could be paid to the owners, as already mentioned above (para 192 of the judgement). The suggestion of the Committee that **the coal owners may transport the coal and coal owners are yet to be identified by draw of lots** is against the judgment of the Hon'ble Supreme Court wherein it is mentioned that coal owners were already identified and that it was the State which was to hand over the coal to the CIL."*

Having analyzed as above in para 11 of their judgment the Hon'ble NGT directed as follows in para 13 of their judgment:

"The recommendation that the transportation may not be done by the State but by the 'coal owners' who are yet to be identified being against judgment of the Hon'ble Supreme Court cannot be approved. The State must transport the coal and give the locations in terms of the Sixth report. New exercise for identifying landowners beyond the judgement of the Hon'ble Supreme Court is not permissible. The Committee may revise its report accordingly."

In view of the aforesaid orders of the Hon'ble NGT dated 27/07/2020 in OA No. 110(THC)/2012, the provision contained in the earlier comprehensive plan relating to selection of coal owners by drawing of lots (from among the list of coal owners identified by the Mining & Geology Department as furnished by them to the Hon'ble Supreme Court) in respect of 2 lakh MT of coal permitted to be transported in the first phase, and the decision of the NGT Committee in this regard in their 7th Special Sitting held on 12th March 2020 as contained in the minutes of the said Special Sitting stand withdrawn and cancelled.

In view of the NGT order Dated 27/07/2020 the Mining & Geology Department, Govt of Meghalaya was also advised to recast the aforesaid comprehensive plan for auction of coal which they have submitted now for the perusal and acceptance of the Committee. However, it is noticed that in addition to the aforesaid changes few other minor changes too have been done by the Mining & Geology Department to the comprehensive plan document. The Department submitted that these changes are necessary to accommodate the constraints expressed by the Coal India Limited in



this regard and also some administrative contingencies. It is noticed that these additional changes do not alter the principal intent and character of the document in a significant manner.

The sum changes to the comprehensive plan document are compiled in a tabular format and annexed herewith which are approved herewith by the Committee.

The Secretary, Mining & Geology Department, Govt of Meghalaya is directed to upload the modified in the website of mining and geology department.

AGENDA-III

5. With the aid of the high resolution satellite imaginaries preparation of land use and land cover maps of the coal dump sites existing prior to the date of filing the affidavit by the Mining & Geology Department in the Hon'ble Supreme Court in Civil Appeal No. 10720 of 2018 as directed by the Hon'ble NGT in it's Order dated 27/07/2020 in OA No. 110(THC)/2012.

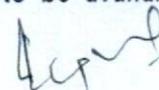
The Hon'ble NGT vide their order dated 27/07/2020, passed in OA No. 110(THC)/2012, have directed that the study hitherto recommended by the NGT Committee, Meghalaya (vide their 6th Report dated 03.12.2020 to the Hon'ble NGT) to be entrusted to NESAC for the purpose of undertaking analysis of the areas where coal was located using high resolution satellite imageries for the relevant period and also to make three categories of such coal i.e. (i) coal that existed on 17.04.2014, (ii) coal dumped at the depot after 10.04.2019 and (iii) coal dumped between 17.04.2014 to 10.04.2019 through analyzing the aforesaid satellite imageries may now be entrusted to National Remote Sensing Centre (NRSC), Hyderabad if NESAC is not able to undertake the said exercise and that the CPCB may coordinate with the NRSC for the purpose.

The recommendation of the NGT Committee in this regard in their 6th Report is extracted below:

"3. The North Eastern Space Application Centre (NESAC), Department of Space, Government of India, Umiam shall undertake land-use land-cover analysis of areas where coal to be handed over to the Coal India Limited is located by using high resolution satellite imageries for the following period:

(a) Immediately before the illegal rat-hole mining of coal was banned by this Tribunal by an order dated 17.04.2014; (Para 2.20 (iii) (a))

(b) Immediately before the additional affidavit dated 10.04.2019 containing details of 32,56,715 MT coal stated to be available at



various depot was filed before the Hon'ble Supreme Court by the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department; and (Para 2.20 (iii) (b)).

(c) Once in the year 2015, 2016, 2017 and 2018, preferably in the month of April. (Para 2.20 (iii) (c))

4. Based on the said land-use land-cover analysis, the NESAC shall divide the coal available at each of the depot where the 32,56,715 MT coal is stated to be available into three categories namely:

(a) The coal continuously existing at the depot since the ban on the illegal rat-hole mining was imposed by this Tribunal on 17.04.2014; (Para 2.20 (iv) (a))

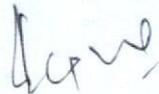
(b) The coal dumped at the depot after the filing of additional affidavit before the Hon'ble Supreme Court on 10.04.2019; and (Para 2.20 (iv) (b))

(c) The coal dumped at the depot on any day between 17.04.2014 and 10.04.2019. (Para 2.20 (iv) (c))."

The Committee has decided that the aforesaid study as contained in the Recommendation Chapter of 6th Report of this Committee extracted above shall now be entrusted to the National Remote Sensing Centre (NRSC), Hyderabad and the CPCB may coordinate with the NRSC for the said purpose. Letters shall be addressed in this regard to NRSC, Hyderabad and also to the Member Secretary, CPCB to coordinate the aforesaid exercise with National Remote Sensing Centre, Hyderabad either through their Regional Office at Hyderabad or through any other mode as they deem fit.

The CPCB is directed to pursue the matter with NRSC and submit the progress report in this regard after 4 weeks.

The Chairman concluded the meeting after thanking all present.



(Retd. Justice B .D. Agarwal)
Chairman
NGT Committee, Meghalaya

Modifications in the Comprehensive Plan as approved during the sitting of the NGT Committee held on 3rd August, 2020

Clauses	Existing provisions	Modified/additional provisions
1.b	b. The land owner of the designated depot shall undertake to install all necessary infrastructure at his cost and submit the bills in respect of the same to the State Government for payment which may include rental for the premises, at a later date. In addition to that, he is allowed to charge Rs 20 (Twenty) per MT for weighment of each truck. Fifty percent of the weighment fee shall be deposited with the DMR as administrative cost.	b. The land owner of the designated depot shall undertake to install all necessary infrastructure at his cost and submit the bills in respect of the same to the State Government for payment which may include rental for the premises, at a later date. In addition to that, he is allowed to charge Rs 20 (Twenty) per MT for weighment of each truck. Fifty percent of the weighment fee shall be deposited with the DMR as administrative cost. The weighbridge owner shall discharge the liability of GST, if any.
3.a	a. It shall be the sole and exclusive responsibility of the Coal stock owner to transport the coal stock from places of origin/storage to designated depots at her/his own cost.	a. The State Government shall transport the coal stock from places of origin/storage to designated depots. Expenses of transportation shall be borne by the State Government, which shall be deductible from the price received of the coal.
3.b	b. It shall be the sole and exclusive responsibility of the Coal stock owner to ensure complete compliance of applicable statutory regulatory framework, and the provisions of the instant policy during transit.	b. It shall be the responsibility of the State Government to ensure complete compliance of applicable statutory regulatory framework, and the provisions of the instant policy during transit.

3.d	Addition of new sub-para d.	d. The owners of coal stock shall submit an affidavit to abide by all the terms and conditions of the e-auction spelt out in the Comprehensive plan and scheme for sale of extracted coal in Meghalaya through Spot-e-Auction.
3.g	Deputy Commissioners shall ensure that same grade coal is stacked together to the extent possible for easy auction and that correct entries are recorded in the register depicting the quantity of coal against each owner so as to avoid confusion post auction.	Deletion of sub-para g.
6.b	b. It shall be mandatory for the coal-owner to have the quantity of coal measured prior to its entry into the designated depots at nearby designated weighbridge and weighment slip shall be enclosed along with Transit pass. No coal shall be permitted to be dumped at designated depot without such a certificate of weighment.	b. It shall be duty of the State Government to have the quantity of coal measured prior to its entry into the designated depots at nearby designated weighbridge and weighment slip shall be enclosed along with Transit pass. No coal shall be permitted to be dumped at designated depot without such a certificate of weighment.
6. c	c. The Deputy Commissioner of respective district shall ensure the installation of CCTV cameras at the concerned weighbridges. Sufficient security shall also be deployed by the District Administration at the weighbridges to ensure strict	The DMR shall ensure the installation of CCTV cameras at the concerned weighbridges. Sufficient security shall also be deployed by the District Administration at the weighbridges to ensure strict compliance of the instant policy.

	compliance of the instant policy.	
6.d	The validity of the Transit Pass is only for 15 (Fifteen) days from the date of issuance meaning the coal owner shall complete the transportation of coal from the pit heads to the depots within 15 (Fifteen) days.	The validity of the Transit Pass is only for 15 (Fifteen) days from the date of issuance and the transportation of coal from the pit heads to the depots shall be completed within 15 (Fifteen) days from the date of issue of transit pass.
7.a	a. Deputy Commissioner shall get installed CCTV cameras at entry gate of depots and each consignment entering and exiting the depot shall be video recorded and footage of such recording between the date of commencement of the process of dumping of coal for e-auction till conclusion of auction process shall be stored for one year by DMR.	a. The DMR shall get installed CCTV cameras at entry gate of depots and each consignment entering and exiting the depot shall be video recorded and footage of such recording between the date of commencement of the process of dumping of coal for e-auction till conclusion of auction process shall be stored for one year by DMR.
7.b	b. As far as practicable, coal belonging to same grade shall be put up for single auction in a particular depot. The coal stacks will be kept in that depot, owner-wise for easy identification and handling. A unique lot number shall be assigned to each lot.	b. Coal received in the depot shall be stacked grade-wise. As far as practicable, coal belonging to same grade shall be put up for single auction in a particular depot. Lot will be prepared for each grade stacked in the Designated Depot. Each lot can have coal from more than one owner, but having same grade. The Director of Mineral Resources (DMR) will maintain register for names of coal owners and quantity from respective

		owner in each lot. A unique lot number shall be assigned to each lot.
8.a	a. Government of Meghalaya shall depute sufficient number of officials to plan, execute and monitor sale of coal through e-auction. CIL will provide requisite manpower at the designated depots and such other support for accounting the 32,56,715 MT of auctioned coal.	a. Government of Meghalaya shall depute sufficient number of officials to plan, execute and monitor sale of coal through e-auction. CIL shall deploy manpower to the weighbridges attached to the Designated Depots and provide such other support for accounting the 32,56,715 MT of auctioned coal.
8.c	c. The Coal owner/Seller shall get their coal sample tested for Gross Calorific Value (GCV) of each lot from any NABL accredited laboratory. The information regarding requirement of having such certificate shall be made by the DMR.	c. The Coal owner shall get their coal sample tested for Gross Calorific Value (GCV) from any NABL accredited laboratory. The information regarding requirement of having such certificate shall be made by the DMR.
8.e	e. Notice Inviting Tender (NIT) shall be issued only after completion of stacking of coal for auction in a particular yard in a designated depot.	e. 'Notice for e-auction' shall be issued only after completion of stacking of coal for auction in a particular yard in a designated depot.
8.f	f. Reserve price of coal shall be as per the Coal India Limited notification dated CIL:M&S:GM(F)/Pricing 2018/07 dated 8 th January 2018. A copy of the said notification is annexed herewith	f. Reserve Price shall be the sum of pithead price notified under CIL's Price Notification No.CIL:M&S:GM(F)/Pricing 2018/07 dated 8.1.2018 and the add-on notified for NEC, vide CIL's Price Notification No.CIL:M&S:Pricing

	as Annexure 2 for ready reference.	2018/327 dated 26.9.2018. A copy of the said notifications are annexed herewith as Annexure 3.
8.j	<p>j. The successful bidder shall transfer the total bid amount to separate bank account opened, maintained and notified by the MSTC for the instant auction process before lifting the auctioned coal. The successful bidder shall, in addition to the bid amount, shall also deposit Royalty at the rate notified by the State Government, contribution to Meghalaya Environment Protection and Restoration Fund (MEPRF), Cess under Meghalaya Minerals Cess Act, 1988 and GST at the following rates:</p> <p>a) Royalty- Rs 675 per MT b) MEPRF- Rs 485 per MT c) Cess- Rs 300 per MT d) GST- 5% of the bid value excluding levies</p>	<p>j. The successful bidder shall transfer the total bid amount to separate bank account opened, maintained and notified by the MSTC for the instant auction process before lifting the auctioned coal. The successful bidder shall, in addition to the bid amount, shall also deposit Royalty at the rate notified by the State Government, contribution to Meghalaya Environment Protection and Restoration Fund (MEPRF), Cess under Meghalaya Minerals Cess Act, 1988, GST and GST Compensation Cess at the following rates:-</p> <p><i>i. Royalty- Rs. 675 per MT</i> <i>ii. MEPRF- Rs. 485 per MT</i> <i>iii. Cess- Rs. 300 per MT</i> <i>iv. GST- 5% of the bid value, royalty, MEPRF and Cess</i> <i>v. GST Compensation Cess @ Rs. 400 per MT</i> <i>vi. 1 % TCS on the above charges under Income Tax Act</i></p>
8.k	k. The EMD of the unsuccessful bidders shall be refunded by MSTC within 10 (Ten) days.	k. The EMD of the unsuccessful bidders shall be refunded by MSTC only against the online refund request raised by the bidder and the processing of online refund will be completed within 3 (three) working days.

9.c	c. The Government of Meghalaya, after deducting Royalty, MEPRF, Cess and GST, shall transfer the remaining amount to the account of actual owner of the coal stock after completion of dispatch of coal by the buyer which shall not be more than thirty (30) days from the date of issuance of MTCs.	c. The Government of Meghalaya, after deducting Royalty, MEPRF, expenses of transportation of coal from pithead to depot, Cess, GST, GST Compensation Cess and 1% TCS under IT Act shall transfer the remaining amount to the account of actual owner of the coal stock after completion of dispatch of coal by the buyer which shall not be more than 30 (thirty) days from the date of issuance of MTCs.
10.c	c. The MTCs shall be issued by DMR on receiving authenticated confirmation letter and payment invoice from MSTC after payment of necessary dues by successful bidder. MSTC shall issue confirmation letter in duplicate, one to the successful bidder and the other to DMR. MTCs shall be issued only after verifying both the copies. MTCs shall be countersigned by the officials of CIL at the designated depot at the time of exit from depots.	c. The MTCs shall be issued by DMR on receiving authenticated confirmation letter and payment invoice from MSTC after payment of necessary dues by successful bidder. MSTC shall issue confirmation letter in duplicate, one to the successful bidder and the other to DMR. MTCs shall be issued only after verifying both the copies. MTCs shall be countersigned by the officials of CIL posted at the weighbridge of the Designated Depot.
10.e	e. The buyer is required to approach the designated coal depot with the 3 (Three) copies of MTC. After completion of loading, the in-charge of the depot shall retain one copy of the MTC after obtaining the signature of the	e. The buyer is required to approach the designated coal depot with the 3 (Three) copies of MTC. After completion of loading, the in-charge of the depot shall retain one copy of the MTC after obtaining the signature of the buyer in acknowledgment of

	<p>buyer in acknowledgment of receipt of coal. The in-charge of the depot shall also certify the delivery of coal on the other two copies of the MTC and the same shall be handed over to the buyer. Any loaded truck shall necessarily carry both the copies of MTC which are signed by the in-charge of the depot indicating the date of delivery of coal. Any movement of loaded consignment of coal without MTC or with MTC not having the certification by the person in-charge of the depot regarding delivery of coal will be considered as illegal coal and action shall be taken by Meghalaya Government against such illegal coal in accordance with law.</p>	<p>receipt of coal. The in-charge of the Depot shall issue the tax-invoice to the Bidder on behalf of the owner of the coal. The MTC shall be countersigned by the in-charge of the depot and the official of NEC/CIL posted at the weighbridge of the Designated Depot. The in-charge of the depot shall also certify the delivery of coal on the other two copies of the MTC and the same shall be handed over to the buyer. Any loaded truck shall necessarily carry both the copies of MTC which are signed by the in-charge of the depot indicating the date of delivery of coal. Any movement of loaded consignment of coal without MTC or with MTC not having the certification by the person in-charge of the depot regarding delivery of coal will be considered as illegal coal and action shall be taken by Meghalaya Government against such illegal coal in accordance with law.</p>
<p>10.f</p>	<p>f. At the state exit point, consignment of each truck shall be weighed, and all the coal laden trucks shall be checked for valid documents. The tare weight of the vehicle shall be based on the RC of each vehicle. All exit points shall be manned by officials of the DMR, Government of Meghalaya and details of all challans shall be</p>	<p>f. At the state exit point, consignment of each truck shall be weighed, and all the coal laden trucks shall be checked for valid documents. The tare weight of the vehicle shall be based on the RC of each vehicle. All exit points shall be manned by officials of the DMR, Government of Meghalaya and details of all challans shall be entered in the ledger maintained for that purpose</p>

Annexure-II

SPEED POST
URGENT



GOVERNMENT OF MEGHALAYA
DEPARTMENT OF FORESTS AND ENVIRONMENT

OFFICE OF
THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS : MEGHALAYA
& HEAD OF FOREST FORCE

No.MFG/39/87/NGT(C)/Vol-XIII/ 2301

Dated Shillong, the 18th Aug, 2020.

To,

The Director
National Remote Sensing Centre,
Balanagar, Hyderabad-500018

Sub: Implementation of the order of the Hon'ble National Green Tribunal dated 27/07/2020 in O.A.No. 110/(THC)/2012.

Sir,

The undersigned is directed by the National Green Tribunal Committee, Meghalaya headed by Hon'ble Mr. Justice B. D. Agarwal, Former Judge, Gauhati High Court to state that the National Green Tribunal Committee in their sixth report to the Hon'ble National Green Tribunal have recommended as extracted below, which has been duly accepted by the Hon'ble National Green Tribunal vide their order dated 09/01/2020 in O.A.No. 110/(THC)/2012 :-

"3. The North Eastern Space Application Centre (NESAC), Department of Space, Government of India, Umiam shall undertake land-use land-cover analysis of areas where coal to be handed over to the Coal India Limited is located by using high resolution satellite imageries for the following period:

(a) Immediately before the illegal rat-hole mining of coal was banned by this Tribunal by an order dated 17.04.2014; (Para 2.20 (iii) (a))

(b) Immediately before the additional affidavit dated 10.04.2019 containing details 32,56,715 MT coal stated to be available at various depot was filed before the Hon'ble Supreme Court by the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department; and (Para 2.20(iii) (b)).

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(c) Once in the year 2015, 2016, 2017 and 2018, preferably in the month of April. (Para 2.20 (iii) (c)}

4. Based on the said land-use land-cover analysis, the NESAC shall divide the coal available at each of the depot where the 32,56,715 MT coal is stated to be available into three categories namely:

(a) The coal continuously exiting at the depot since the ban on the illegal rat-hole mining was imposed by this Tribunal on 17.04.2014; (Para 2.20(iv) (a)}

(b) The coal dumped at the depot after the filling of additional affidavit before the Hon'ble Supreme Court on the 10.04.2019; and (Para 2.20 (iv) (b)}

(c) The coal dumped at the depot on any day between 17.04.2014 and 10.04.2019. (Para 2.20 (iv) (c)}."

The Hon'ble National Green Tribunal vide their order dated 27/07/2020 (copy enclosed Annexure I) in the aforesaid matter have directed the National Remote Sensing Centre, Hyderabad to undertake the aforesaid study.

The geographic (GPS) coordinates of the coal dump sites as furnished by the Mining and Geology Department in their additional affidavit filed in the Hon'ble Supreme Court is enclosed herewith (Annexure II.)

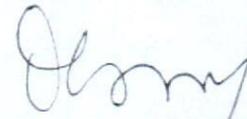
You are requested to undertake the aforementioned study as directed by the Hon'ble National Green Tribunal and furnish a report thereof to the National Green Tribunal Committee, Meghalaya as soon as the study is completed.

This letter issues under the direction of the Chairman, National Green Tribunal Committee, Meghalaya.

Encl: As above

de

Yours faithfully



(M.B.K. Reddy, IFS)

Additional Principal Chief Conservator of Forests
(Planning, Development & Legal Matters)
Meghalaya: Shillong.

Annexure-III

भारत सरकार
अन्तरिक्ष विभाग

राष्ट्रीय सुदूर संवेदन केन्द्र

बालानगर, हैदराबाद-500 625, आं.प्र. भारत
टेलिफोन : +040-23879572-76
+040-23879261-65
फैक्स : +040-23878648



Government of India
Department of Space

National Remote Sensing Centre

Balanagar, Hyderabad-500 625, A.P. India
Telephone : +040-23879572-76
+040-23879261-65
Fax : +040-23878648

G Rajashekar
Group Head, Forestry and Ecology Group
NRSC/FEG/Meghalaya

Tel: 040 2388 4531/ 2388 4218
email: rajashekar_g@nrsc.gov.in

August 31, 2020

Dear Sir,

This is with reference to your letter number MFG/39/87/NGT(C)/Vol-XIII/6801 dated 18th Aug 2020 regarding satellite based analysis of areas where coal is located.

We understand that NESAC has done significant amounts of work towards the estimation of coal at coal depots addressing Para 4 (page 34) of NGT order dated January 17, 2020. Specifically that the NESAC has

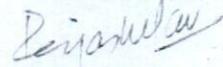
- (i) completed the task of preparing the geo-referenced map depicting the locations of coal dumps based on data provided by the Mining & Geology Dept. Govt. of Meghalaya;
- (ii) provided detailed inputs on the on the satellite data based preparation of landuse / landcover of areas and including cost estimates and time frame required and also,
- (iii) noted that land use/ landcover map provide area information but are not suitable for the assessment of the volume or quantity of coal available at depots.

As NESAC has already provided inputs and is in the process of completing the tasks identified in the Hon'ble NGT order, we submit that there is no requirement for NRSC, Hyderabad to undertake any additional study. We also note that Point no 12, Pg 10 of the NGT order reads "however if NESAC is not able to undertake the said exercise, the same may be entrusted to the National Remote Sensing Centre (NRSC) Hyderabad"

For the record, we state that we are in agreement with the technical limitations noted by NESAC with respect to providing satellite based assessments of the volume and quantity of coal available at depots.

Best regards

Yours sincerely


(G RAJASHEKAR)

To,
Shri M. B. K. Reddy, IFS
Addl. Principal Chief Conservator of Forests (P & LM),
Government of Meghalaya, Meghalaya Forest Head Quarter
Sylvan House, Lower Lachumiere Shillong-793001, Meghalaya

Cc:
Director, NRSC
Director, North Eastern Space Applications Centre,
GOI, DOS, Umiam – 793103, Meghalaya
DD RSA, NRSC

for kind information

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24 SEP 2020

GOVERNMENT OF MEGHALAYA
MINING & GEOLOGY DEPARTMENT

No.MG.38/2020/133

Dated Shillong the 25th August 2020

From: Dr. Manjunatha C, IFS
Secretary to the Govt. of Meghalaya
Mining and Geology Department

To :

1. The Director General of Police, Meghalaya Shillong.
2. The Director (Marketing) Coal India Limited,
Coal Bhawan Newtown, Rajarhat, Kolkata.
3. The Chairman, Meghalaya State Pollution Control Board
4. The Director of Mineral Resources, Meghalaya Shillong.
5. The Deputy Commissioner, West Khasi Hills/South West Khasi Hills/East
Jaintia Hills/South Garo Hills Districts.
6. The Commissioner of Transport, Meghalaya Shillong.
7. The General Manger (Marketing and Coal Cell)
MSTC Limited, HO, Kolkatta.
8. The General Manager, North Eastern Coal Field, CIL, Margherita Assam.

Sub: Revised Comprehensive Plan for handing over of extracted coal to Coal India Limited for auction prepared jointly by the Mining and Geology Department, Government of Meghalaya and Coal India Limited.

Sir/Madam,

In inviting a reference to the above cited subject, I am directed to forward herewith a copy of 'Revised Comprehensive Plan' for handing over of extracted coal to Coal India Limited for disposal through auction prepared jointly by the Mining and Geology Department, Government of Meghalaya and Coal India Limited (CIL) and duly approved by the NGT Committee, Meghalaya headed by the Hon'ble Justice Mr B.D Agarwal, Former Judge of Gauhati High Court during the 24th sitting held on 3rd August, 2020 for your kind information and necessary action.

Encl: As stated above

03 SEP 2020

33844-51

Yours faithfully,

(Dr Manjunatha C, IFS)
Secretary to the Govt. of Meghalaya
Mining and Geology Department
Dated Shillong the 25th August 2020

Memo No.MG.38/2020/133-A

Copy to:-

1. P.S to the Chief Minister of Meghalaya for kind information of the Hon'ble Chief Minister.
2. P.S to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary.
3. The Member Secretary, NGT Committee, Meghalaya for kind information of the Hon'ble Committee. Copy of revised comprehensive plan enclosed.
4. State Informatics Officer/Senior System Analyst, NIC, Meghalaya Shillong for placing the said plan in the Mining and Geology Departments Website.

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**GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT**

Dated Shillong the 24th August, 2020 .

Revised comprehensive Plan for handing over of extracted coal to Coal India Limited for auction prepared jointly by the Mining and Geology Department in Government of Meghalaya and Coal India Limited.

The Hon'ble Supreme Court vide judgment and order dated 3rd July 2019 in Civil Appeal No.10720 of 2018 has held that the Government of Meghalaya shall be the receiver-cum-custodian of all the extracted coal lying at different places in the State of Meghalaya.

The Hon'ble Supreme Court has directed in the aforesaid judgment that the entire extracted coal lying at various places shall be handed over by the State of Meghalaya to the Coal India Limited for the purpose of disposal/auction as per the usual rules of Coal India Limited and as per the mode and manner to be formulated by the NGT appointed Committee.

The Hon'ble Supreme Court has further directed in the aforesaid judgment that Department of Mining and Geology of the State Government along with the officials of the Coal India Limited may deliberate with NGT appointed Committee to finalize a comprehensive plan for transportation and handing over of the coal to Coal India Limited for disposal/auction as per rules of Coal India Limited and further held that disposal/auction by Coal India Limited shall be beneficial to both the owners of mines as well as to the State of Meghalaya.

With an intent to protect the interests of all concerned in mind and with a view to minimize environmental damage and to ensure transparent, effective and seamless handing over and transportation of the entire extracted coal amounting to 32,56,715 MT already identified and lying in East Jaintia Hills, West Khasi Hills, South-West Khasi Hills and South Garo Hills, a Comprehensive Plan was prepared jointly by the Government of Meghalaya and Coal India Ltd. and was approved on 12th March 2020 by the NGT Committee, Meghalaya under chairmanship of the Hon'ble Justice Mr. BD Agarwal, former Judge of the Gauhati High Court.

In compliance of order of Hon'ble National Green Tribunal dated 27.07.2020 in O.A. No. 110(THC)/2012 and to incorporate additional provisions as decided by

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the CIL and State Government during the subsequent meetings held after approval of the comprehensive plan, the following Revised comprehensive plan has been prepared in consultation with NGT Committee, Meghalaya.

1. **Identification and Notification of Designated Depots:**

- a. The Mining and Geology Department with the help of Deputy Commissioners concerned shall identify and notify sites for establishing designated depots. Number of depots in each district shall be determined based on quantity of assessed coal.
- b. The land owner of the designated depot shall undertake to install all necessary infrastructures at his cost and submit the bills in respect of the same to the State Government for payment which may include rental for the premises, at a later date. In addition to that, he is allowed to charge Rs 20 (Twenty) per MT for weighment of each truck. Fifty percent of the weighment fee shall be deposited with the DMR as administrative cost. The weighbridge owner shall discharge the liability of GST, if any.
- c. The designated depots subject to the availability of land, fitness of terrain, and ease of accessibility, shall be established near the existing weighbridge and road network.
- d. Having regard to hilly and inaccessible terrain in the State of Meghalaya, on account of lack of availability of contiguous piece of land, each depot shall be identified to store as far as possible 50,000 MT of coal at any point of time.
- e. Movement of trucks to and from designated depot shall be restricted to day time between 7am to 4pm.

2. **Depot Infrastructure:**

- a. Each depot shall have Depot Number to be assigned by DMR.
- b. The State shall authorize an officer to act as in-charge of one depot or more than one depot and the authorized officer shall ensure that adequate measures have been taken to prevent release of Acid Mine Drainage (AMD) into rivers/streams by constructing garland drains and AMD neutralization chambers or such other measures as are necessary.
- c. The coal stacks/heaps at designated depots shall be covered with waterproof tarpaulin to protect from rain and to prevent generation of AMD.

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- d. The DMR and Police Department shall depute officials and manpower to protect the depots till the time entire quantity of extracted coal is disposed of through auction. Necessary infrastructure shall be created in the depots such as office chamber, security barrack, computer and accessories, electricity, water supply, gate, fencing etc. to the extent possible.
 - e. The designated depots shall adhere to all the guidelines issued by the Meghalaya State Pollution Control Board (MSPCB) annexed herewith as Annexure 1 and before commencement of the auction process depot operator shall obtain Consent to Establish and Consent to Operate from MSPCB. The same provision shall apply to secondary depots also, which may be set up by the prospective buyer.

3. **Responsibility of transportation of Coal to Designated Depots:**

- a. The State Government shall transport the coal stock from places of origin/storage to designated depots. Expenses of transportation shall be borne by the State Government, which shall be deductible from the price received of the coal.
- b. It shall be the responsibility of the State Government to ensure complete compliance of applicable statutory regulatory framework, and the provisions of the instant policy during transit.
- c. It shall be the sole and exclusive responsibility of the Coal stock owner to ensure that absolutely no fresh mining of coal is undertaken in the garb of transportation of coal from the place of origin and/or storage to designated depots or otherwise.
- d. The owners of coal stock shall submit an affidavit to abide by all the terms and conditions of the e-auction spelt out in the Comprehensive plan and scheme for sale of extracted coal in Meghalaya through Spot-e-Auction.

4. **Mode and manner of issuance of 'Transit Pass' for Transportation of Coal to Designated Depots:**

- a. The transport of extracted coal for auction under the instant policy shall only be permitted pursuant to issuance of temporary 'Transit Pass' by the Office of the Directorate of Mineral Resources, Government of Meghalaya (DMR).
- b. 'Transit Pass' to transport coal to designated depot shall be issued after verification of records by DMR and officials of District Administration.

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- c. DMR officials and Deputy Commissioner concerned shall ensure that detail of name of owner and place from where it is collected, quantity, depot number where the coal is being transported and other required details are mentioned in the Transit Pass so as to ensure that only assessed quantity is transported to designated depots for disposal and a separate record in this regard shall be maintained in the office of the Deputy Commissioner and DMR. The officials of Coal India Limited shall also be present at the depots to check the correctness of the procedure adopted therein.
- d. The 'Transit Pass' shall be valid only for transport of coal from pitheads to the notified Designated depots and it shall have a validity period of not more than 15 (Fifteen) days.
- e. Grant of permission to transport the coal to the designated depot shall be decided by the District Administration and DMR upon satisfactory production of all records.
- f. Office of the DMR shall issue press release mandating all coal owners to get the coal sample tested in NABL accredited laboratories. The copy of the test result shall be enclosed before making an application to transport coal from pithead to designated depot.

5. Form and Particulars of Transit Pass:

- a. The Transit Pass issued shall be different from Mineral Transport Challan (MTC) and mentioned as 'Transportation of coal within Meghalaya State' and each transit pass shall mention the place of origin/storage and route to the designated depot and the quantity permitted to be so transported.
- b. It shall be the duty of Deputy Commissioners, DMR and Police to ensure that the assessed coal is not transported to other places or outside the State.
- c. There shall be no transportation without permit in the form of 'Transit Passes.' Any transportation without issuance of 'Transit Pass' or contrary to the permission stated on the Transit Pass, shall be deemed to be an offence and may result in prosecution of the persons involved in such illegal and unauthorized transportation and seizure of such coal and the vehicles by the Government of Meghalaya. The said seized coal shall be dealt with by the State in accordance with Section 21 of the MMDR Act, 1957 as directed by the Hon'ble Supreme Court in paragraph 189 of the Judgment dated 03.07.2019 passed in Civil Appeal No 10720 of 2018.

6. Mode and manner of Transportation of coal by coal owners from pitheads to Designated Depots after issuance of 'Transit Pass':

- a. The issuance of temporary 'Transit Pass' shall be a mandatory pre-requisite for transport of all coal from pithead to designated depots. However, even after receipt of 'Transit Pass', it shall be mandatory for transportation to be carried out strictly in accordance with the instant policy and all applicable statutory and regulatory framework, including the provisions of the MMDR Act 1957, Environment Protection Act 1986, rules and guidelines issued thereunder from time to time.
- b. It shall be duty of the State Government to have the quantity of coal measured prior to its entry into the designated depots at nearby designated weighbridge and weighment slip shall be enclosed along with Transit pass. No coal shall be permitted to be dumped at designated depot without such a certificate of weighment.
- c. The DMR shall ensure the installation of CCTV cameras at the concerned weighbridges. Sufficient security shall also be deployed by the District Administration at the weighbridges to ensure strict compliance of the instant policy.
- d. The validity of the Transit Pass is only for 15 (Fifteen) days from the date of issuance and the transportation of coal from the pit heads to the depots shall be completed within 15 (Fifteen) days from the date of issue.

7. Verification process at Designated Depots:

- a. The DMR shall get installed CCTV cameras at entry gate of depots and each consignment entering and exiting the depot shall be video recorded and footage of such recording between the date of commencement of the process of dumping of coal for e-auction till conclusion of auction process shall be stored for one year by DMR.
- b. Coal received in the depot shall be stacked grad-wise. As far as practicable, coal belonging to same grade shall be put up for single auction in a particular depot. Lot will be prepared for each grade stacked in the Designated Depot. Each lot can have coal from more than one owner, but having same grade. The Director of Mineral Resources (DMR) will maintain register for names of coal owners and quantity from respective owner in each lot. A unique lot number shall be assigned to each lot.

- c. Receipt will be handed over to owners after receiving the coal in the depot indicating quantity of coal received in the depot. However, final payment to the owners shall be made on the basis of actual weighment which will be weighted at the designated depot of coal at the time of dispatch.
- d. A separate register shall be maintained for each stock and the quantity of coal in each lot and other required details shall be recorded in the register. Similarly, corresponding entries shall be made in respect of that lot at the time of loading of coal post auction. The register shall be signed jointly by officials of DMR and owner of stocks after verification of details.
- e. The decision of the officials of the Deputy Commissioner and DMR on matters pertaining to categorization of lots, weighment, quality and payment shall be final and that the coal owners or buyers shall have no claim against the State Government or Coal India Limited with regard to quality and quantity etc.

8. Auction process:

- a. Government of Meghalaya shall depute sufficient number of officials to plan, execute and monitor sale of coal through e-auction. CIL shall deploy manpower to the weighbridges attached to the Designated Depots and provide such other support for accounting the 32,56,715 MT of auctioned coal.
- b. Quantity of Coal to be considered for disposal through instant process of e-auction by CIL shall be limited to the lots, details of which have already been submitted before the Hon'ble Supreme Court and shall be limited to 32,56,715 MT. In this regard, the competent authorities shall give a certificate to the CIL that the coal offered for auction in a particular depot is part of **32,56,715 MT.**
- c. The Coal owner shall get their coal sample tested for Gross Calorific Value (GCV) from any NABL accredited laboratory. The information regarding requirement of having such certificate shall be made by the DMR.
- d. The certificate from an NABL accredited laboratory shall be submitted by each owner seller to the Government of Meghalaya to be forwarded to the CIL/MSTC Ltd in respect of each lot which shall be displayed against each lot to be put up for auction. A copy of the NABL test report shall be made available to the bidder upon request. Thereafter, any dispute in respect of the quality of coal in that lot will be *inter set* the seller and bidder and Government of

Meghalaya/CIL/MSTC shall neither entertain any claim in this regard nor owe any responsibility to either the seller or the bidder.

It shall be open to the prospective bidder to physically visit and verify the quality of coal in a particular lot to satisfy himself/itself before making the bid and no claim will be entertained by the Government of Meghalaya/CIL/MSTC in this regard nor will they have any responsibility for quality of the coal in a particular lot. The prospective bidder shall be at liberty to take two random samples per lot up to a maximum of 2kgs per sample to get the sample tested in any laboratory of his choice.

- e. 'Notice for e-auction' shall be issued only after completion of stacking of coal for auction in a particular yard in a designated depot.
- f. Reserve Price shall be the sum of pithead price notified under CIL's Price Notification No.CIL:M&S:GM(F)/Pricing 2018/07 dated 8.1.2018 and the add-on notified for NEC, vide CIL's Price Notification No.CIL:M&S:Pricing 2018/327 dated 26.9.2018. The copies of the said notifications are annexed herewith as Annexure 2 and Annexure 3 for ready reference.
- g. The prospective bidders are required to submit an EMD of Rs.200 per MT of the quantity of coal they intend to purchase.
- h. Coal India Ltd. and Government of Meghalaya shall formulate terms and conditions of e-auction in consultation with MSTC Ltd. The auction period shall be 14 (Fourteen) days from the date of issue of auction notice in the website of MSTC Ltd and Mining and Geology Department respectively. Bidders shall be allowed to inspect lots before participating in e-auction process.
- i. While any citizen of India is eligible to participate in the competitive bidding of coal put up for auction, however, only such individuals who belong to the notified Schedules Tribes of Meghalaya or those non-tribals who possess a trading license issued by Autonomous District Councils of Meghalaya and a valid GSTN Registration will be entitled to sell the coal procured through the aforementioned auction within the State of Meghalaya to any prospective buyer who is a resident of Meghalaya state.

Before participation in the e-Auction, a prospective Bidder shall be required to get itself/ himself registered with the service provider, MSTC Limited by online submission of application in the prescribed format available on the website of the Service Provider along with documents as prescribed in the auction notice.

- j. The successful bidder shall transfer the total bid amount to separate bank account opened, maintained and notified by the MSTC for the instant auction

process before lifting the auctioned coal. The successful bidder shall, in addition to the bid amount, shall also deposit Royalty at the rate notified by the State Government, contribution to Meghalaya Environment Protection and Restoration Fund (MEPRF), Cess under Meghalaya Minerals Cess Act, 1988, GST and GST Compensation Cess at the following rates:-

- i. Royalty- Rs. 675 per MT;
- ii. MEPRF- Rs. 485 per MT;
- iii. Cess- Rs. 300 per MT;
- iv. GST- 5% of the bid value, royalty, MEPRF and Cess;
- v. GST Compensation Cess @ Rs. 400 per MT and
- vi. 1 % TCS on the above charges under Income Tax Act.

The successful bidder shall remit the entire payment as aforesaid after adjusting the EMD within 10 (Ten) days from the date of completion of auction proceedings failing which the bid shall automatically stand cancelled and his/their EMD forfeited. The amount of EMD(s) so forfeited shall be transferred to the Government of Meghalaya after deducting 10% of the same, which 10% shall be transferred to CIL as facilitation fee. The lot for which the bid is cancelled shall be auctioned afresh.

- k. The EMD of the unsuccessful bidders shall be refunded by MSTC only against the online refund request raised by the bidder and the processing of online refund will be completed within 3 (three) working days.
- l. The cost of transportation of coal after conclusion of bidding process and auction shall be that of the successful bidder from the designated depot.
- m. The cost of loading of coal in trucks/vehicles of the auction purchaser at the designated depot, including labor and instrumentation, shall be that of the buyer.
- n. The employment of the labor shall be compliant with the applicable Labor laws, with particular reference to the following: -
 - i. No child labor under age of 18 (Eighteen) years shall be employed either by any employer or any contractor engaged by the employer in terms of Section 45 of the Mines Act, 1952.
 - ii. Health and safety norms as laid down in Chapter V and VI of Mines Act, 1952, shall be complied particularly by providing helmets, masks, hand gloves, safety shoes and raincoat to laborer.
 - iii. Appropriate compensation shall be paid in the event of accidental injury or death as provided under Employees Compensation Act, 1923.

- iv. Wages to the laborer shall not be less than the prescribed minimum Wage rate applicable in the State.
- v. Inter-State migrant workman shall register with the concerned Deputy Commissioner or the Commissioner of Labor who are registering officers under the Inter-State Migrant Workman Act, 1979.

9. Payments and maintenance of accounts:

- a. The successful bidder shall transfer all the dues to an account opened for this purpose by the MSTC. The MSTC shall transfer 10% of the bid value to CIL and the remaining sum to the Government of Meghalaya within 3 (Three) days of receipt of amount. The interest accrued on such amount shall be transferred by MSTC to the Government of Meghalaya along with the collected amount.
- b. A joint bank account shall be opened in the name of 'Proceeds of Auctioned Coal, Meghalaya' to be operated jointly by the Director of Mineral Resources, Meghalaya and Joint Secretary to Government of Meghalaya, Mining and Geology Department as a Saving Bank Account which shall be opened only in the scheduled/nationalized bank.
- c. The Government of Meghalaya, after deducting Royalty, MEPRF, expenses of transportation of coal from pithead to depot, Cess, GST, GST Compensation Cess and 1% TCS under IT Act shall transfer the remaining amount to the account of actual owner of the coal stock after completion of dispatch of coal by the buyer which shall not be more than thirty (30) days from the date of issuance of MTCs.
- d. The MEPRF amount received by the Government of Meghalaya shall be transferred to the designated MEPRF Account maintained by the Mining and Geology Department, Government of Meghalaya within 30 (Thirty) days.
- e. The owner(s) of the coal which has been put up for auction in a particular depot shall not be eligible to participate in the auction process pertaining to the coal in the same depot.

10. Post Auction Transportation:

- a. The successful bidders shall be required to comply with all statutory and regulatory requirement including the provisions of the MMDR Act 1957, Environment Protection Act, 1986, while transporting the Coal after purchase.

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- b. Transportation of auctioned coal shall be allowed under the cover of Mineral Transport Challan (MTC) having multiple security features, including unique QR Code also, issued by the Mining and Geology Department, Government of Meghalaya. Details of all MTCs issued by DMR shall be entered in a ledger maintained in the DMR office.
- c. The MTCs shall be issued by DMR on receiving authenticated confirmation letter and payment invoice from MSTC after payment of necessary dues by successful bidder. MSTC shall issue confirmation letter in duplicate, one to the successful bidder and the other to DMR. MTCs shall be issued only after verifying both the copies. MTCs shall be countersigned by the officials of CIL posted at the weighbridge of the Designated Depot.
- d. The MTCs shall be issued by DMR on receiving authenticated confirmation letter and payment invoice from MSTC after payment of necessary dues by successful bidder. MSTC shall issue confirmation letter in duplicate, one to the successful bidder and the other to DMR. MTCs shall be issued only after verifying both the copies. MTCs shall be countersigned by the officials of CIL posted at the weighbridge of the Designated Depot. The MTCs shall be issued against the quantity for which dues have been paid by the successful bidder. For each consignment, 4 (Four) copies of MTCs shall be issued, one office copy and three copies to be handed over to the buyer or his authorized representative. The MTCs shall mention the date of issue, name of designated depot, destination, exit point and the route to be followed from origin to the destination.
- e. The buyer is required to approach the designated coal depot with the 3 (Three) copies of MTC. After completion of loading, the in-charge of the depot shall retain one copy of the MTC after obtaining the signature of the buyer in acknowledgment of receipt of coal. The in-charge of the Depot shall issue the tax-invoice to the Bidder on behalf of the owner of the coal. The MTC shall be countersigned by the in-charge of the depot and the official of NEC/CIL posted at the weighbridge of the Designated Depot. The in-charge of the depot shall also certify the delivery of coal on the other two copies of the MTC and the same shall be handed over to the buyer. Any loaded truck shall necessarily carry both the copies of MTC which are signed by the in-charge of the depot indicating the date of delivery of coal. Any movement of loaded consignment of coal without MTC or with MTC not having the certification by the person in-charge of the depot regarding delivery of coal will be considered as illegal coal

and action shall be taken by Meghalaya Government against such illegal coal in accordance with law.

- f. At the state exit point, consignment of each truck shall be weighed, and all the coal laden trucks shall be checked for valid documents. The tare weight of the vehicle shall be based on the RC of each vehicle. All exit points shall be manned by officials of the DMR, Government of Meghalaya and details of all challans shall be entered in the ledger maintained for that purpose which shall contain signature of the officials of DMR. At the exit point, the QR code shall be scanned and the respective MTC shall stand invalidated after scanning of QR Code at Exit point. An endorsement 'Used Challan' shall also be inscribed on the MTCs.
- g. The transporter shall produce Mineral Transport Challans to the DMR check post at state exit point and the officer-in-charge of check post shall physically verify consignment, place their signature and seal on MTC. Original copy of MTC shall be retained and duplicate Copy shall be handed over to the consignor. The challans shall be properly stamped and QR Code scanned at the exit point so that they cannot be reused.
- h. CCTV shall be installed at the exit check gate and video recording of each consignment shall be made at check gate to capture front side of truck, rear side of truck with registration number and from top to capture images of consignment to determine nature of consignment. CCTV footage of one year shall be stored at the check gates.
- i. The trucks transporting coal shall have valid Registration Certificate (RC) from the Transport Department. A fluorescent sticker '**Coal sold under Supreme Court Order**' to be issued by DMR, shall be pasted on the windshield from inside of the truck. The sticker shall bear the printed/facsimile signature of the Chairman of Meghalaya NGT Committee. The sticker shall also be signed by the officers on the backside of the sticker, who will be the signatory to the MTC. One fluorescent sticker shall be issued chronologically against one MTC.
- j. The loaded truck shall be fully covered with waterproof tarpaulin during period of transportation so that there is no spillage. Adequate free board shall be kept to avoid spillage. In case of spillage, the transporter shall ensure that the spilled coal is collected and transported to destination. There shall be no washing of coal en-route.
- k. Overloaded coal trucks shall be asked to offload the excess quantity in the space provided for the purpose at the weighbridge itself as per Section 23C of MMDR Act 1957. This offloaded coal shall be auctioned by the concerned

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Deputy Commissioners in accordance with law and in accordance with the guidelines for transportation of the extracted coal issued on 1st September 2014 by the Committee constituted by the Hon'ble NGT vide order dated 1st August 2014 in OA No 73 of 2014.

- l. The officers authorized by the State Government under subsection (4) of Section 21 of MMDR Act, 1957 shall seize the coal which is transported without any lawful authority along with the vehicle used for such unlawful transportation of coal and make written complaint before competent Court.
- m. The validity of the MTC is 30 days from the date of issuance of the MTC and ordinarily, the validity shall not be extended beyond 30 days. The successful bidder shall complete the evacuation of allotted coal from the designated depot within 30 days.
- n. No addition of fresh coal shall be allowed till the evacuation of the entire auctioned coal in that particular yard.

11. Less Delivery/Less Lifting of Coal.

- a. For quantity not delivered to bidders due to seller's failure, the corresponding amount shall be refunded to the buyer by the State Government.
- b. For quantity not lifted by bidders due to bidder's failure, EMD shall be forfeited and the balance amount of bid value shall be refunded by State Government to the bidder. However, CIL shall be entitled to 10% of the amount of EMD so forfeited.

12. Notification of Designated Exit Points.

- a. All Coal laden trucks carrying coal under this auction process shall have follow the route prescribed on the MTCs and will need to pass through one of the following 17 (Seventeen) designated exit/check points or any other exit/check point notified by the State Government from time to time, which will be manned jointly by the officials of the State Government so that there is no leakage of revenue to state exchequer and there is no misuse of MTCs issued under the present dispensation of coal. The mentioned list is only indicative and is subjected to change.

Sl. No.	Location	Area to Cover (Clusters)
1.	Ratacherra Village, East Jaintia Hills District. (All Mineral laden trucks exiting to Assam via Silchar Pass through this village).	For all Trucks exiting to Assam via Silchar in NH 6. Proximity to auctioned coal sites
2.	Khup village, East Jaintia Hills District (For local transportation)	For trucks transporting minerals to Cement Industries.
3.	Umyra Village, for local transportation and to Cement industries	For trucks entering to cement industries originating from places other than Khup village Proximity to auctioned coal sites.
4.	7 th Mile Village, West Jaintia Hills	For trucks exiting to East Khasi Hills and passing through Jowai Town via NH 6 and NH 44(E)
5.	Amsarin Village	From Jaintia Hills exiting to Bangladesh via Tamabil
6.	IewsyiemlarbamonMukertilla (Pynursla)	From Khasi Hills exiting to Bangladesh via Tamabil
7.	Saphai Village, West Jaintia Hills District	For trucks exiting to Garampani via Assam
8.	Umling Village, RiBhoi District	For trucks exiting to Guwahati in Assam via NH 6.
9.	Borsora	For all trucks exiting to Bangladesh in south-west Khasi Hills via Borsora LCS.
10.	Cherragaon	For trucks transporting minerals to Bangladesh
11.	Bagli	For all trucks exiting to Bangladesh in south-west Khasi Hills via Bagli LCS.
12.	Athiabari	For all trucks exiting to Assam via

		Athiabari in West Khasi Hills.
13.	Gasuapara	For all trucks exiting to Bangladesh in Garo Hills via Gasuapara LCS.
14.	Baghmara	For all trucks exiting to Bangladesh via South Garo Hills via Borsora LCS.
15.	Mahendraganj	For all trucks exiting to Bangladesh via Mahendraganj in West Garo Hills.
16.	DepaGarat	For trucks going to Assam via Dudhnoi
17.	Bajengdoba Checkpoint	For trucks going to Assam via Bajengdoba and Jengjal

- b. All the above exit points shall be under the authority and supervision of the Mining and Geology Department till the completion of transportation of extracted coal.
- c. The movement of coal laden trucks along the transportation route shall be monitored by mobile patrolling teams consisting of Police, DMR, Transport, Taxation Department and Executive Magistrate to be detailed by Deputy Commissioners. The patrolling team shall conduct checking on highways and other roads for verification of the Mineral Transport Challan and seize the trucks without valid documents. Traffic shall be regulated by State Police and speed limit of 40 (Forty)kmph shall be enforced for these trucks.

13. **Indemnity and Dispute Resolution.**

- a. It is hereby clarified that the instant auction process is being conducted in accordance with the directions of the Hon'ble Supreme court and in order to ensure minimization of adverse impact on environment as a consequence of transportation of coal.
- b. The instant auction process is being conducted on the basis that the Government of Meghalaya has been deputed as the custodian cum receiver of coal extracted at various pit heads in Meghalaya. As such, it is hereby clarified that no-claim shall lie against the government of Meghalaya/CIL, either by the owners of the Coal, or the bidders, transporters and participants in the auction

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process in relation to the manner and mode of conduct of auction process. It shall be open to the prospective bidder to physically visit the lots to verify the quantity and quality of coal in a particular lot to satisfy himself before making the bid and no claims shall be entertained by the Government of Meghalaya/CIL/MSTC nor will they bear any responsibility for quality and quantity of the coal in the particular lot.

- c. It is further clarified that matters pertaining to quality, lot sizes, weightment being technical issues are to be determined by the State Government in consultation with Coal India Ltd. No claim shall lie against the State Government or Coal India Ltd. in relation to any decision in relation to any issues arising out of, or in relation to the conduct of auction process.
- d. By participating in the auction process, the mine owners and the buyers are deemed to have agreed to indemnify the State Government and the Coal India Limited during the conduct of auction process.
- e. The State Government shall notify Grievance Redress Forum with a retired District Judge as Chairperson and one representative each from State Government and reputed NGOs members for redressing the grievances between buyers and stock owners.

14. This Comprehensive Plan shall be reviewed periodically and modifications in the Plan may be made, if necessary.

This Revised comprehensive plan has been approved by the NGT Committee, Meghalaya headed by Hon'ble Justice Mr B.D Agarwal, Former Judge of Gauhati High Court during the 24th sitting held on 3rd August, 2020.

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**MR. S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE FROM INDIAN SCHOOL OF MINES,
(IIT – ISM), DHANBAD
(Email id: bhowmik44@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)**

IN THE MATTER OF

Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Mr. C. P. Marak, IFS (Retd),**
Chairman,
Meghalaya State Pollution Control Board
Government of Meghalaya
Email id: megspcb@rediffmail.com,
cpmarak1@gmail.com
- :** **Shri S.M. Sahai, IFS**
Addl PCCF Research & Training
Forests & Environment Department
Govt of Meghalaya
- :** **Mrs. I. Nongrang, IPS**
Addl. Director General of police (L & O)
Meghalaya, Shillong
Email id: adgplo.mlp-meg@gov.in
- :** **Mr. W. S. Manner, IFS**
CCF Social Forestry & Env
& Member Secretary, SEIAA
Forests & Environment Department,
Government of Meghalaya
- :** **Mr. W.I. Yatbon, IFS,**
Deputy Inspector General of Forests (Central)

Ministry of Environment, Forests & Climate
Change, North Eastern Regional Office, Shillong
Email id: yatbon123@gmail.com

- : **Mr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya,
Mining & Geology Department
Email id: manju2020@gmail.com
- : **Mr. A. Kembhavi, IAS**
Director, Directorate of Mineral Resources,
Government of Meghalaya,
Email id: arunkumar.kembhavi@gmail.com
- : **Mr. K. D. Talukdar**
Chief Engineer,
Public Health Engineering Department,
Government of Meghalaya
Email id: cephe.meg@yahoo.com
- : **Mr. B. Hajong, MCS**
Joint Secretary,
Revenue & Disaster Management Department,
Shillong
Email id: mgkrevdm@gmail.com
- : **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board,
Regional Directorate North East, Shillong
Email id: zchangsan.cpcb@nic.in
- : **Mr.N. Bhattacharjee,**
Chairman
State Level Expert Appraisal Committee,
Meghalaya
Email id: nabameister@gmail.com
- : **Mr. J. H. Nengnong,**
Member Secretary
Meghalaya State Pollution Control Board, Shillong
Email id: megspcb@rediffmail.com
- : **Mrs. I. Mawlong**
Joint Secretary
Revenue & Disaster Management Department,
Shillong
Email id: mgkrevdm@gmail.com
- : **Mr. M. Somorjit Singh**

Scientist, North Eastern Space Application Centre,
Department of Space, Government of India,
Umiam,
Email id: msomorjit69@gmail.com

- : **Prof. O. P. Singh,**
Department of Environmental Studies,
North Eastern Hill University
Email id: opsinghnehu@gmail.com
- : **Dr. H. Tynsong,** Scientist 'D',
Ministry of Environment, Forests & Climate
Change, North Eastern Regional Office, Shillong
Email id: h.tynsong@gov.in
- : **Smti. R. Kynjing**
Executive Engineer, Rural Water Supply Division,
Public Health Engineering Department, Jowai,
Email id: ronkyn88@gmail.com
- : **Mr. M. Passah**
Sub – divisional Officer, Public Health Engineering,
Khliehriat, Government of Meghalaya
Email id: montripassah@icloud.com
- : **Mr. I. R. Lyngdoh**
Meghalaya Institute of Natural Resources –
Meghalaya Basin Development Authority,
Government of Meghalaya
Email id: iaisn.ryngkat@gmail.com
- : **Deputy Commissioner**
East Jaintia Hills District, Khliehriat.
- : **Deputy Commissioner**
West Jaintia Hills District, Jowai
- : **Deputy Commissioner**
West Khasi Hills District, Nongstoin
- : **Deputy Commissioner**
Ri-Bhoi District, Nongpoh
- : **The Deputy Commissioner**
South West Khasi Hills District, Mawkyrwat
- : **The Deputy Commissioner**
East Garo Hills District, Williamnagar

PROCEEDINGS NO. 23

RECORD OF MINUTES OF TWENTY THIRD SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B.D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD THROUGH VIDEO CONFERENCE ON 01ST JULY, 2020 AT 11:00 A.M. AT MAIN CONFERENCE HALL, MAIN SECRETARIAT BUILDING, MEGHALAYA, SHILLONG-793001.

AGENDA

- I. Review of the progress and action taken by the concerned departments/ authorities/organizations in the matter of implementation of the Action Plan (prepared by the National Green Tribunal Committee, Meghalaya) for restoration of environment damaged on account of illegal coal mining in Meghalaya as directed in the 21st Sitting of the NGT Committee on 14.02.2020.
- II. Status of compliance of the directions of the Hon'ble NGT in their order dated 17.01.2020 in O.A No 110(THC)/2012:
 - (i) Report from District Magistrates (Deputy Commissioners) regarding sale of seized equipments and trucks involved in illegal mining and transportation;
 - (ii) Progress by Mining & Geology Dept in the matter of installation and making fully functional, within a month, a system involving establishment of a centralised server, uploading of transport permit/challans and tracking of coal loaded trucks through GPS and RFID tags as stipulated in the EIA Notification, 2016;
 - (iii) Furnishing to the NGT Committee, Meghalaya, the details of the exporters by Mining & Geology Department for each consignment of coal originating from Meghalaya which was allowed by the Mining and Geology Department, Meghalaya for export to Bangladesh from each of the seven LCS in Meghalaya since the ban on rat hole coal mining in Meghalaya imposed by the Hon'ble NGT in April, 2014;
 - (iv) Action by Mining & Geology Department against aforesaid defaulters in accordance with provisions of Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 in addition to action under

- sub-section (5) of Section 21 of the said Act to recover price of such illegally raised coal along with rent, royalty or tax;
- (v) Preparation of Disaster Management Plan in relation to coal mining related tragedies or disaster by concerned authorities (Revenue & Disaster Management Department);
 - (vi) Progress of the Pilot Project for treatment of acidic water;
 - (vii) Progress of the Pilot project for reclamation and afforestation of coal mine affected land;
 - (viii) Progress in preparation of guidelines by CPCB and Govt of Meghalaya for utilization of Rs100 Crores deposited with CPCB by Govt of Meghalaya;
 - (ix) Statistics and status of cases registered U/s 21 of the MMDR Act for the year 2018-19 and 2019-20 – Information to be provided by the Police Department;
 - (x) Progress to be reported by Mining and Geology Department in the matter of developing coal mine surveillance system in Meghalaya by NESAC;
 - (xi) Progress by the State of Meghalaya in the matter of realization of royalty, GST/VAT, contribution to the MEPR Fund and any other statutory tax and/levy payable on the illegally mined coal utilised by the Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya (listed in the order of the Hon'ble NGT dated 17.01.2020) after the ban on illegal rat-hole mining was imposed by the Tribunal in April 2014 in the State of Meghalaya;
 - (xii) Progress by the State of Meghalaya in the matter of realization from each of the aforementioned Cement Manufacturing Plants and Thermal Power Plants who have used illegally mined local coal after the ban on illegal rat-hole coal mining since April 2014, at the rate of Rs. 400 per tonne of coal which is being utilised by each such plant on or after the date of the order of the Hon'ble Tribunal (17.01.2020) and deposit the same in the MEPR Fund;
 - (xiii) Progress by the State Government regarding establishment of integrated check post and tamper proof weigh in motion way bridges in the 7 LCSH;

- (xiv) Progress by the State of Meghalaya (Revenue and Disaster Management Department) in the matter of disbursing an amount of Rs Five lakhs to next of kin of each of the labourers who were killed while working in any illegal rat-hole coal mining in the State of Meghalaya including the labourers which were killed in a tragic accident in an illegal rat-hole mine in Ksan village in East Jaintia Hill district in December 2018;
 - (xv) Progress by the Police Department in ensuring that all the persons and vehicles, equipment, tools and machineries involved in raising and transportation of about 80,000 MT seized by the Meghalaya Police are identified, and necessary action as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and all other relevant Statutes are initiated;
 - (xvi) Progress by the Police Department in providing to the Meghalaya State Pollution Control Board details of persons involved in illegal mining and transportation of the coal and the progress by the Meghalaya State Pollution Control Board in filing complaint before the concerned competent Court of Law under Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules, guidelines and notifications issued thereunder against such persons.
- III. Progress in utilization of Rs100 Crores deposited with CPCB by the concerned authorities for restoration of environment of Meghalaya.
- IV. Strategies and action taken by the Police Department to prevent illegal coal mining and transport of illegal coal.

PROCEEDINGS

AGENDA- I

- I. **Review of the progress and action taken by the concerned departments/ authorities/organizations in the matter of implementation of the Action Plan (prepared by the National**

Green Tribunal Committee, Meghalaya) for restoration of environment damaged on account of illegal coal mining in Meghalaya as directed in the 21st Sitting of the NGT Committee on 14.02.2020.

1. Clause A of the Action Plan, which relates to prevention of human and animal deaths by accidental falling in coal mine shafts, comprises various sub-components: With respect to clause A.1 - identification and delineation of coal fields as well as each coal mine, coal shaft, coal dump etc- in continuation with the earlier similar exercise initiated by NESAC they were requested to furnish a detailed cost estimate for preparation of such maps for the remaining districts viz., West Khasi Hills, South Garo Hills and South West Khasi Hills and submit a report to this Committee.

The North Eastern Space Application Centre have presently submitted detailed cost estimate for preparation of maps for the remaining three coal mine bearing districts viz. West Khasi Hills, South Garo Hills and South West Khasi Hills totalling Rs. 60 lakhs covering all the three districts. The detailed estimate would be forwarded to the Mining & Geology Department who will meet the said expenditure from MEPR Fund after obtaining approval from the Committee.

2. A2 of the action plan relates to creation of awareness about ill effects of illegal coal mining: Education Department was requested in the previous sitting of the Committee to furnish a status report on the progress of implementation of A2 of the action plan.

None represented the Education Department during the current proceedings nor any status report has been furnished by them to the Committee prior to the date of the current sitting of the Committee.

In this regard the Secretary Mining & Geology Department informed that a sum of Rs 25,000/- per training session will be released by them to Education department from MEPR Fund for

taking further necessary action relating to this component of the Action Plan after the MEPR Fund guidelines are notified by the State Government.

3. A3 of the action plan relates to installation of signboards etc:

The Secretary, Mining and Geology Department apprised the Committee that they have so far installed 45 signboards in East Jaintia Hills District in areas having presence of coal mines. He also submitted that the remaining districts will be covered after APO is submitted in this regard by the Director, DMR after the MEPR Fund guidelines ('guidelines' for short) are notified. He further stated that on receipt of the APO from the Director requisite fund will be released by the Department from MEPR Fund to undertake the said activity.

The Committee is of the view that it is desirable to place sign boards along the road leading to the coal mine, covering all possible approach paths. The sign boards should be painted with fluorescent paint, so that it is visible at night considering that chances of accident are more during night time than during day time.

4. A4 of the action plan relates to erection of physical barriers at periphery of shafts of mines where coal reserve has not been exhausted: The Deputy Commissioners of all coal mine bearing districts were directed in the previous sitting of the Committee to submit a report on progress in erection of physical barriers at periphery of shafts of mines where coal reserves have not been exhausted by the mine owners, and steps taken by the District Administration to obtain such proposals from the mine owners who have not embarked on any such activity.

The Deputy Commissioners of West Khasi Hills, East Jaintia Hills & East Garo Hills stated that they have issued notices to the mine owners and feedback is yet to be received from the miners. The DC West Khasi Hills submitted that directions in this regard

have been issued by him under Section 144 CrPC but report of compliance is yet to be received from the coal mine owners.

The Deputy Commissioners of all coal mine bearing districts are again requested to take needful action in this regard and submit report of progress to the Committee within four weeks.

5. A5 of the Action Plan relates to Closure of shafts of mines where coal reserves have already been exhausted: Mining & Geology Department during the previous sitting of the Committee were requested to submit through an appropriate APO further fund requirement for the purpose of installation of sign boards in areas having presence of coal mines where the coal reserves are exhausted and the Deputy Commissioners were requested to take steps to create awareness on erection of physical barriers by coal mine owners around such coal shafts.

The Secretary, Mining & Geology Department apprised the Committee that they have so far installed 45 (forty five) signboards in East Jaintia Hills District in areas having presence of coal mines. The Committee is however not sure whether these coal mines correspond to those where the coal reserves are exhausted. The Secretary, Mining & Geology Department is requested to clarify in this regard.

The Secretary, Mining & Geology Department submitted that installation of similar sign boards would be done after APO in this regard is submitted by the Director, DMR after guidelines are notified. On receipt of the APO funds would be released from MEPR Fund.

The Deputy Commissioners during the previous sitting of the Committee were requested to take steps to create awareness on erection of physical barriers by coal mine owners around such coal shafts. However, no report of concrete action has been received from any of the DCs. The Deputy Commissioners of coal mining affected districts are again requested to take concrete steps in this regard to create awareness on erection of physical barriers by coal

mine owners around such coal shafts and submit report of progress in this regard within four weeks.

Further, the mine owners should be made aware of the circulars issued by the Director General, Mines Safety in relation to closure or sealing of mine shafts and fencing/erecting barriers for mines which need to be followed by them.

6. A.5.1 of the Action Plan relates to controlled blasting to secure closure of shafts where coal reserve has already been exhausted:

During the earlier sitting of the Committee the CIMFR-CSIR were requested to make a power point presentation on the matter before the Committee but due to the prevailing situation the personal presence of the officials of CIMFR-CSIR could not be secured.

The Member Secretary, MSPCB is requested to liase with CIMFR-CSIR in this regard and obtain a power point presentation from them through email and present the same to the Committee on their behalf on the next date of sitting of the Committee. The presentation of the CIMFR- CSIR shall cover the techniques which could be applied in Meghalaya to secure controlled blasting.

The Director DMR during the previous sitting of the Committee was requested to identify at least one abandoned coal mine where a pilot project can be undertaken by CIMFR-CSIR in respect of the safe and cost effective technique of control blasting and intimate the Committee on its next date of sitting. No report in this regard has been received from the Director DMR till date.

The Director DMR is requested to submit a report in this regard within two weeks to the Committee.

7. Component B of the Action Plan relates to prevention of Acid Mine Drainage (AMD) through various devices. B.1 refers to coal dumps of cement factories and their captive power plants. The components B.1.1 to B.1.3 are as follows:

- a. Covering of dumps by permanent sheds/ water proof tarpaulin.
- b. Construction of garland drains along with acid mine drain storage tanks.
- c. Treatment of acid mine drains collected in storage tanks.

The Deputy Commissioners of East Jaintia Hills District and Ri Bhoi Districts where cement factories and captive power plants are set up were requested during the previous sitting of the Committee to direct the cement factories and captive power plant owners to develop such devices and obtain a road map from each of them in this regard and submit the same to the Committee within two months.

No report of compliance in this regard has been received from any of the Deputy Commissioners.

The Deputy Commissioner of East Jaintia Hills informed that orders have been issued to cement factories and captive power plants owners to develop such devices but the roads map from each of them in this regard is yet to be received.

The Deputy Commissioners of East Jaintia Hills District and Ri Bhoi Districts are requested to obtain such road maps from the concerned companies through adopting strict measures if required and submit the same to the Committee within four weeks.

The Committee requests the Deputy Commissioners of Garo Hills districts in whose bordering areas in Assam such plants exist to tie up with their counterparts in Assam to secure aforesaid compliance from the cement factories and captive power plants operating therein since the ill effects of their neglect are felt in Meghalaya as well.

8. Item B.1.4 of the Action Plan relates to amendment of environmental clearance (EC) already granted to the above mentioned cement plants and captive power plants to stipulate additional conditions in

such ECs to provide for above measures in case such measures have not been stipulated:

During the previous sitting of the Committee a status report on the implementation in this regard was directed to be furnished by the the Regional Office for North East region of MoEF & CC, Shillong.

The Deputy Director General, MoEF & CC, Regional Office for NE Region, Shillong informed that the Secretary, MOEF has been formally intimated to amend the environmental clearance along the above lines. However, no reply has been received from them in this regard.

The Deputy Director General, MoEF & CC, Regional Office for NE Region, Shillong is requested to issue a reminder to MoEF & CC, GOI in this regard to do the needful within four weeks and report progress to the Committee thereafter.

9. Item B.1.5 of the Action Plan relates to revocation/ withdrawal of EC and launch of prosecution in case of non-implementation of aforementioned measures:

MoEF & CC shall take steps in this regard after concluding action as requested at SI No. 8 above.

10. Item B 1.6 of the Action Plan relates to revocation/withdrawal of CTE and launch of prosecution in case of non-implementation of afore-mentioned measures:

It was submitted by the Member Secretary MSPCB that there has been no instance of withdrawal of CTE since all units which were directed by the MSPCB for compliance have complied.

The Member Secretary MSPCB shall furnish details of compliance by the Industries in this regard within four weeks with reference to letters issued by the MSPCB and photographic evidence of compliance of the same by the industries in Meghalaya. The Secretary MSPCB shall also specifically report whether the industries covered under item at SI 8 above have also complied.

11. Item B.2 of the Action Plan relates to dumps of assessed coal.

The sub-items are as follows:

- a. Covering of dumps by water-proof tarpaulin/ permanent sheds.
- b. Construction of garland drains along with acid mine drain storage tanks.
- c. Treatment of acid mine drain collected in storage tanks.
- d. Promulgation of order under section 144 or any other relevant section(s) of IPC to prohibit open/uncovered dumping of assessed coal.

Sub items (a) to (d) are to be implemented by the plant owners. The Deputy Commissioners of West Khasi Hills, South West Khasi Hills, West Jaintia Hills & East Garo Hills Districts have furnished status report on the implementation of item B.2. Further instructions in this regard will be issued to them in due course.

12. Item B.3 of the Action Plan relates to dumps of seized coal.

The sub-items of B.3 are as follows:

- a. Construction of permanent depots for seized coal.
- b. Covering of dumps by tarpaulin/ permanent sheds.
- c. Construction of garland drains along with acid mine drain storage tanks.
- d. Treatment of acid mine drain collected in storage tanks.

The Director of Mineral Resources shall submit APOs to the relevant Committee detailing the fund requirement to secure implementation of the sub-items listed under this item within a week after the MEPR Fund guidelines are notified by the State Government and submit a report of compliance in this regard to the Committee within a week thereafter.

The Mining & Geology Department has identified land for constructing depots for seized coal. The construction will commence after the funds from MEPRF are released in this regard after the guidelines are notified.

13. Item B.5 of the Action Plan relates to insulating coal while in transit. The sub-items are:

- a. Covering of coal by waterproof tarpaulin while its transportation by road.
- b. Seizure of trucks carrying coal without covering it with waterproof tarpaulin.
- c. Promulgation of order under section 144 or any other relevant. section(s) of CrPC to prohibit open/uncovered dumping of assessed coal.

The Deputy Commissioners of South West Khasi Hills, East Khasi Hills, West Jaintia Hills & East Garo Hills have furnished status reports on implementation of item B.5 . Further instructions in this regard will be issued to them in due course.

14. Item B.6 the Action Plan relates to Rat hole coal mine openings-:

Deliberation is postponed till CIMFR-CSIR make presentation in this regard to the Committee.

15. Item B.7 of the Action Plan relates to coal mine shafts located in river/ stream bed:

Deliberation is postponed till CIMFR-CSIR gives a presentation in this regard to the Committee.

16. Item C1 of the Action Plan relates to restoration of water quality in rivers/streams affected by Acid Mine Drains (AMD):

During the previous sitting of the Committee the Chief Engineer, PHE was requested to submit status report on implementation of item C.1- Identification and prioritisation of rivers/streams to be restored- and a road map for full implementation of the same to the Committee before its next date of sitting.

The Chief Engineer, PHE has submitted the requisite status report on implementation of item C.1. Further instructions in this regard will be issued to him in due course.

17. Item C.2 of the Action Plan relates to development, refinement and transfer of AMD treatment technology:

Professor O.P.Singh, NEHU made a presentation through MBDA to the Committee along with a report on the pilot project run by his team in this regard. The Committee appreciated the efforts of Prof. Singh and his team from MBDA in this regard.

The Mining & Geology Department suggested that an independent monitoring agency, in respect of which MSPCB is currently suitable, be requested to monitor the progress and success of the three pilot projects currently underway in respect of item C.2 and submit report on the same to the Committee within four weeks. The suggestion of the Mining & Geology Department is accepted. The MSPCB is requested to submit a report in this regard within four weeks.

18. Item C.3 of the Action Plan relates to restoration of prioritised stretches of rivers/streams:

The MSPCB and the PHE Department are requested to jointly formulate action plan in this regard and submit the same to the Committee within eight weeks.

Agenda II

II. Status of compliance of the directions of the Hon'ble NGT in their order dated 17.01.2020 in O.A No 110(THC)/2012.

1. Sub-item (i) Report from District Magistrates (Deputy Commissioners) regarding sale of seized equipments and trucks involved in illegal mining and transportation of coal:

In response to a letter from NGT Committee in this regard report of compliance has been received only from the Deputy Commissioners

of East Khasi Hills and West Jaintia Hills districts respectively. Further instructions in this regard would be issued to them in due course.

The remaining DCs are requested to submit report of compliance in the aforesaid matter within two weeks.

- 2. Sub-item (ii)** Progress by Mining & Geology Dept in the matter of installation and making fully functional, within a month, a system involving establishment of a centralised server, uploading of transport permit/challans and tracking of coal loaded trucks through GPS and RFID tags as stipulated in the EIA Notification, 2016:

In the matter of installation and making fully functional a system involving establishment of a centralised server, uploading of permits/ challans and tracking of coal laden trucks, the Secretary, Mining & Geology Department submitted that in collaboration with NIC, a server will be set up shortly to upload transport permits/ challans and for introduction of QR coded challan system to enable better tracking of coal through GPS and RFID. He also submitted that the Mining & Geology Department are also instructing the coal transporters to install GPS and RFID system in the trucks used by them for transporting coal and that only after installation of these systems the coal owners would be permitted to transport coal through their trucks. It was also submitted by the Secretary, Mining & Geology that a project has been conceptualised to set up computerised check gates for monitoring mineral laden trucks exiting the State.

- 3. Sub-item (iii)** Furnishing to the NGT Committee, Meghalaya, the details of the exporters by Mining & Geology Department for each consignment of coal originating from Meghalaya which was allowed by the Mining and Geology Department, Meghalaya for export to Bangladesh from each of the seven LCS in Meghalaya since the ban on rat hole coal mining in Meghalaya imposed by the Hon'ble NGT in April, 2014:

The Secretary, Mining & Geology Department with respect to the above submitted that they are in the process of compiling data and they would be in a position to submit the same to the Committee within a month.

- 4. Sub-item (iv)** Action by Mining & Geology Department against aforesaid defaulters in accordance with provisions of Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 in addition to action under sub-section (5) of Section 21 of the said Act to recover price of such illegally raised coal along with rent, royalty or tax:

The Secretary, Mining & Geology Department submitted that in relation to illegal mining and transportation of coal they have registered 10 cases from January 2020 to June 2020 under Section 21 of MMDR Act, 1957. The Secretary, Mining & Geology Department shall initiate action under sub-section (5) of Section 21 of the said Act also to recover price of such illegally raised coal along with rent, royalty or tax and submit a report in this regard to the Committee within two months.

- 5. Sub-item (v)** – Preparation of Disaster Management Plan in relation to coal mining related tragedies or disaster by concerned authorities (Revenue & Disaster Management Department):

The Revenue & Disaster Management Department submitted that they would be submitting the aforesaid plan, which has already been prepared by them and approved by NEHU and submit the same to the Committee within two weeks.

The Committee directs that Revenue & Disaster Management Department shall comply with the same accordingly.

- 6. Sub-item (vi)** Progress of the Pilot Project for treatment of acidic water:

The Secretary Mining & Geology Department stated that a pilot project has been undertaken by Trinity Impex International and the

Environmental Science Department, NEHU. In this regard, Prof. O. P. Singh of NEHU has made his presentation before the Committee today. Trinity Impex International shall give their presentation in the next sitting of the Committee. The Secretary, Mining & Geology Department shall coordinate action in this regard.

The Mining & geology Department have communicated with the MSPCB to send an official to the site to record the PH value of the streams to enable them to record the success of the project. The MSPCB assured the Committee that they would dispatch an official in this regard.

7. Sub-item (vii) – Progress of the Pilot project for reclamation and afforestation of coal mine affected land:

In respect of progress of the Pilot Project for reclamation and afforestation of coal mine affected land the Addl PCCF (Research & Training) submitted that the proposal for pilot project for restoration of coal mine affected areas in Jaintia Hills has been duly prepared and accepted by the Committee. The amount proposed for expenditure for the first year would be submitted by him to the Mining & Geology Department for releasing under MEPR fund. The Secretary, Mining & Geology Department assured the Committee that the required sum would be released immediately after the proposal is received by them to enable the Forest Department to undertake the project. The APCCF (R&T) is requested to submit the aforesaid APO within two weeks to the Mining and Geology Department following which the Mining & Geology Department would release the requisite sum to the APCCF (R&T) within two weeks thereafter as directed by the Hon'ble NGT in their order dated 17.01.2020.

Regarding afforestation of coal mine affected land, the CCF (Social Forestry) submitted that APO in this regard has been submitted to the Mining & Geology Department for raising 300 nursery beds (during 2020-21) for afforestation purpose in four Districts viz., East Jaintia Hills, East Khasi Hills, South West Khasi Hills & West Garo Hills which will be implemented only after completion of the pilot project by

the Research & Training Wing of the Meghalaya Forest Department. In each district, 75 nursery beds will be raised. The APO for an amount of Rs. 28,73,000 has been submitted in this regard by the CCF (SF & Env) to the Mining & Geology Department for raising the 300 bed nurseries. The Secretary, Mining & Geology Department confirmed that they have received the proposal and shall release the required sum to the CCF (SF & Env) only after successful completion of the pilot project in this regard. It is to be noted that afforestation program of Social Forestry Wing is directly linked to the success of the pilot project which will finally determine the species which could be taken up for afforestation and the protocol to be followed for undertaking such afforestation in coal mine affected land.

8. Sub-item (viii) – Progress in preparation of guidelines by CPCB and Govt of Meghalaya for utilization of Rs100 Crores deposited with CPCB by Govt of Meghalaya:

The Regional Director CPCB submitted to the Committee that an application has been filed by the CPCB before the NGT on 26.11.2019 requesting permission of the NGT for transferring Rs. 100 crores to the Govt. of Meghalaya for the purpose of implementation of the Action Plan prepared by the Committee for restoration of environment in coal affected Districts in Meghalaya. The application is still pending before the Hon'ble NGT. The Committee in this regard suggested to the Regional Director, CPCB that since the case (O.A. 110(THC)/2012) is listed on 26th July, 2020 before the NGT, Principal Bench, the same could be intimated to the Counsel of the CPCB and request him to draw the kind attention of the Hon'ble NGT on the said date regarding their pending application before the NGT.

9. Sub-items (ix) & (xv) were taken up together being interlinked – Sub-item (ix) Statistics and status of cases registered U/s 21 of the MMDR Act for the year 2018-19 and 2019-20 – Information to be provided by the Police Department;

Sub-item (xv) Progress by the Police Department in ensuring that all the persons and vehicles, equipment, tools and machineries involved in raising and transportation of about 80,000 MT seized by the Meghalaya Police are identified, and necessary action as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and all other relevant Statutes are initiated;

Smt Ida Nongrang, IPS Additional Director General of Police (Law & Order), Government of Meghalaya, briefed the Committee on the progress made by the Police department in ensuring that persons involved in raising and transporting 80,000 MT (approximately) of coal which has been seized by the Meghalaya Police are identified and action is taken against them as admissible under law: It was stated by the ADG that till date 215 cases have been registered under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act, 1957), of which 154 are still under investigation, 56 are charge-sheeted and 5 have ended in Closure Report (CR). Insofar as seizure of materials, tools and equipments are concerned action too has been taken under law. Between January 2019 till date the Police have registered 138 cases of illegal mining and transportation of coal. The ADG also undertook to furnish the information with regard to illegal mining and transportation of coal from January to June 2020 within fifteen days. In this regard, the Office of the NGT Committee, Meghalaya shall furnish to the ADG the format (as designed by the Chairman of the NGT Committee) in which the aforesaid information needs to be furnished by the said Officer.

The ADG shall also furnish information on seizure of materials, tools and equipments involved in the crime within four weeks.

10. Sub-item (x) - Progress to be reported by Mining and Geology Department in the matter of developing coal mine surveillance system in Meghalaya by NESAC:

The Secretary Mining & Geology Department submitted that they have requested the NESAC for submitting a proposal for surveillance system and NESAC is already working on it and that they

would submit a report to the Mining & Geology Department on the matter. The Mining & Geology Department will follow up with NESAC for expediting submission of the proposal.

11. Sub-item (xi) – Progress by the State of Meghalaya in the matter of realization of royalty, GST/VAT, contribution to the MEPR Fund and any other statutory tax and/levy payable on the illegally mined coal utilised by the Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya (listed in the order of the Hon'ble NGT dated 17.01.2020) after the ban on illegal rat-hole mining was imposed by the Tribunal in April 2014 in the State of Meghalaya:

The Secretary Mining & Geology Department submitted that they have issued notices to the Cement and Thermal Power Plants who have used illegally mined coal but no reply has been received from them. The Secretary Mining & Geology Department submitted that the State Government would further examine the matter to explore avenues as to how to realize the sums due from them in this regard and submit a report before the Committee within four weeks.

12. Sub-item (xii) – Progress by the State of Meghalaya in the matter of realization from each of the aforementioned Cement Manufacturing Plants and Thermal Power Plants who have used illegally mined local coal after the ban on illegal rat-hole coal mining since April 2014, at the rate of Rs. 400 per tonne of coal which is being utilised by each such plant as per the order of the Hon'ble Tribunal (17.01.2020) and deposit the same in the MEPR Fund:

The Secretary, Mining & Geology with respect to the above suggested that as per the order of the Hon'ble NGT, this particular fine should be imposed on the Cement Plants and Thermal Power Plants who have used illegally mined coal after 17th January 2020 being the date of the order under discussion in OA No. 110(THC)/2012 since the

same seems to be the intent of the relevant para in the judgment of the Hon'ble NGT.

However, the Committee disagreed with the interpretation placed by the Secretary, Mining & Geology Department. It is made clear that before submitting the 5th Interim Report to the Hon'ble NGT this Committee had made an elaborate exercise to ascertain the requirement of coal by the cement and thermal plants in Meghalaya and the source of procurement of coal by them. After thorough audit this Committee prepared an exhaustive chart of utilisation of coal by the cement and thermal plants and recommended to the NGT to direct realisation of Royalty, GST/VAT and contribution of MEPR Fund etc. The relevant recommendation is extracted below:

“3.2.3- The State of Meghalaya shall realise royalty, GST/VAT, contribution to the MEPR Fund and any other statutory tax and/levy payable on the illegally mined coal utilised by these Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya after the ban on illegal rat-hole mining in the State of Meghalaya was imposed by this tribunal in April, 2014.”

The aforesaid recommendation, amongst others, was approved by the Hon'ble NGT vide its Order dated 17.01.2020. In the opinion of the Committee realisation of MEPR Fund amount and penalty of Rs. 400/- per MT stands on the same footing and the recommendation/order to realise royalty etc will apply ***mutatis-mutandis*** to realise penalty @ Rs. 400/- per MT of coal retrospectively. Thus, there is no justification for the Mining & Geology Department not to issue demand notices for the aforesaid penalty similar to the ones issued earlier to the Cement Manufacturing Plants and Thermal Power Plants for other dues. Accordingly, the Secretary, Mining & Geology Department stated that on the basis of the decision of the Committee they will issue notices for collecting Rs. 400/- per ton of coal as well from the defaulting industries. The Mining & geology Department is directed to pursue to realise the royalty etc at the earliest possible and update this Committee in the next sitting.

13. Sub-item (xiii) – Progress by the State Government regarding establishment of integrated check post and tamper proof weigh in motion way bridges in the 7 LCSH:

The Secretary, Mining & Geology Department submitted that in each of the 7LCSH there is a proposal for setting up integrated check post which has been sent to the Transport Department and action will be further pursued in the matter after the computerized check gate project takes off which would be part of that.

The Committee directs the Transport Department to intimate the progress made in this regard during the next sitting of the Committee.

14. Sub-item (xiv) – Progress by the State of Meghalaya (Revenue and Disaster Management Department) in the matter of disbursing an amount of Rs Five lakhs to next of kin of each of the labourers who were killed while working in any illegal rat-hole coal mining in the State of Meghalaya including the labourers which were killed in a tragic accident in an illegal rat-hole mine in Ksan village in East Jaintia Hill district in December 2018:

The Joint Secretary, Revenue & Disaster management Department submitted that compensation at the rate of 5 lakhs to the identified labourers who lost their lives in Ksan Village in East Jaintia Hills District in the illegal coal mining activity has been released to the Deputy Commissioner for a total amount of Rs 90 lakhs and the Deputy Commissioner has been instructed to disburse the amount as soon as possible to the next of kin of the labourers who have died. He also submitted that the Deputy Commissioner will release the amount to the affected families within two weeks. The Committee directs the Deputy Commissioner to release the amount to the affected families within two weeks.

15. Sub-item (xvi) – Progress by the Police Department in ensuring that all the persons and vehicles, equipment, tools and machineries involved in

raising and transportation of about 80,000 MT seized by the Meghalaya Police are identified, and necessary action as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and all other relevant Statutes are initiated;

With regard to providing the MSPCB the details of persons involved in illegal mining and transportation of coal, the ADG (L&O) stated that they have submitted information to the MSPCB in respect of the following districts viz. East Jaintia Hills, North Garo Hills, East Garo Hills, West Garo Hills, and South West Khasi Hills districts.

The Chairman Meghalaya State Pollution Control Board submitted that they have received the information pertaining to accused persons from the aforesaid Districts and they are taking up the matter with their Counsel for taking further legal action as admissible under law.

Agenda IV

Strategies and action taken by the Police Department to prevent illegal coal mining and transport of illegal coal.

The Additional Director General of Police (L&O) submitted that a dedicated helpline to prevent illegal mining and transportation of coal has been set up which has been functional since March 2020 and that a system for rewarding informers is also in place. The Officer stated that the police are also undertaking surveillance in remote areas in coordination with the Mining & Geology Department and that she would instruct the Superintendents of Police to take further necessary steps towards prevention of illegal coal mining. The ADG also briefed the Committee on the efforts taken so far towards controlling illegal coal mining. It was submitted that 75% of the 215 cases registered by police with respect to illegal coal mining, have been done *suo motu* by them. From among these 215 cases registered since January 2019 to June 2020, 154 are still pending investigation, 56 have been charge-sheeted, and 5 have ended in CR. The Committee appreciated the efforts of the Police in this regard.

The Chairman thanked all present in the venue of the meeting and also all those who participated in the deliberations of the Committee through video conference and concluded the meeting.

hand

(Justice (Retd) B.D. Agarwal)
Chairman, NGT Committee, Meghalaya

QUORUM

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**MR. S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE FROM INDIAN SCHOOL OF MINES,
(IIT – ISM), DHANBAD
(Email id: bhowmik44@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)**

IN THE MATTER OF

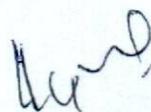
Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Prof. Shri S.C. Bhowmik,**
Member, NGT Committee, Meghalaya,
Indian School of Mines,
IIT-ISM, Dhanbad. Sardar Patel Nagar,
Jharkhand-826004
Email id: bhowmik44 @gmail.com.
- :** **Dr. Shantanu Kumar Dutta,**
Member, NGT Committee, Meghalaya,
Addl. Director, Central Pollution Control Board,
Regional Directorate Shillong, Nongthymmai,
Meghalaya, Shillong.
Email id: shantanucpcb@gmail.com
- :** **Shri S.M. Sahai, IFS**
Addl Principal Chief Conservator of Forests,
(Climate Change, Research & Training)
Forests & Environment Department
Govt of Meghalaya
Email id: sushileshmsahai@gmail.com



- : **Mr. G.K. langrai, MFS**
Assistant Inspector General of Police (A),
Meghalaya, Shillong
Email: gkiangrai@gmail.com
- : **Mr. W. S. Manner, IFS**
Chief Conservator of Forests
(Social Forestry & Env),
& Member Secretary, SEIAA,
Forests & Environment Department,
Government of Meghalaya
- : **Mr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya,
Mining & Geology Department
Email id: manju2020@gmail.com
- : **Smti. P. L. Lawai, MCS**
Joint Secretary to the Government of Meghalaya,
Mining & Geology Department
Email id: paleilawai@gmail.com
- : **Mr. A. Kembhavi, IAS**
Director, Directorate of Mineral Resources, Government
of Meghalaya,
Email id: arunkumar.kembhavi@gmail.com
- : **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board,
Regional Directorate North East, Shillong
Email id: zchangsan.cpcb@nic.in
- : **Dr. H. Tynsong, Scientist 'D'**,
Ministry of Environment, Forests & Climate Change,
North Eastern Regional Office, Shillong
Email id: h.tynsong@gov.in
- : **Smti. R. Kynjing**
Executive Engineer, Rural Water Supply Division, Public
Health Engineering Department, Jowai,
Email id: ronkyn88@gmail.com
- : **Mr. M. Passah**
Sub – Divisional Officer, Public Health Engineering,
Khliehriat, Government of Meghalaya
Email id: montripassah@icloud.com

: **Mr. I. R. Lyngdoh**
Meghalaya Institute of Natural Resources – Meghalaya
Basin Development Authority,
Government of Meghalaya
Email id: iaisn.ryngkat@gmail.com

PROCEEDINGS NO. 25

RECORD OF MINUTES OF TWENTY FIFTH SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B.D. AGARWAL, FORMER JUDGE, GUWAHATI HIGH COURT HELD THROUGH VIDEO CONFERENCE ON 01ST SEPTEMBER, 2020 AT 10.30 A.M. AT COMMITTEE ROOM-II, MAIN SECRETARIAT BUILDING, MEGHALAYA, SHILLONG-793001.

Agenda

1. Consider the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/2020 in O.A. No. 110(THC)/2012.
2. Review the progress in implementation of item D & E of the Action Plan prepared by the NGT Committee for restoration of environment in areas affected by coal mining in Meghalaya.
3. Presentation by Trinity Impex International with respect to progress in the implementation of the project for Phytoremediation of AMD affected streams in East Jaintia Hills district.
4. Any other item with permission of the Chairperson.

PROCEEDINGS

AGENDA NO. 1

Consideration of the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/2020 in O.A. No. 110(THC)/2012 before the Hon'ble NGT, Principal Bench

Shri Pawan Sharma, a resident of G.S. Road, Shillong, Meghalaya had submitted a complaint to the Hon'ble National Green Tribunal, Principal Bench, New Delhi alleging that the State of Meghalaya has not complied with several directions given by the Hon'ble Tribunal in their order dated 17.01.2020 in OA No. 110(THC)/2012.

Dr Manjunatha C IFS, Secretary to the Government of Meghalaya, Mining & Geology Department submitted that a number of directions of the Hon'ble NGT have already been complied with and the Government is in the process of implementing the remaining directions.

Upon hearing both the parties, the Government of Meghalaya is directed to submit a detailed reply/ counter, along with annexures, against the complaint of Shri. Pawan Sharma within the next four weeks.

AGENDA NO.2

Component D of the Action Plan for restoration of environment in areas affected by coal mining in Meghalaya.

D. PROVISION OF SAFE DRINKING WATER IN AREAS AFFECTED BY ACID MINE DRAIN

D.1 Development of potable water purifier to treat acidic water to ensure availability of good quality potable water in affected areas

During the deliberation, Dr. Shantanu K. Dutta, Additional Director, Central Pollution Control Board and Member of the Committee suggested that the Public Health Engineering Department, Government of Meghalaya should be requested to submit a scheme regarding development of potable water purifier to treat acidic water. However, the Executive Engineer, Rural Water Supply Division, Public Health Engineering Department, Jowai, Government of Meghalaya informed the Committee that they do not possess any technology to treat the acidic water. On the other hand, Dr. Manjunatha C, IFS, Secretary to the Government of Meghalaya, Mining & Geology Department suggested that this task should be given to some expert agency like Indian Institute of Technology, Guwahati/CIMFR (CSIR), Dhanbad.

Accordingly, it is decided that Civil Engineering Department of Indian Institute of Technology, Guwahati and CIMFR – CSIR may be requested to submit a concept note and detailed project proposal as to how to develop this project technology and make it operational across the State in areas affected by coal mining.

D.2. Distribution of potable water purifier in areas affected by acid mine drain

This agenda is deferred till a suitable agency develops the system of converting acidic water into potable water in areas affected by coal mining.

D.3. Financial assistance for construction of roof top rain water harvesting structure to store rain water to meet requirement of potable water in areas affected by acid mine drain

During the deliberation of the Agenda, the officers representing Public Health Engineering Department and Meghalaya Basin Development Authority submitted that it would be appropriate in the first instance to obtain schemes indicating design and estimates for roof top rain water harvesting and also undertake survey of requirement for providing potable water in AMD affected areas.

The Executive Engineer, Rural Water Supply Division, Public Health Engineering Department, Jowai, Government of Meghalaya is directed to submit a detailed estimate for executing this project in Acid Mine Drain affected districts of Meghalaya after conducting the required survey within four weeks.

D.4. Assessment of feasibility to provide safe drinking water in AMD affected areas through deep bore wells

The requisite survey for the purpose of assessment would be undertaken by the PHE Department in AMD affected areas and submit a report thereof to the Committee within four weeks.

D.5. Provision of safe drinking water in AMD affected areas through deep bore wells wherever found feasible

The Executive Engineer PHE who represents the Chief Engineer, PHE Department has expressed willingness to implement this item of the Action Plan. The PHE Department shall submit the estimate for actual implementation of the project within four weeks to the Committee.

E. BIOLOGICAL RECLAMATION OF AREAS AFFECTED BY COAL MINING

E.1. Identification/ delineation of areas affected by Coal Mining

The Secretary to the Committee informed that North Eastern Space Applications Centre, Department of Space, Umiam has already submitted a report of estimates in relation to identification/ delineation of areas affected by coal mining through application of remote sensing and GIS technology. The Secretary is requested to

circulate the report and estimates to the members of the Committee to enable the Committee take a decision in the next Sitting of the Committee.

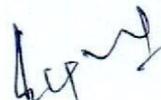
E.2. Development of cost effective models for biological reclamation of coal mining affected areas

E.2.1 Identification and prioritisation of AMD resistant species

E.2.2 Development, standardisation, field demonstration and documentation of cost effective nursery and plantation techniques for prioritized species

In respect of item E. 2.1 and E. 2.2 relating to identification and prioritisation of AMD resistant species, and development, standardisation, field demonstration and documentation of cost effective nursery and plantation techniques for prioritized species the pilot project report submitted by Research & Training wing of the Forest Department detailing an estimate for a total sum of Rs 40,36,500/- , which includes a sum of Rs. 4.63 lakhs pertaining to the component to be undertaken by the Central Pollution Control Board, a total sum of Rs. 40,36,500/- has already been approved by the Hon'ble National Green Tribunal for release to the Forest Department.

The Additional Principal Chief Conservator of Forests (Climate Change, Research & Training) requested that implementation of the pilot project pertaining to the components to be implemented by the State Forest Department be done by the Social Forestry Wing of the State Forest Department. The proposal of the Addl PCCF was discussed threadbare and in view of the fact that the Hon'ble National Green Tribunal has already approved the earlier recommendation of the Committee for implementation of the pilot project by the Research & Training Wing of the Forest Department therefore, the Additional Principal Chief Conservator of Forests (Climate Change, Research & Training) was requested to ensure that the pilot project in relation to the components pertaining to the Forest Department be executed by the Climate Change, Research & Training Wing. Once the pilot project is executed successfully, thereafter raising the plantation over the areas affected by coal mining employing the protocol developed by the Climate Change, Research & Training Wing may be carried out by the Social Forestry Wing. However, insofar as the component of the pilot project pertaining to the Central Pollution Control Board (reclamation of 1 Ha of land using Miyawaki method at a total cost of Rs 4,63,000), the same shall be executed by the Central Pollution Control Board.



The aforesaid sums shall be released in favour of the Climate Change, Research & Training Wing of the State Forest Department and the Central Pollution Control Board (N E Region) respectively from the MEPR Fund by the Mining & Geology Department since the said release has already been approved by the Hon'ble NGT.

Insofar as request of the Additional Principal Chief Conservator of Forests (Climate Change, Research & Training) for sanctioning the balance sum of Rs. 43,59,600/- for undertaking the raising of one nursery at Tuber and its maintenance for three years is concerned, which is part of the pilot project, the said proposal shall be processed in the manner laid down under the guidelines for utilizing MEPR fund notified by Mining & Geology Department under MO No.MG.61/2018/149 dated 20.08.2020.

E.3 Biological reclamation of identified/delineated areas

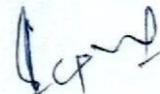
This component will be undertaken after execution of the pilot project as detailed in E.2.

AGENDA NO.3

Presentation by Trinity Impex International with respect to progress in the implementation of the project for Phytoremediation of AMD affected streams in East Jaintia Hills district.

The Chief Executive Officer, Trinity Impex International has been assigned the work of implementation of the project for Phytoremediation of AMD affected streams in East Jaintia Hills District. In today's sitting, the said agency was supposed to give the presentation on the pilot project. The Chief Executive Officer of the Company, submitted that due to law and order problems at the initial stage during January – March 2020 followed by lockdown in Meghalaya and other parts of the country on account of COVID-19, they could not make much progress at the site in respect of in-situ remediation of AMD affected streams. However, the site has been developed and algae have been cultured and the same is ready for dosing.

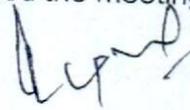
The Secretary to the Government of Meghalaya, Mining & Geology Department informed the Committee that presently the Government of Meghalaya has eased the restrictions of Lockdown and technical persons are allowed to enter Meghalaya and



the Department will facilitate obtaining passes for the executive and technical staff of the Company to visit Meghalaya. The CEO is requested to furnish the details and itinerary of his staff to the Secretary, Mining & Geology Department, Govt of Meghalaya to enable him to facilitate issuance of e-passes.

Accordingly the agenda of presentation is deferred since the slides pertaining to progress in site development, culturing micro algae etc have already been seen by the Committee on earlier occasion.

The Chairman thanked all present and concluded the meeting.



(Justice B .D. Agarwal)
Former Judge, Gauhati High Court
Chairman
NGT Committee, Meghalaya

QUORUM

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**SHRI S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE OF INDIAN SCHOOL OF MINES,
(IIT – ISM), DHANBAD
(Email id: bhowmik44@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)**

IN THE MATTER OF

Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Shri D. P. Wahlang, IAS**
Principal Secretary to the Government of
Meghalaya, Forests & Environment Department
Email id: dwahlang@yahoo.com
- :** **Prof Shri S.C. Bhowmik,**
Member, NGT Committee, Meghalaya,
IIT-ISM, Dhanbad. Sardar Patel Nagar,
Jharkhand-826004
Email id: bhowmik44 @gmail.com.
- :** **Dr. Shantanu Kumar Dutta,**
Member, NGT Committee, Meghalaya,
Addl. Director, Central Pollution Control Board,
Regional Directorate Shillong, Nongthymmai,
Meghalaya
Email id: shantanucpcb@gmail.com
- :** **Shri F. G. Kharshiing, IPS**
Deputy Inspector General of Police
(Traffic, Law & Order),
Meghalaya Police Department, Shillong
Email: adgplo.mlp-meg@gov.in

- : **Dr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya,
Mining & Geology Department
Email id: manju2020@gmail.com
- : **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board,
Regional Directorate North East, Shillong
Email id: zchangsan.cpcb@nic.in
- : **Shri J. H. Nengnong**
Member Secretary,
Meghalaya State Pollution Control Board
Email id: megspcb@rediffmail.com
- : **Shri K. D. Talukdar**
Chief Engineer,
Public Health Engineering Department,
Government of Meghalaya,
Email id: cephe.meg@yahoo.com
- : **Shri T. Lyngwa, IAS**
Deputy Commissioner, West Khasi Hills
Email id: lyngwa123@gmail.com
- : **Shri G. Kharmawphlang, IAS**
Joint Secretary to the Government of Meghalaya,
Education Department
Email id: gideon.k@gov.in
- : **Shri P. D. Sangma, MCS**
Additional Deputy Commissioner, Nongstoin
Email id: pdsangma15@gmail.com
- : **Dr H. Tynsong, Scientist 'D',**
Ministry of Environment, Forests & Climate
Change, North Eastern Regional Office, Shillong
Email id: h.tynsong@gov.in
- : **Smt R. Kynjing**
Executive Engineer, Rural Water Supply Division,
Public Health Engineering Department, Jowai,
Email id: ronkyn88@gmail.com
- : **Shri A. S. Sidique,**
Counsel of Shri Pawan Sharma
Applicant in I.A. No. 244/ 2020 in O.A. No.
110(THC)/2012

PROCEEDINGS OF 26TH GENERAL SITTING

MINUTES OF TWENTY SIXTH SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B.D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD THROUGH VIDEO CONFERENCE ON 1ST OCTOBER, 2020 AT 10.30 A.M AT NIC BUILDING, 1ST FLOOR, CONFERENCE HALL, MEGHALAYA, SHILLONG-793001.

Agenda

1. Consider the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/2020 in O.A. No. 110(THC)/ 2012.
2. Review the progress in implementation of item A, B & C of the Action Plan prepared by the NGT Committee for restoration of environment in areas affected by coal mining in Meghalaya.
3. Status of compliance of the following directions of the Hon'ble NGT in their order dated 17.01.2020 in O.A. No. 110 (THC)/ 2012:
 - (i) Progress by the State of Meghalaya in the matter of realization of royalty, GST/ VAT, contribution to the MEPR Fund and any other statutory tax and/ levy payable on the illegally mined coal utilised by the Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya (listed in the order of the Hon'ble NGT dated 17.01.2020) after the ban on illegal rat –hole mining was imposed by the Tribunal in April 2014 in the State of Meghalaya;
 - (ii) Progress by the State of Meghalaya in the matter of realization from each of the aforementioned Cement Manufacturing Plants and Thermal Power Plants who have used illegally mined local coal after the ban on illegal rat – hole coal mining since April 2014, at the rate of Rs.400 per tonne of coal which is being utilised by each such plant on or after the date of the order of the Hon'ble Tribunal (17.01.2020) and deposit the same in the MEPR Fund.
4. Consider the response submitted by the Coke Oven Units with respect to the show cause notice issued to them by the National Green Tribunal Committee.

5. Any other item with permission of the Chairperson.

PROCEEDINGS

AGENDA NO. 1

Consideration the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/ 2020 in O.A. No. 110(THC)/2012.

The counsel of Shri Pawan Sharma, Shri. A. S. Sidique is present through Video Conference.

The Committee has received a reply from the State Government today only. The Secretary to the Committee is directed to furnish a copy of the Government's reply to the complainant through mail by today evening.

The Petitioner is given 1 (one) week's time to file his rejoinder if any. The matter may be listed for further hearing after 2 (two) weeks.

AGENDA NO.2

Review the progress in implementation of item A, B & C of the Action Plan prepared by the NGT Committee for restoration of environment in areas affected by coal mining in Meghalaya.

A. PREVENTION OF HUMAN AND ANIMAL DEATHS BY ACCIDENTAL FALLING IN COAL MINE SHAFTS

A.1 Identification and delineation of coal fields as well as each coal mine, coal shaft, coal dump etc-

In continuation with the earlier similar exercise undertaken by NESAC in respect of East Jaintia Hills district, the NESAC were requested in the 21st sitting of the Committee held on 14th February 2020 to furnish a detailed cost estimate for preparation of such maps for the remaining coal mining affected districts viz., West Khasi Hills, South Garo Hills and South West Khasi Hills and submit a report to this Committee. The NESAC has duly furnished a detailed project proposal including the cost estimate for preparing geospatial

database (maps) which would provide geospatial inputs for planning and restoration of the aforesaid three districts for a sum of Rs 60, 77,275/-.

The Committee considered the proposal submitted by the NESAC with the following objectives.

- (i) Preparation of base map (roads & settlements updated with satellite data)
- (ii) Preparation of drainage, watersheds/catchments, mine holes, location of coal depots (user input), etc.
- (iii) Preparation of one season land use and land cover map using 2018/2019 satellite data
- (iv) Suggestion of water sample collection point for regular monitoring of water quality
- (v) Location of springs (SOI Toposheet) for spring-shed development & management for uninterrupted supply of drinking water etc.

While the Committee agree with the objectives (i), (iv) and (v), it is suggested that NESAC shall delineate the major coal dumps/depots with the help of high resolution satellite imagery with required ground truthing besides the location of coal depots to be identified from user input (ref: Objective # (ii) above).

Moreover, in addition to the preparation of one season land use and land cover map using 2018/2019 as proposed by NESAC (objective # iii), the Committee suggests that preparation of one more land use land cover map shall be included in the study for any of the years 2014, 2015, 2016, 2017 covering the coal mining areas of a part or whole district, preferably East Jaintia Hill District; in this specific land use and land cover map, mines holes/ box cuttings and coal depots shall be highlighted as separate land use classes and number of mine holes/box cuttings shall finally be compared with the proposed land use land cover map of 2018/2019. NESAC is requested to include the aforesaid scopes in the project proposal and submit fresh cost estimate at the earliest.

A.2 Creation of awareness about ill – effects of unregulated coal mining

In respect of A.2 of the Action Plan relating to creation of awareness about ill – effects of illegal coal mining, the Secretary to the Government of

Meghalaya, Mining & Geology Department submitted that he has informed the Education Department to submit the requisite estimate for undertaking training session @ Rs. 25, 000/- per session and as soon as the Education Department submits an estimate of requirement, the Mining & Geology Department would release the fund from MEPR Fund. The Committee also noted that there has been substantial progress in conducting various awareness generation activities in various districts within the State as reported by the respective Deputy Commissioners and the Joint Secretary to the Government of Meghalaya, Education Department in their action taken reports in relation to the minutes of the 21st sitting of the Committee.

A.3 Installation of sign boards in areas having presence of coal mines

With respect to **A.3** of the Action Plan where coal reserves have already been exhausted, the Deputy Commissioners are directed to issue order under Section 144 CrPC to the owners of those coal mines whose coal reserves have already been exhausted for erection of physical barriers around the shaft and submit a report in this regard to the Committee.

The Secretary to the Government of Meghalaya, Mining & Geology Department informed the Committee that within one month from today they would complete installation of sign boards in the rest of the areas which they have prioritised.

Further, the Secretary to the Government of Meghalaya, Mining & Geology Department is also directed to submit photographs of the sign boards which have already been installed on a sample basis (atleast half dozen).

A.4 Erection of physical barriers at periphery of shafts of mines where coal reserve has not been exhausted

In relation to the Action Plan on erection of physical barriers at periphery of shafts of mines where coal reserve has not been exhausted, the Deputy Commissioner of West Khasi Hills District submitted that these coal mines being horizontal in nature, no danger could be apprehended on account of their existence without the barriers around them. But, this was contested by

the members of the Hon'ble NGT Committee, saying irrespective of the mine shafts being horizontal or circular, they would still pose a danger to the cattle and human beings as well. Apart from that, there is also fear of their catching fire. Therefore, the request of the Deputy Commissioner, West Khasi Hills is not entertained by the NGT Committee.

However, in view of the fact that the Deputy Commissioner, West Khasi Hills District and other Deputy Commissioners have already issued orders under Section 144 for erection of physical barriers around the coal mines where coal reserves have not been exhausted they shall submit a report to the Committee on the extent of compliance of the directions issued by them by the public. And those members of the public who have not obliged with the order or directions, reasons shall be sought from them for non compliance of the orders issued by the Deputy Commissioners under Section 144. The Deputy Commissioners shall submit a report in this regard within one month.

A.5 Closure of shafts of mines where coal reserve has already been exhausted :

The Member Secretary, Meghalaya State Pollution Control Board (MSPCB) informed the Committee that the design and methodology of closing the exhausted mines are still under consideration of CIMPFRR –CSIR and . after they standardize the technique a presentation and a report will be submitted to the Committee which would be considered by the Committee thereafter.

The Director Mineral Resources is directed to identify one closed mine for the purpose of CIMFR – CSIR to undertake their study for preparing and finalising their methodology pertaining to controlled blasting within one month and submit a report of compliance to the Committee in this regard.

B PREVENTION OF ACID MINE DRAIN (AMD) GENERATION BY:

B.1 Coal dumps of cement factories and their captive power plants

B.1.1 Covering of dumps by permanent sheds/ water proof tarpaulin

B.1.2 Construction of garland drains along with acid mine drain storage tanks

B.1.3 Treatment of acid mine drain collected in storage tanks

The Secretary to the Committee is directed to remind the concerned Deputy Commissioners to submit their reports regarding Component B of the Action Plan which relates to prevention of AMD generation etc.

B.1.4 Amendment of Environmental Clearance (EC) to stipulate additional conditions to provide for above measures, in case same have not been stipulated

Dr H. Tynsong, Scientist in the Ministry of Environment, Forests & Climate Change, North East Regional Office, Shillong, apprised the Members of the Committee that this direction of the Committee has been submitted to the EAC and the EAC has accepted the recommendation of the Committee to modify the Environmental Clearance (EC) granted to the cement plants and captive power plants by the Central Government earlier. The recommendation of the EAC agreeing to alter the conditions of the ECs has been submitted to the Competent Authority for approval, pursuant to which the conditions attached to the environmental clearance granted to the cement plants and thermal power plants would be suitably modified by the Central Government.

The Committee directs that the Regional Office of MoEF & CC, Shillong should place before the next date of the sitting of the Committee the amended ECs issued in respect of cement power plants and thermal power plants who have been granted such ECs by the Central Government.

B.1.5 Amendment of consent to establish (CTE) to stipulate additional conditions to provide for above measures in case same have not been stipulated

B.1.5 Revocation/ withdrawal of EC and launch of prosecution in case of non – implementation of aforementioned measures

B.1.6 Revocation/ withdrawal of CTE and launch of prosecution in case of non – implementation of aforementioned measures

The Member Secretary, Meghalaya State Pollution Control Board (MSPCB) informed the members of the Committee that CTE has been granted in respect of cement companies and captive power plants by MSPCB but no CTE has been granted in favour of the coal mines in Meghalaya so far by the

MSPCB. Hence, the question of withdrawal of CTE does not arise in case of coal mines. It was also stated by him that component B of the Action Plan relates to cement factories and captive power plants but not coal.

B.2 DUMPS OF ASSESSED COAL

B.2.1 Covering of dumps by water – proof tarpaulin/ permanent sheds

B.2.2 Construction of garland drains along with acid mine drain storage tanks

B.2.3 Treatment of acid mine drain collected in storage tanks

B.2.4 Promulgation of order under Section 144 or any other relevant section (s) of IPC to prohibit open/ uncovered dumping of assessed coal

The issues of the Action Plan covered under this item of agenda relates to covering of dumps by water – proof tarpaulin/ permanent shed, construction of garland drains along with acid mine drain storage tanks etc.

The Deputy Commissioners of the coal mine occurring Districts viz., East Jaintia Hills, South Garo Hills, South West Khasi Hills and West Khasi Hills districts are directed to submit status report regarding implementation of item B.2 of the Action Plan with regard to compliance of the orders issued under Section 144 CrPC by them within 4 weeks from today.

The Central Pollution Control Board and Meghalaya State Pollution Control Board are also the monitoring agency. They are directed to submit the report regarding compliance of the Section 144 CrPC orders to this Committee after personal visits to the respective sites.

B.3 DUMPS OF SEIZED COAL

B.3.1 Construction of permanent depots for seized coal

B.3.2 Covering of dumps by tarpaulin/ permanent sheds

B.3.3 Construction of garland drains along with acid mine drain storage tanks

B.3.4 Treatment of acid mine drain collected in storage tanks

The Director Mineral Resources shall submit a report on the extent of compliance of the aforementioned items of the action plan within a month.

B.4 DUMPS OF ILLEGALLY EXTRACTED COAL

B.4.1 Immediate seizure of illegally extracted coal and transfer of the same to permanent depots

The Secretary to the Government of Meghalaya, Mining & Geology Department informed the Committee that eleven permanent depots are under construction in four Districts viz. East Jaintia Hills, South Garo Hills, South West Khasi Hills and West Khasi Hills districts and clearance from Forest Department has already been obtained. Simultaneously, clearance from Meghalaya State Pollution Control Board is also being sought. He submitted that tentatively within a period of one month the permanent depots would have been fully constructed.

The Committee noted that the matter will be taken up in the next sitting again.

B.5 COAL IN TRANSIT

B.5.1 Covering of coal by waterproof tarpaulin while its transportation by road

B.5.2 Seizure of trucks carrying coal without covering it with waterproof tarpaulin

B.5.3 Promulgation of order under section 144 or any other relevant section(s) of IPC to prohibit open/ uncovered dumping of assessed coal

The Deputy Commissioners of the coal bearing districts have informed in their reports that they are implementing the provisions relating to the Action Plan relating to insulating of coal while in transit and are taking necessary measures in this regard.

On behalf of the Addl DG Police (Law and Order) the Assistant Inspector General of Police, Government of Meghalaya vide report dated 15.07.2020 has submitted a chart of coal seized in transit. However, the chart is incomplete. It does not disclose the quantity of coal seized in some of the districts. Besides this, very high quantity of coal seized during the transit are lying unattended in the open and without covering etc., causing environmental

hazards. Hence, the Police Department is directed to take necessary action to sell the seized coal by way of auction after complying with the Government guidelines in this regard without any further delay. Where necessary, permission from the concerned Elaka Magistrate (concerned trial court) should be obtained on urgent basis.

The Police Department is further directed to submit a corrected chart from January to September within the next one month and periodical statements in the same format per quarter should be submitted to this Committee in future.

B.6 RAT HOLE COAL MINE OPENINGS

B.6.1 Closure of opening of mines where coal reserve has already been exhausted by:

B.6.1.1 Controlled blasting or

B.6.1.2 Refilling of debris/overburden

Deliberation on this component of the Action Plan is postponed till CIMFR – CSIR submit their report and presentation is given to this Committee.

B.6.2 Treatment of AMD originating from openings of rat hole mines where coal reserve has not been fully extracted

B.6.2.1 Development of cost effective models for treatment of AMD originating from openings of such rat hole mines

B.6.2.2 Treatment of AMD originating from openings of such rat hole mines

The Member Secretary, Meghalaya State Pollution Control Board with respect to Item B.6.2.1 and B.6.2.2 in relation to AMD originating from openings of rat hole coal mines where coal reserve has not been fully extracted, apprised the Committee of the progress achieved in this regard till date. He submitted that a Memorandum of Understanding (MoU) has been entered into with CIMFR – CSIR in this regard and the CIMFR – CSIR has identified one rat hole coal mine in East Jaintia Hills where pilot project on this behalf could be undertaken after the technology is standardized in their

laboratory. It is expected that the pilot project would be undertaken within 6 (six) months from today.

B.7 COAL MINE SHAFTS LOCATED IN RIVER/ STREAM BED

B.7.1 Closure of such mine shafts by:

B.7.1.1 Controlled blasting or

B.7.1.2 Refilling of debris/ overburden

With respect to components relating to B.7.1 it is submitted by the Secretary to the Government of Meghalaya, Mining & Geology Department that controlled blasting of such mine shafts located in rivers and stream beds may lead to pollution of rivers and hence it was suggested by him that the opening of such mine shafts could be closed manually by taking recourse to civil construction work by way of erecting walls or ceilings of RCC type and the expenditure in this regard could be borne from MEPR Fund, since essentially the matter relates to alleviating the pollution or preventing the pollution of streams and rivers into which AMD from the openings of such mine shafts is draining into.

The Mining & Geology Department in coordination with the Deputy Commissioners in this regard shall submit to the Steering Committee an APO for implementing the aforesaid suggestion. The Mining & Geology Department with the help of the Deputy Commissioners shall also make an assessment of the number of such mines close to river beds. The Mining & Geology Department shall also submit a survey report in this regard pertaining to East Jaintia Hills and the cost estimate for undertaking the above project within 2 months along with GPS coordinates of the coal mines contiguous to river beds.

C RESTORATION OF WATER QUALITY IN RIVERS/ STREAMS AFFECTED BY ACID MINE DRAIN (AMD)

C.1 Identification and prioritisation of rivers/ streams to be restored

The Meghalaya Basin Development Authority (MBDA) is requested to submit cost estimate to the Committee for the purpose of undertaking survey of rivers/ streams to be restored in Meghalaya in consultation with the District

Administration and Public Health Engineering Department. The cost estimate in this regard shall be submitted by MBDA before the next Sitting of the Committee for the purpose of consideration of the Committee.

C.2 Development, refinement and transfer of AMD treatment technology

This execution of this component of the action plan is in progress and the MBDA had already made a Power Point Presentation in the earlier sitting of the Committee.

C.3 Restoration of prioritised stretches of rivers/ streams

The Chief Engineer, Public Health Engineering Department has submitted an exclusive report and the cost estimate for restoration of prioritised stretches of rivers/ streams on a pilot basis. The Secretary to the Committee is directed to circulate the report to all the members.

AGENDA NO.3

Status of compliance of the following directions of the Hon'ble NGT in their order dated 17.01.2020 in O.A. No. 110(THC)/ 2012:

- (i) Progress by the State of Meghalaya in the matter of realization of royalty, GST/ VAT, contribution to the MEPR Fund and any other statutory tax and/ levy payable on the illegally mined coal utilised by the Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya (listed in the order of the Hon'ble NGT dated 17.01.2020 after the ban on illegal rat –hole mining was imposed by the Tribunal in April 2014 in the State of Meghalaya.**
- (ii) Progress by the State of Meghalaya in the matter of realization from each of the aforementioned Cement Manufacturing Plants and Thermal Power Plants who have used illegally mined local coal after the ban on illegal rat – hole coal mining since April 2014, at the rate of Rs.400 per tonne of coal which is being utilised by each such plant on or after the date of the order of the Hon'ble Tribunal (17.01.2020)) and deposit the same in the MEPR Fund.**

The Secretary to the Government of Meghalaya, Mining & Geology Department informed the Committee that they are issuing fresh notices to the Cement Plants and Captive Power Plants for payment of Royalty, GST/ VAT,

contribution to the MEPR fund etc. as per the directions of the Hon'ble NGT dated 17.01.2020 in O.A. No 110 (THC)/2012.

The Committee will await the progress in realization for next 4 weeks.

AGENDA NO.4

Consider the response submitted by the Coke Oven Units with respect to the show cause notice issued to them by the National Green Tribunal Committee

Pursuant to the decision taken in the last Sitting held on 3rd August, 2020 notices were issued to the 20 coke oven units industries allegedly operating in the State of Meghalaya mainly West Khasi Hills and East Jaintia Hills. Out of the 20 industries, only 9 industries have submitted their replies/ written statements, their replies are also incomplete. The remaining 11 coke oven units have not come forward to submit the written statements, hence one more notice should be issued to all the coke oven units named in the Report dated 31.7.2020 giving them last chance to submit their replies with all necessary documents failing which the Committee will take exparte decision.

Out of the 9 industries, M/s Rilangam Coke Industries, M/s Abhi Coke Industries Pvt Ltd and M/s Jaintia Coke Pvt Ltd have admitted the fact that their industries are operational and they are procuring coal. However, the Member Secretary MSPCB informed the Committee that CTO has been given to M/s Abhi Coke Industries Pvt Ltd, M/s Jaintia Coke Pvt Ltd and they are operational of which there is no doubt given the figures of quantity of coal purchased by them since 2018. However, no document has been submitted by them to substantiate the fact that the coal has been purchased by them from legal source. In this way these two industries are attempting to hide the fact pertaining to the actual source from which this coal has been procured and the Committee has taken serious note of it.

In the last Sitting, the State of Meghalaya along with MSPCB were also directed to give written replies to the attached report of CPCB. However, neither the State of Meghalaya nor MSPCB has submitted any report in this regard. It is noted here that though the Director, Commerce & Industries Department was intimated about the agenda in today's meeting, however, the Department is un-represented. Hence, the Chief Secretary to the Government of Meghalaya is directed to direct to

the concerned Heads of Departments to submit their reply to the Report of the CPCB dated 31.7.2020 within two weeks from today. Similarly the MSPCB shall also submit their reply regarding operation of coke oven units in the entire State of Meghalaya with all necessary documents within next 2 weeks.

The Deputy Commissioners West Khasi Hills and East Jaintia Hills districts are also directed to submit report to this Committee within 2 weeks as to how many coke industries are operating in their respective districts and since when.

AGENDA NO.5

Any other item with permission of the Chairperson.

The Secretary, Mining & Geology Department has submitted two proposals for approval of the Committee:

- (i) Engage a reputed firm/consultant to prepare master plan, survey, DPR, consultancy service and execution of works relating to restoration of coal mining affected areas and rivers and streams. Expenditure in relation to the firm would be defrayed from MEPR Fund.
- (ii) Engage two project assistants on fixed remuneration to assist the Mining & Geology Department on matters pertaining to implementation of directions of the Hon'ble NGT pertaining to rat hole coal mining in Meghalaya and all other connected issues. Expenditure would be incurred from interest sum accrued from MEPR Fund.

The decision of the Committee on the aforesaid proposals are as follows:

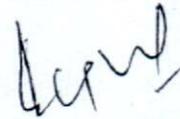
- (i) *Engage a reputed firm/consultant to prepare master plan, survey, DPR, consultancy service and execution of works relating to restoration of coal mining affected areas and rivers and streams.*

The Committee agrees in-principle to the proposal pertaining to engaging a consultancy firm subject to the following conditions:

- a. The panel of firms shortlisted by the State Government should be submitted to the Committee for their perusal and further approval.
 - b. The Department while drawing the aforesaid panel shall follow the established procedure and norms laid down by the Finance Department of the State Government in this regard.
 - c. The agency would be charged with the following activities only presently: Survey, preparation of master plan, and preparation of DPR in respect of only those items in respect of which the Mining & Geology Department has been identified as the implementing agency in the Action Plan prepared by the NGT Committee for restoration of environment damaged on account of coal mining in Meghalaya
- (ii) *Engaging two Project Assistants on fixed pay of Rs 50,000/- (Rs. Fifty thousand only) per month to assist the Mining & Geology Department to assist in implementation of schemes under MEPRF.*

The Committee agrees to this proposal provided the remuneration of the Project Assistants are fixed in accordance with the CSIR-UGC rates pertaining to similar posts. After making the appointments the Mining & Geology Department shall file a report in this regard with the Committee.

The Chairman thanked all present and concluded the meeting.



(Justice B.D. Agarwal)

Former Judge, Gauhati High Court
And Chairman, NGT Committee, Meghalaya

QUORUM

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD**

IN THE MATTER OF

Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Dr. Shantanu Kumar Dutta,**
Member, NGT Committee, Meghalaya,
Addl. Director, Central Pollution Control Board,
Regional Directorate Shillong, Nongthymmai,
Meghalaya
Email id: shantanucpcb@gmail.com
- :** **Dr. Manjunatha C, IFS**
Secretary to the Govt of Meghalaya,
Mining & Geology Department,
Email id: manju2020@gmail.com
- :** **Shri. I. W. Ingty, IAS**
Secretary & Commissioner,
Transport Department, Shillong
Email id: ingty.israel@gmail.com
- :** **Shri. P. L. N. Raju, Director,**
North Eastern Space Applications Centre (NESAC),
Meghalaya
Email id: director@nesac.gov.in
- :** **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board,
Regional Directorate North East, Shillong
Email id: zchangsan.cpcb@nic.in
- :** **Shri J. H. Nengnong**
Member Secretary,
Meghalaya State Pollution Control Board,
Email id: megspcb@rediffmail.com

- : **Shri. W. S. Manner, IFS**
Chief Conservator of Forests (SF),
Meghalaya, Shillong
Email id: wsmanner@gmail.com
- : **Shri. B. Mawlong, MCS**
Joint Secretary to the Govt of Meghalaya
Commerce & Industries
Shillong
Email id: barnari.mawlong@nic.in
- : **Shri. D. D. Sangma, MCS**
Joint Secretary to the Govt of Meghalaya,
Mining,
Shillong
Email id: daviddandali@gmail.com
- : **Shri J. Dkhar, MFS**
Divisional Forest Officer (FRS) Division,
Meghalaya, Shillong
Email id: jdsfs07@gmail.com
- : **Shri. F. Sutnga**
Joint Director,
Commerce & Industries Department,
Email id: fsutnga21@gmail.com
- : **Shri. Y. Kyndiah**
Mining Officer,
Department of Mineral Resources,
Email id: yohankyn@gmail.com
- : **Shri. P. Ch. Marak**
Mining Engineer,
Department of Mineral Resources, Shillong
- : **Smt R. Kynjing**
Executive Engineer, Rural Water Supply Division,
Public Health Engineering Department, Jowai,
Email id: ronkyn88@gmail.com,
eepherwsdivisionjowai@gmail.com
- : **Shri. M. Passah**
Sub-divisional Officer,
Public Health Engineering Department,
Khliehriat,
Email id: montri_passah@icloud.com
- : **Shri. R. Hinge**
District Transport Officer, Shillong
Email id: dto-shillong@gmail.com
- : **Shri. M. Somorjit Singh,**
Scientist,
North Eastern Space Applications Centre (NESAC),
Meghalaya
Email id: msomorjit69@gmail.com

- : **Shri. S. Singh,**
Chief Executive Officer,
Trinity Impex international
Email id: sukhdevsinghmr@gmail.com
- : O/o Central Institute of Mine Fuel Research –
Council of Scientific and Industrial Research,
(CIMFR – CSIR), Dhanbad
- : **Shri A. S. Sidique,**
Counsel of Shri Pawan Sharma,
Applicant in I.A. No. 244/ 2020 in O.A. No.
110(THC)/2012

PROCEEDINGS OF 27TH GENERAL SITTING

MINUTES OF TWENTY SEVENTH SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B.D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD ON 18TH NOVEMBER, 2020 AT 10:30 A.M. IN THE COMMITTEE ROOM – II, MAIN SECRETARIAT BUILDING, MEGHALAYA, SHILLONG- 793001

Agenda

1. Review the progress in implementation of items D & E of the Action Plan prepared by the NGT Committee for restoration of environment in areas affected by coal mining in Meghalaya.
2. Consider the application filed by Shri Pawan Sharma, G.S. Road, Shillong in I.A. No.244/ 2020 in O.A. No. 110 (THC)/ 2012.
3. Consider the response submitted by the Coke Oven Units with respect to the show cause notice issued to them by the National Green Tribunal Committee.
4. Any other item with permission of the Chairperson

PROCEEDINGS

AGENDA NO. 1

Review the progress in implementation of items D & E of the Action Plan prepared by the NGT Committee for restoration of environment in areas affected by coal mining in Meghalaya.

D. PROVISION OF SAFE DRINKING WATER IN AREAS AFFECTED BY ACID MINE DRAINAGE.

D.1 Development of potable water purifier to treat acidic water to ensure availability of good quality potable water in affected areas

Decision was not taken.

D.2 Distribution of potable water purifier in areas affected by acid mine drain

Dr. Z. Changsan, Regional Director of Central Pollution Control Board (CPCB), Shillong informed that as per the information provided by the Director, Meghalaya Institute of Natural Resources, MBDA, Shillong, "*The Meghalaya Institute of Natural Resources under the Meghalaya Basin Development Authority, as part of the NGT sponsored Project to restore acid mine drainage (AMD) have also distributed 200 portable water filters to 4 AMD affected locations i.e. Pamra Paithlu (70 nos), Narwan (40 nos), Jalapahet Sutnga (40 nos) and Suchen Mulieh (50 nos) over and above AMD treatment using Open Lime Canal.*" However, according to the Director, CPCB, the supplied portable water purifier having ultra-filtration membrane can remove bacteria, virus and iron but not capable to neutralise acidic water, which is the main concern in the AMD affected area.

The MBDA is directed to submit a report to this Committee about the performance/feedback of utility and feasibility of portable water purifier being distributed by them for further consideration.

D.3 Financial assistance for construction of roof top rain water harvesting structures to store rain water to meet requirement of potable water in areas affected by acid mine drain

D.4 Assessment of feasibility to provide safe drinking water in AMD affected areas through deep bore wells

D.5 Provision of safe drinking water in AMD affected areas through deep bore well wherever found feasible

E. BIOLOGICAL RECLAMATION OF AREAS AFFECTED BY COAL MINING.

E.1 Identification/delineation of areas affected by coal mining.

E.2 Development of cost of effective models for biological reclamation of coal mining affected areas

The Hon'ble NGT, in its order dated 09.01.2020 mentioned that "*the State of Meghalaya and the CPCB are allowed to utilize an amount of Rs.40,36,500.00 from the MEPR Fund to implement a pilot project for afforestation and reclamation of coal mining affected land and organization of a festival-cum-mass awareness programme submitted by the Principal Chief Conservator of Forest (Climate Change Research & Training), Govt. of Meghalaya and North Eastern Regional Directorate of the CPCB.*" The Committee verified that as per the project proposal, the above sanctioned amount was having three components, viz.,

- i) Rs. 31,73,500.00 to be utilised by the Principal Chief Conservator of Forest (Climate Change, Research & Training), Government of Meghalaya. The scope includes fencing of entire selected areas of 3.0 ha out of which 1.0 ha shall be handed over to CPCB for plantation. PCCF (CCR&T), Government of Meghalaya shall plant AMD resistant species in 1.0 ha of land by conventional method after necessary treatment of soil with lime and other fertilizer applications.
- ii) Rs. 4,63,000.00 to be utilised by CPCB for the implementation of dense plantation (Akira Miyawaki Method) in an area of 1.0 ha.
- iii) Rs. 4,00,000.00 for the mass awareness programme in the coal mining affected areas.

Mining & Geology Department has stated that it has received the project proposal from the PCCF (CCR&T), Government of Meghalaya for an amount of Rs. 32.09 lakhs. The Committee recommended the release of the amount with immediate effect. The CPCB will place the demand note for release of Rs. 4.63 lakhs to Mining & Geology Department for the accrued estimate. The CPCB will undertake plantation work during the month of March or April, 2021 after the Forest Department completes the fencing work of the identified area. CPCB informed that plantation festivals-cum-mass awareness programme being an integral part of the Akira Miyawaki Method of plantation to ensure people's participation in the plantation, 50% of the sanctioned amount for the mass awareness program i.e. 2.00 lakhs shall be spent on the plantation day. The committee agreed to the suggestion of CPCB.

Dr. Manjunatha C, IFS, Secretary to the Government of Meghalaya, Mining & Geology Department also suggested that the PCCF (CCR&T), Government of Meghalaya in association with the CPCB, Regional Directorate, Shillong shall

prepare and submit proposals for implementation of plantation work as per Miyawaki method covering 5.0 ha of land each in the 5 coal mining affected districts in the State, viz., East Jaintia Hills, South West Khasi Hills, West Khasi Hills, South Garo Hills, West Garo Hills. The Secretary also recommended submission of project proposals by the PCCF (CCR&T), Government of Meghalaya in 10.0 ha of land by the conventional method covering two districts, i.e., 5.0 ha each in East Jaintia Hills and South Garo Hills. The Secretary, Mining & Geology Department suggested that as fencing of a selected area for plantation incur a huge percentage of the total cost and, therefore, the new project proposals from the concerned Departments shall not include the cost of fencing. The suggestion is accepted in principle with exception to grazing areas.

The Committee also recommended that the Divisional Forest Officer (Silviculture), Meghalaya, Shillong shall attend also NGT meetings if the agenda relates to aforestation.

E.2.1 Identification and prioritisation of AMD resistant species

As suggested by the Secretary, Mining & Geology Department, the Committee also agreed to involve the expertise of the Rain Forest Research Institute, Jorhat for plantation in the mining affected areas. The Forest Department, Government of Meghalaya shall request RFRI, Jorhat to submit proposals for a pilot project aiming at suitable species selection and standardise a method of plantation for reclamation of the coal mining affected areas in the State.

AGENDA NO.2

Consider the application filed by Shri Pawan Sharma, G.S. Road, Shillong in I.A. No.244/ 2020 in O.A. No. 110 (THC)/ 2012

Shri Pawan Sharma together with his counsel were virtually present in the meeting through video conference. However, it was difficult to hear to the petitioner/counsel as the audio at the end of the petitioner were not functioning properly. With the consent of the Petitioner and his Counsel, the hearing of the petition filed by Shri Pawan Sharma is deferred.

The Secretary to the Committee is directed to convene the next meeting on 8th December, 2020 (Tuesday) at 10.30 A.M. The Petitioner and his Counsel shall attend the next Sitting in persons, besides other concerned officers.

AGENDA NO.3

Consider the response submitted by the Coke Oven Units with respect to the show cause notice issued to them by the National Green Tribunal Committee

The MSPCB as well as the Commerce & Industries Department, Government of Meghalaya have submitted their written replies to the notices given by this Committee and also circulated these reports to the Chairman and the Members.

In the reply of the MSPCB, it has been informed that closure notices were issued on 5th August, 2020 to 16 coke-oven units due to violation of environmental conditions and also for not obtaining either CTE or CTO. The MSPCB is directed to apprise this Committee as to how many units have in fact closed in compliance to their notices within two weeks' time.

In the last sitting, the Deputy Commissioners of coal bearing Districts were requested to submit a report to this Committee as to how many coke industries were running in their respective Districts. However, no reports from the Deputy Commissioners have been received by the Committee.

The Committee directed that reminders should be given to all the concerned Deputy Commissioners to submit their respective reports within a week positively by 5th December, 2020

During the deliberation, Shri B. Mawlong, MCS, Joint Secretary to the Government of Meghalaya, Commerce & Industries Department informed the Committee that Single Window Agency comprises of Hon'ble Chief Minister, Minister-in-charge of Commerce & Industries and senior executive officers including the Chairman of MSPCB. However, there is no representation from the Mining & Geology Department; hence this Committee suggests the Government to include a representative from Mining & Geology Department as well as most of the industries in the State depend on various minerals available in the State of Meghalaya.

The Committee decided to have further discussion on the agenda in its next meeting to be held on 8th December, 2020.

AGENDA NO.4

- a) **Presentation by Trinity Impex International with respect to progress in the implementation of the project for Phytoremediation of AMD affected streams in East Jaintia Hills District.**

With respect to the Agenda 3 of 25th Sitting held on 1st September, 2020, Mr. S. Singh, Chief Executive Officer, Trinity Impex International informed the Committee that the process of culturing the algae is already in the process and regular dosing of the algae in the streams will begin in the first week of December, 2020. Hence, this matter will be discussed in the next meeting at length. The agency is directed to give their presentation in the next meeting.

b) Presentation by NESAC, Umiam, Shillong with respect to resubmission of project proposal entitled "Preparation of Geospatial Database Inputs for Planning and Restoration of environment of West Khasi, South West Khasi and South Garo parts of East Jaintia Hills, Meghalaya".

The Hon'ble NGT vide its order dated 9th January, 2020 noted that *"NESAC was to prepare a geo-reference map and provide the same to CIL. NESAC was also to undertake analysis of the area where coal was to be handed over to CIL, using high resolution satellite imageries for the period in question."* In the same order the Hon'ble NGT also noted that *"if NESAC is not able to undertake the said exercise, the same may be entrusted to National Remote Sensing Centre (NRSC), Hyderabad. The CPCB may coordinate with NRSC for the purpose."* As per the NGT order CPCB, RD, Shillong had requested NRSC, Hyderabad vide its letter dated 28th August, 2020 to carry out the desired exercise. NRSC was also requested by the Government of Meghalaya for carrying out the assessment as desired by the Hon'ble Tribunal. However, NRSC vide its letter dated 31st August, 2020 reiterated that NESAC, which had already completed an assessment covering the area of interest, would be able to complete the further study. NRSC also endorsed the technical limitations cited by NESAC with respect to providing satellite based assessments of the volume and quantity of coal available at depots.

Subsequently, in the 26th sitting of the Committee held on 1st October, 2020, NESAC was asked to resubmit the project proposal by incorporation of coal dump and coal depots, preparation of land use / land cover map using 2014 satellite data for East Jaintia Hills District and change analysis w.r.t. 2018/2019 data for the same area.

Mr. P. L. N. Raju, Director and Mr. S. Somorjit Singh, Scientist was present in the 27th meeting through video conference. They elaborated the scope of the project as well as the time requirement of about 18 months to complete the project. The committee insisted on an early completion of the project. Subsequently, the director NESAC agreed to complete the project within a period of 12 months after the agency could procure the data from various agencies which process would take

about 3 months of time. Accordingly, it is expected that the NESAC shall be able to complete the project within a period of 15 months. The committee accepted the project, at a total cost of Rs 80.98 lakhs.

The Committee decided to direct the NESAC to start with the data procurement process and in the meantime the Committee would recommend to the Hon'ble NGT to approve the cost of the project from the MEPR Fund.

c) Presentation by CIMFR – CSIR regarding the development of technology for treatment of AMD.

The Committee had an interaction with CIMFR–CSIR, Dhanbad regarding the development of technology for treatment of AMD in the affected areas. The office of the CIMFR – CSIR, through video conference, informed the Committee that the pilot project could not make sufficient progress due to prevailing COVID-19 situation and also due to delay in getting land clearance for the identified site. Member Secretary, Meghalaya State Pollution Control Board (MSPCB) informed that site clearance for the project would be obtained in 3 or 4 weeks' time. Besides this, the team is in the process of treating and executing the pilot project. The CIMFR – CSIR also informed the Committee that characterisation of acidic water to be treated had been completed and high aluminium in the water was a main concern for the treatment method.

The CIMFR – CSIR is requested by the Committee to expedite the work for installation of the field demonstration plan within a month and complete the pilot project by March, 2021. The Committee also noted that as the COVID-19 situation in the State is improving, CIMFR – CSIR shall be able to start the field work without further delay.

Secretary, Mining & Geology Department requested CIMFR – CSIR whether the agency shall be able to develop portable water purifier to be provided in the mining affected areas either in household level or in community level as suitable. CIMFR – CSIR also expressed their willingness to take up the pilot project for development of portable water purifier to treat acidic water.

In addition to the pilot project developed by CIMFR – CSIR, the Committee also intends to involve a reputed Company like Ion-Exchange Ltd, Eureka Forbes Ltd, etc. for installation and demonstration of portable water supply system. The Committee also intends to obtain information from Jal Jeevan Mission (JMM) to know the mission of JMM to cover the coal mining areas in the State under its mission to supply portable water to various localities in the State.

In addition to the pilot project developed by CIMFR – CSIR, the Committee also approves that the Secretary to the Government of Meghalaya, Mining & Geology Department, may be directed to invite the Chief Engineer, Public Health Engineering Department in person and the Mission Director of JMM in the State in the next meeting to take a decision as to whether EOI can be floated from private firms and how to invite firms to develop a technology for water purifier for supplying drinking water.

The Chairman thanked all present and concluded the meeting.

Handwritten signature

(Justice B.D. Agarwal)

Former Judge, Gauhati High Court
Chairman, NGT Committee, Meghalaya

Annexure-IX

GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT

ORDERS BY THE GOVERNOR

OFFICE MEMORANDUM

No. MG.61/2018/149

Dated Shillong, the 20th August, 2020

Revised Guidelines for utilising the 'Meghalaya Environment Protection and Restoration Fund (MEPRF)'.

WHEREAS the Hon'ble National Green Tribunal vide its order dated 25th March, 2015 in Original Application No. 73 of 2014 directed the State Government to collect 10% of the market value of the coal per metric tonne, in addition to the royalty and deposit the said amount in the account titled as 'Meghalaya Environment Protection and Restoration Fund(MEPRF)' to be maintained by the State under direct control of the Chief Secretary of the State of Meghalaya;

And WHEREAS the Hon'ble National Green Tribunal vide aforesaid order directed the State to use the Meghalaya Environment Protection and Restoration Fund (MEPRF) exclusively for restoration of environment and for necessary remedial and preventive measures with regard to environment and matters related thereto;

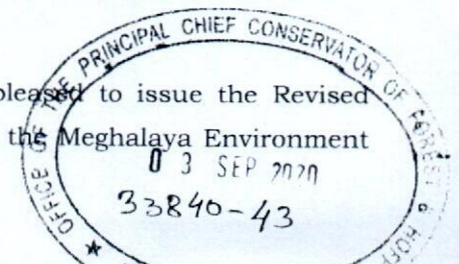
And WHEREAS the State Government has opened an account in a Nationalized Bank in the name of 'Meghalaya Environment Protection and Restoration Fund' and 10% of the market value of the coal per metric tonne being collected from the transportation of already extracted coal, as allowed by the Hon'ble Supreme Court and by the Hon'ble National Green Tribunal from time to time;

And WHEREAS Hon'ble National Green Tribunal has vide order dated 31st August, 2018 in O.A. No. 110(THC)/2012 constituted a "Committee"(hereinafter referred to as the NGT Committee, Meghalaya) headed by a Former Judge of Gauhati High Court along with one representative from Central Pollution Control Board and Indian School of Mines, Dhanbad respectively to prepare time bound action plan for restoration of the environment and rehabilitation of the victims from the MEPRF funds;

And WHEREAS the State Government has issued Guidelines for operation of the 'Meghalaya Environment Protection and Restoration Fund (MEPRF)' on 17th December, 2019 vide Office Memorandum No. MG 61/2918/37;

And WHEREAS the NGT Committee, Meghalaya during 22nd sitting held on 19th June, 2020 deliberated on the said Guidelines and conveyed approval for the said guidelines with amendments;

Now, THEREFORE, the Governor of Meghalaya is pleased to issue the Revised Guidelines for the purpose of operating and utilizing the Meghalaya Environment Protection and Restoration Fund (MEPRF).



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1. "Revised Guidelines for utilising the 'Meghalaya Environment Protection and Restoration Fund (MEPRF)".

The State Government shall notify institutional mechanism consisting of District Level Executing Committees, Technical Committee, Steering Committee and Monitoring Group to ensure utilisation of MEPRF in an efficient, effective and transparent manner for the purpose of restoration of environment in areas affected by coal mining in the State and for necessary remedial and preventive measures with regard to environment and matters related thereto including rehabilitation of persons affected by coal mining.

2. Steering Committee.-(1)The Steering Committee at State level shall comprise of following members :-

Sl No	Name and designation	Designation in the Governing body
1	Chief Secretary	Chairperson
2	Principal Chief Conservator of Forests &HoFF	Members
3	Additional Chief Secretary/Principal Secretary/ Commissioner & Secretary, Mining and Geology Dept	
4	Additional Chief Secretary/Principal Secretary/Commissioner & Secretary, Forests & Environment Dept	
5	Additional Chief Secretary/Principal Secretary/ Commissioner & Secretary, Finance Department/Planning Department/ PHE Department/ Revenue & Disaster Management Dept./Labour Department/ Social Welfare Department/Education Department	
6	Commissioner of Divisions, Khasi jaintia Hills Division/Garo Hills Division.	
7	Additional Director General of Forests (C) MOEF &CC Regional Office North Eastern Zone, Shillong	
8	Chairman, State Environmental Impact Assessment Authority	
9	Chairman, Meghalaya State Pollution Control Board	
10	Regional Director, Central Pollution Control Board, Shillong	
11	Secretary to the Chief Executive Member, Autonomous District Councils	
12	Director of Mineral Resources	
13	Two non-official members/non-governmental organization having expertise in the field of Environment and Mining	Non-official member

Note: Selection of non-official members shall be subject to approval by the NGT Committee, Meghalaya.

(2) Powers and functions of the Steering Committee:- Without prejudice to the general powers and functions of fulfilment of the object of these guidelines, the Steering committee shall have the following powers and functions:

- a) Assessment of administrative feasibility and prioritisation of various activities to be undertaken from the MEPRF.

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- b) Determine project area for undertaking various activities and schemes under the MEPRF.
 - c) Recommending the Annual Action Plans prepared by respective District Level Executing Committee duly scrutinised and approved by technical committee.
 - d) Placing Annual Action Plan before the NGT Committee, Meghalaya for approval.
 - e) Approving such other expenditure in furtherance of the objectives of the Meghalaya Environment Protection and Restoration Fund (MEPRF) after obtaining necessary approval from the Committee.
 - f) Ensuring Inter-Departmental coordination.
 - g) Approving Annual Reports and audited accounts of the MEPRF submitted by each District Level Implementing Committee.
 - h) Laying Annual Reports before the State Legislative Assembly.
 - i) Ratify the appointments on contractual basis to run the MEPRF.
 - j) Appointment of auditor for auditing accounts of District Level Executing Committee.
 - k) Monitor the progress of the utilization of MEPRF and review the progress of preceding projects.
 - l) Placing the Annual Report before the NGT Committee, Meghalaya.

(3) Meetings of the Steering Committee:-

- a) The Steering Committee shall meet at least once in three months or as decided by the Chairperson.
- b) The quorum for such meeting shall be half of the total members of the Steering Committee.

3. Technical Committee.-(1) The Technical Committee shall be constituted with the following members:-

Sl No	Name and designation	Designation in the Technical committee
1	Principal Chief Conservator of Forests & HoFF	Chairperson
2	Additional Principal Chief Conservator of Forests (CC, R&T)	Member
3	Chief Conservator of Forests (SF &E)	Member Secretary
4	Director of Mineral Resources.	Members
5	Chairman, State Expert Appraisal Committee (SEAC)	
6	Member Secretary, Meghalaya State Pollution Control Board	
7	Additional Director, Central Pollution Control Board, Shillong	
8	Scientist 'E'/Scientist 'D', MOEF & CC Regional Office North Eastern Zone, Shillong.	
9	Director of School Education and Literacy	
10	Chief Engineer PHE	
11	Labour Commissioner	

12	Director of Social Welfare	
13	Head, Department of Environmental Studies, North-Eastern Hill University	
14	Representative from CSIR –Central Institute of Mining and Fuel Research, Dhanbad.	
15	Representative from Environment Protection Training and Research Institute (EPTRI), Hyderabad	

(2) Powers and functions of the Technical Committee:-

- To examine and certify technical feasibility of the proposals for restoration of environment damaged due to coal mining.
- To scrutinize and recommend the received proposals and submit before the NGT Committee, Meghalaya through the Steering Committee.
- To scrutinize and recommend Annual Action Plan prepared by respective District Level Executing Committee and forward to Steering Committee.
- To approve rates/estimated costs of the proposals for various activities with regard to restoration of environment damaged due to coal mining.
- To suggest best possible technology/technical solution for each activity proposed to be undertaken from the MEPRF by holding brain storming sessions and consulting reputed organizations involved in restoration of environment damaged due to mining activities.

(3) Meetings of the Technical Committee:-

- The Technical Committee shall meet at least once in every month or as decided by the Chairperson
- The quorum for such meeting shall be half of the total members of the Technical Committee.

4. District Level Executing Committee.- 1) District Level Executing Committee shall be constituted in each district affected by coal mining with following members:-

Sl No	Name and designation	Designation
1	Deputy Commissioner	Chairperson
2	Divisional Forest Officer, Territorial Division /Social Forestry Division	Member secretary
3	Representative from the Directorate of Mineral Resources	Members
4	Representative from Autonomous District Councils	
5	Executive Engineer, PHE	
6	District School Education Officer	
7	Deputy Labour Commissioner/Assistant Labour Commissioner	
8	Representative from the Meghalaya State Pollution Control Board	
9	Representative from Meghalaya Basin Development Agency (MBDA)	
10	Representative from Institute/Firm/Organization implementing the projects	
11	Three representatives from villages affected by coal mining in the District	Non official Members

Note: Selection of non-official members shall be subject to approval by the NGT Committee, Meghalaya.

2) Powers and functions of the District Level Executing Committee:-

- a) Take all steps for implementation of various activities/schemes for the restoration of environment in project areas.
- b) Preparation of Annual Action Plans as per the projects/schemes approved by the Technical Committee and Steering Committee for various activities permissible under the Guidelines.
- c) Submission of Annual Action Plan to the Technical Committee.
- d) Execute, coordinate and supervise the Annual Action Plans and the approved schemes and projects with the assistance from line Departments.
- e) Prepare Annual Report for each Financial year.
- f) Maintain the books of accounts and place audited accounts along with Annual Report before the Steering Committee for approval.

3) Meetings of District Level Executing Committee:

- a) The meeting of District Level Implementing Committee shall be held at least once in every month or as decided by the Chairperson.
- b) The quorum for such meeting shall be half of the total members of the District Level Executing Committee.

5. Monitoring Group.-(1)The Monitoring Group shall be constituted with following members:-

Sl No	Name and designation	Designation
1	Non-official expert in the field of Mining or Environment	Chairperson
2	Two Non-official experts in the field of Mining or Environment	Members
3	Representative from NESAC	Member
4	Mining Officer, Directorate of Mineral Resources	Member secretary

Note: Selection of non-official members shall be subject to approval by the NGT Committee, Meghalaya.

(2)Powers and functions of the Monitoring Group:-

- a) Monitoring quantitative and qualitative progress of activities under taken from MEPRF.
- b) Submits periodic reports to the Steering Committee and the NGT Committee, Meghalaya for their perusal.
- c) Conducting field inspection of the activities undertaken from MEPRF for preparation of periodic reports.

6. Operation of Account.-

- 1) Funds accrued under MEPRF shall be kept under Savings Bank Account in a Nationalised Bank.
- 2) The account shall be operated under joint signature of the Secretary to the Government of Meghalaya, Mining & Geology Department and Director of Mineral Resources.

- 3) Portion of the fund accrued may be invested in 2-3 Fixed Deposits for various periods ranging 6 months to 3 years.
- 4) The Member Secretary of the Steering committee shall maintain the books of accounts for this Fund.

7. Utilization of the Fund.-1)The Meghalaya Environment Protection and Restoration Fund (MEPRF) shall be utilized for implementing the Action Plan prepared by the NGT Committee, Meghalaya for restoration of environment in areas affected by coal mining in the State of Meghalaya.

2) The MEPRF can also be utilised for following activities:-

- a) Undertake pilot projects on reclamation of abandoned coal mines by involving reputed institutes;
- b) Engaging consultant to prepare master plan and provide consultancy service in the field of restoration of coal mining affected areas;
- c) Closing of underground mine where mineable coal has been exhausted with suitable manner, procedure and technology, so that there is no threat of fire, undue subsidence or any other damage to human and environment;
- d) Sealing of entry of mines, which is not in use but has the potential of becoming productive mine in future;
- e) Drinking Water Supply;
- f) Providing compensation for loss of life or property due to coal mining;
- g) Rehabilitation of persons affected by coal mining activities in the State of Meghalaya;
- h) Expenses towards strengthening regulatory framework to prevent illegal mining and illegal transportation of coal;
- i) Any other activity with the prior approval of the NGT Committee, Meghalaya.

3) A portion of interest received from the Funds invested in Fixed Deposits, with the prior approval of the Chairman NGT Committee, Meghalaya, may be used for paying wages or remuneration of contractual appointees, sitting fee & TA/DA of non-official members of the Committees constituted under these Guidelines, miscellaneous expenses, administrative expenses, institutional expenses, and payment towards monitoring and evaluation purpose.

8. Execution of works .-

- 1) The funds in relation to execution of the approved projects/works/schemes may be released in favour of the District Level Executing Committee, concerned Department or the implementing agency/organization/firm as deemed fit.
- 2) Goods and services may be procured by District Level Executing Committee or concerned Department or implementing agency/organization after following the procedure prescribed by the State Government.
- 3) The works undertaken under the MEPRF shall normally be executed through Government Departments, agencies, statutory body, Public Sector undertakings and Autonomous District Councils which will follow the relevant norms applicable to the organization while executing or awarding contracts.

4) Technical approval of the estimates for the work will be looked after by officers competent to do so under the administrative delegation of powers as applicable to the Department concerned.

5) In respect of such works which cannot be executed through Government Departments, agencies, statutory body or public sector undertakings, the Steering Committee or concerned Department or the District Level Executing Committee may award the work to any other competent and reputed agency following a transparent process, after obtaining prior approval of the State Government.

9. ACCOUNTS AND AUDIT.-

- 1) The District Level Executive Committee and the concerned Department shall maintain or cause to be maintained proper books of accounts.
- 2) The accounts shall be audited every year by qualified auditor.
- 3) The auditors of the MEPRF shall be appointed by the Steering Committee from the list of approved auditors notified by the Accountant General of the State on such terms and conditions as decided by the Committee.
- 4) The Steering Committee may remove and replace auditors with any other auditor notified by the Accountant General of the State.
- 5) District Level Executing Committee and concerned Department shall submit to the Steering committee a quarterly progress report relating to physical and financial achievement, and utilization certificate every year in respect of the Schemes and Projects.
- 6) Within three months from the date of closure of the financial year, the District Level Executing Committee and concerned Department shall forward Annual Report and audited accounts in respect of MEPRF to the Steering Committee.
- 7) The consolidated compiled annual report pertaining to all the District Level Executing Committees and the concerned Department/Agency shall be laid before the State Legislative Assembly and the NGT Committee, Meghalaya.

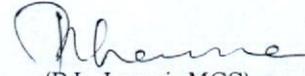
10. Administrative arrangements.-1) The concerned Departments shall provide services of the personnel under their control for execution of the Annual Action Plan and for providing administrative and technical assistance to all the 4 (four) Committees constituted under these guidelines.

11. These Guidelines are issued with the approval of the NGT Committee, Meghalaya headed by Hon'ble Justice Mr B.D Agarwal, Former Judge of Gauhati High Court.

Sd/-
(Dr. Manjunatha C, IFS)
Secretary to the Government of Meghalaya
Mining and Geology Department

Copy forwarded to:-

1. The P.S. to the Chief Minister of Meghalaya for kind information of the Hon'ble Chief Minister.
2. The P.S. to the Minister, I/c Forests & Environment Department for kind information of the Hon'ble Minister.
3. The P.S. to the Chief Secretary of Meghalaya for kind information of the Chief Secretary.
- ✓ 4. The Member Secretary, NGT Committee, Meghalaya for kind information of the Hon'ble NGT Committee, Meghalaya.
5. The Principal Chief Conservator of Forests & HoFF, Meghalaya, Shillong.
6. The Additional Chief Secretary/Principal Secretary/ Commissioner & Secretary to the Govt. of Meghalaya, Forests & Environment Dept/ Finance Department/Planning Department/ PHE Department/ Revenue & Disaster Management Dept./Labour Department/ Social Welfare Department/Education Department.
7. The Chairman, Meghalaya State Pollution Control Board.
8. The Chief Executive Officer, Meghalaya Basin Development Agency (MBDA).
9. The Deputy Director General of Forests (C) MOEF &CC Regional Office North Eastern Zone, Shillong.
10. The Director of Mineral Resources, Meghalaya Shillong.
11. All the Deputy Commissioners Meghalaya
12. The Chairman, State Environmental Impact Assessment Authority.
13. The Regional Director, Central Pollution Control Board, Shillong.
14. The Secretary to the Chief Executive Member, Autonomous District Councils.
15. State Informatics Officers, National Informatics Centre, Shillong with a request to upload the above notification in the Government website.

By Order Etc.,
(P.L. Lawai, MCS)Joint Secretary to the Govt. of Meghalaya
Mining and Geology Department

QUORUM

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**SHRI S. C. BHOWMIK, PROFESSOR
(through VC)
REPRESENTATIVE OF INDIAN SCHOOL OF MINES,
(IIT – ISM), DHANBAD
(Email id: bhowmik44@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)**

IN THE MATTER OF

Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Shri D. P. Wahlang, IAS**
Principal Secretary to the Government of
Meghalaya, Forests & Environment Department
Email id: dwahlang@yahoo.com
- :** **Shri B.K. Lyngwa, IFS**
Principal Chief Conservator of Forests & HoFF
& Chairman, Meghalaya State Pollution Control
Board, Government of Meghalaya.
Email id: lyngwabk@yahoo.com,
pccfmegh@gmail.com,
megspcb@rediffmail.com
- :** **Prof Shri S.C. Bhowmik,**
(through VC)
Member, NGT Committee, Meghalaya,
IIT-ISM, Dhanbad. Sardar Patel Nagar,
Jharkhand-826004.
Email id: bhowmik44@gmail.com.
- :** **Dr. Shantanu Kumar Dutta,**
Member, NGT Committee, Meghalaya,
Addl. Director, Central Pollution Control Board,

Regional Directorate Shillong, Nongthymmai,
Meghalaya.
Email id: shantanucpcb@gmail.com

- : **Dr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya,
Mining & Geology Department
Email id: manju2020@gmail.com
- : **Dr. Z. Changsan**
Regional Director, Central Pollution Control Board,
Regional Directorate North East, Shillong.
Email id: zchangsan.cpcb@nic.in
- : **Shri J. H. Nengnong**
Member Secretary,
Meghalaya State Pollution Control Board.
Email id: megspcb@rediffmail.com
- : **Shri B. Mawlong, MCS**
Joint Secretary to the Govt of Meghalaya
Commerce & Industries Department, Shillong.
Email id: barnari.mawlong@nic.in
- : **Shri D. D. Sangma, MCS**
Joint Secretary to the Govt of Meghalaya,
Mining & Geology Department, Shillong.
Email id: daviddandali@gmail.com
- : **Shri G. K. langrai, MPS**
Assistant Inspector General of Police (A)
Meghalaya, Shillong.
Email id: gkiangrai@gmail.com
- : **Shri T. Lyngwa, IAS**
(through VC)
Deputy Commissioner, West Khasi Hills
Email id: lyngwa123@gmail.com
- : **Shri P. M. Sangma**
Deputy Commissioner, Transport Department,
Government of Meghalaya.
- : **Shri Y. F. H. Laloo**
Assistant Environmental Engineer,
Meghalaya State Pollution Control Board.
Email id: megspcb@rediffmail.com
- : **Shri P. C. Marak**
Mining Engineer,
Directorate of Mineral Resources
Government of Meghalaya

Shri F. Sutnga

Joint Director,
Commerce & Industries Department.
Government of Meghalaya
Email id: fsutnga21@gmail.com

PROCEEDINGS OF 28TH GENERAL SITTING

MINUTES OF TWENTY EIGHTH SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT UNDER CHAIRMANSHIP OF HON'BLE MR. JUSTICE B. D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD ON 8TH DECEMBER, 2020 AT 11.00 A. M. IN THE CONFERENCE HALL, O/O PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HOFF, SYLVAN HOUSE, LOWER LACHUMIERE, MEGHALAYA, SHILLONG-793001.

Agenda

1. Consider the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/2020 in O.A. No. 110(THC)/ 2012.
2. Report by Meghalaya State Pollution Control Board on closure of illegal Coke units and reports from the concerned Deputy Commissioners on the operation of Coke industries in the respective Districts.
3. Consideration of the revised estimate submitted by NESAC, Umiam in respect of geospatial study to be carried out by them
4. Steps to be taken to achieve scientific coal mining in Meghalaya
5. Any other item with permission of the Chairperson.

PROCEEDINGS

AGENDA NO. 1

Consideration of the application filed by Shri. Pawan Sharma, G.S. Road, Shillong in I.A. No. 244/ 2020 in O.A. No. 110(THC)/2012.

The Petitioner, Shri Pawan Sharma as well as his Counsel, Shri A. S. Sidique are absent though they were duly notified in the last meeting. The Petitioner

and his Counsel were requested to present their case physically before this Committee as the audio and video system at their end was not perfect.

However, today, both of them are absent. Neither have they appeared personally before the Committee nor they have joined the proceeding through Video Conference. After waiting for some time, the Deputy Conservator of Forests (Monitoring & Evaluation) had contacted Shri Pawan Sharma over telephone and he assured him that they will be attending the sitting within a couple of minutes. However, till 12.05 P.M. both the Petitioner and his Counsel are absent. This shows that the Petitioner is not interested to pursue his complaint, despite that the Committee will pass appropriate order on the basis of the pleadings of the Petitioner.

On behalf of the State, Dr. Manjunatha C, IFS, Secretary to the Government of Meghalaya, Mining & Geology Department presented his case. The Committee will consider his submission. Order is reserved, and it will be communicated in due course.

AGENDA NO.2

Report by Meghalaya State Pollution Control Board on closure of illegal Coke units, reports from the concerned Deputy Commissioners on the operation of Coke industries in the respective Districts.

Shri B.K. Lyngwa, IFS, Chairman, Meghalaya State Pollution Control Board (MSPCB) was present in the sitting in person. The MSPCB informed the Committee that still 17 Coke factories are running in West Khasi Hills District despite serving closure notices. In the previous meeting also, the MSPCB had informed the Committee that the closure notices were issued to the factories which do not possess CTE/ CTO. In the meanwhile, the MSPCB has already filed an FIR in the Court against M/s Mongri Coke. Today, the MSPCB was directed to file similar FIRs against other Coke industries also who are flouting the Water and Air Act, and also violating other necessary Rules and Regulations.

Contrary to that, the Deputy Commissioner, West Khasi Hills District has submitted a report dated 04.12.2020, wherein it has been stated that closure notices

were issued to 15 Coke factories and those are presently non-functional. In this way, contrary reports have been submitted to the Committee.

Accordingly, the Committee takes the decision to direct the MSPCB as well as the Deputy Commissioner, West Khasi Hills District to take all necessary legal action against the illegal Coke Industries running in West Khasi Hills District and other districts as well. The Deputy Commissioner, West Khasi Hills District is also directed to submit a fresh status report within next 2 (two) weeks without fail to this Committee regarding status of operation of Coke industries in West Khasi Hills District.

The Member Secretary, MSPCB has also given the list of Coke industries established in the East Jaintia Hills District. As per the chart, out of these 16 Coke industries (*i.e.* 15 in East Jaintia Hills and 1 in West Jaintia Hills), few industries are yet to apply for CTE and few industries have not yet been issued CTO.

From among the 18 industries in East Jaintia Hills and West Jaintia Hills Districts respectively, 2 industries have been granted CTO *viz.* M/s Abhi Coke Pvt Ltd and M/s Jaintia Coke Pvt Ltd, whereas rest of the industries have not obtained CTE. From among these industries, 10 have been granted CTE whereas the rest have applied for CTE. So among these 16 industries, 10 have obtained CTE and the remaining have applied for CTE. However, the remaining Coke industries who have been granted CTE, have also applied for CTO and there are few other industries who are yet to apply CTO, despite having been granted CTE. Final status report in respect of the aforesaid industries is to be submitted by the MSPCB as well as the Deputy Commissioners of the East Jaintia Hills District and West Jaintia Hills District within 2 (two) weeks without fail.

Status report to be submitted by the MSPCB shall include status of installation whether completed or not, and the number of ovens in respect of each industry with details of capacity of the installed oven and whether they are presently running or not.

AGENDA NO.3

Consideration of the revised estimate submitted by NESAC, Umiam in respect of geospatial study to be carried out by them

The North-Eastern Space Applications Centre (NESAC), Umiam in their earlier report to the NGT Committee had submitted a project report for a total sum of Rs. 80.98 lakhs. However, the Committee is in receipt of a revised and corrected estimate for the same task which was entrusted to them earlier by the NGT Committee. The fresh estimate is for a total sum of **Rs. 90.80445 lakhs**. The Committee deliberated over the revised estimate and accepted the revised estimate submitted by NESAC in this regard.

The Committee also decides to recommend to the NGT for release of Rs. 90.80445 lakhs from the MEPR Fund, presently held by the Mining & Geology Department to enable NESAC to execute this geospatial study in coal mine affected districts of Meghalaya.

AGENDA NO.4

Steps to be taken to achieve scientific coal mining in Meghalaya

The Secretary, Mining & Geology Department informed that there is requirement to start scientific environment friendly coal mining in the State. As per the Hon'ble Supreme Court order, coal mining is allowed only in compliance with Mines and Minerals (Development and Regulation) Act 1958, Mines Act 1952, the Environment Protection Act 1985. To start scientific mining, mining plan needs to be prepared which would suggest mining methods suitable to Meghalaya. The mining plan needs to be approved by the Ministry of Coal. It was suggested to the Committee to request the Indian School of Mines Dhanbad, Central Mine Planning and Design Institute (CMPDI) to develop suitable mining methods for Meghalaya for the purpose of requiring mining plan to start scientific coal mining in the State.

The Committee agreed to address letters to these organisations seeking their opinion on the mining method which is suitable to Meghalaya coal mines and salient features of the environmental plan for submission of the same to this Committee within 6 (six) weeks of receipt of the letter of request. For any further

clarification on the matter, the above institutions would be at liberty to contact the Secretary to the Government of Meghalaya, Mining & Geology Department and obtain further details on the matter.

AGENDA NO.5

Any other item with permission of the Chairperson

The Secretary to the Government of Meghalaya, Mining & Geology Department pointed out that in the last meeting it was approved that Research & Training Wing of the Forest & Environment Department will submit proposal for implementation of Miyawaki method in association with Central Pollution Control Board. He is of the opinion that if the Social Forestry Division of the Forest & Environment Department is involved in execution of the plantation work, it would be easier for implementing the project. The Secretary to the Government of Meghalaya, Mining & Geology Department also pointed out that if possible, an area of 10 ha should be covered under Miyawaki plantation in each of the five Districts, instead of 5 ha in each of the five districts. The Committee approved the suggestions of the Secretary Mining & Geology Department.

The Committee decided to hold the next sitting i.e., the Twenty Ninth Sitting of the Committee on **8th January, 2020** (Friday) at Umiam, Ri – Bhoi District at 11.00 A.M.

The Chairman thanked all present and concluded the meeting.



(Justice B.D. Agarwal)
Former Judge, Gauhati High Court
And Chairman, NGT Committee, Meghalaya

BEFORE HON'BLE JUSTICE (RETD.) B.D. AGARWAL
COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL
GREEN TRIBUNAL

IN THE MATTER OF:

Pawan Sharma

...Applicant

Versus

State of Meghalaya

...Respondent

REPLY TO THE APPLICATION ON BEHALF OF GOVERNMENT
OF MEGHALAYA

I, Dr.Manjunatha C., S/o Sh. Channabasappa T., Aged about 42 years,
Secretary to the Government of Meghalaya, Mining & Geology Department,
having office at Main Secretariat, Shillong - 793001 do hereby solemnly
affirm and state as under:

Secretary
to the Govt of Meghalaya
Mining & Geology Department

1. That I am the Secretary to the Government of Meghalaya, Mining & Geology Department and as such am aware of the facts and records of the case in my official capacity and competent and authorized to swear this affidavit on behalf of Government of Meghalaya.
2. That I have read and understood the content of the application filed by the above named applicant and at the outset I say that the application is frivolous, bereft of any merit, politically motivated and filed with oblique motive to derail the regulation of coal mining in the State of Meghalaya.
3. **PRELIMINARY OBJECTIONS:**
 - a. That the content of the application filed by the applicant shows on the face of it that the same is politically motivated, *mala-fide* and

frivolous and has nothing to do with compliance of directions passed by the Hon'ble NGT.

- b. That the Applicant has titled the application as compliance of orders passed by the Hon'ble NGT dated 17.01.2020 and except from quoting the directions in paragraph 3 of the application and stating vaguely that the State Government is not complying with the same in Paragraph 4, the application is aimed at making politically motivated statements maligning Ministers of the Government and contains no specifics of the alleged non-compliance of the order passed by the Hon'ble NGT.
- c. That the Applicant has made vague allegations of non-compliance of the directions of the Hon'ble NGT dated 17.01.2020 without placing anything on record to substantiate the bald and *mala-fide* allegations.
- d. That it is most respectfully submitted that the Deponent is only replying to the content of application which is relevant for the present proceedings insofar as compliance of the directions issued by the Hon'ble NGT in order dated 17.01.2020 is concerned and the deponent is neither have knowledge nor the deponent is competent or authorized to give reply to personal allegations labelled by the applicant against Hon'ble Minister of the Government of Meghalaya and his subordinates.
- e. That it also relevant to mention here that the Applicant has criminal background and he has been charge sheeted for the offence of extortion in P.S. Case No. 117 (7)(of 2004 under

Secretary
to the Govt of Meghalaya
Mining & Geology Department

Section 384/511 I.P.C. Therefore, the applicant lacks bonafide and is having criminal antecedent and has allegations are actuated with malafide intention only. A copy of the report of Superintendent of Police, East Khasi Hills, Shillong dated 30th September, 2020 is annexed herewith and marked as ANNEXURE-1.

PARAGRAPH WISE REPLY:

1. That Paragraph-1 of the Application is denied as incorrect and frivolous as the bare reading of the application shows that the applicant is a busybody who has filed the instant application for oblique purposes, out of politically motivated vendetta and has no concern for public interest, which is being taken care of by this Committee constituted by the Hon'ble NGT.
2. That Paragraph-2 of the Application is denied as incorrect and frivolous as the present case was pending before the Hon'ble NGT since 2012 and disposed of vide order dated 31.08.2018. Further, Hon'ble Supreme Court has settled all issues related to coal mining and transportation in the State of Meghalaya vide its detailed judgment dated 03.07.2019 reported as *State of Meghalaya v. All Dimasa Students Union, Dima-Hasao Committee* (2019) 8 SCC 177. The Hon'ble NGT is only considering the issue of restoration of environment and rehabilitation of victims for which this Hon'ble Committee stood constituted. The Hon'ble Supreme Court has further conferred the responsibility of disposal of already extracted coal on this Committee. The applicant has not participated in any of

those proceedings going on for last eight (8) years and has suddenly woken up only in the year 2020, when all the issues have been settled by the Hon'ble Supreme Court, only to derail the ongoing efforts being made by this Hon'ble Committee with sincere assistance of the State Government to commence legal, environment friendly and regulated coal mining in the State of Meghalaya. It is reiterated that the illegal mining in the State of Meghalaya has been completely prohibited.

3. That Paragraph 3 of the application, insofar as it quotes the directions passed by the Hon'ble NGT, the same is matter of record and all concerned are bound by the said directions.
4. That Paragraph-4 of the Application is denied as incorrect, false and frivolous. It is reiterated that all the directions passed by the Hon'ble NGT are being complied with and any illegal mining has been prohibited in the State of Meghalaya. It is submitted that reports have already been placed before this Hon'ble Committee from time to time regarding seizure of illegally mined/transported coal if any illegal mining and transportation is attempted by some unscrupulous elements.
5. That Paragraph-5 of the Application is denied as incorrect, false and frivolous. There is no such observation by the Hon'ble NGT in order dated 17.01.2020 of any alleged corruption and there is no such direction to conduct investigation by an independent agency into any allegation of corruption. The insinuations of the applicant have no basis. It is reiterated that illegal mining has been prohibited

in the State of Meghalaya and no illegal mining or transportation is being done. As and when, any illegal act or omission are noticed or found, action is being taken in terms of Section 21 of MMDR Act, 1957. Moreover, the Hon'ble Supreme Court in the case of *State of Meghalaya v. All Dimasa Students Union, Dima-Hasao Committee* (supra) has held in Para 196.25 of the said judgment which reads as under:

"25) The coal which has been seized by the State in illegal transportation and illegal mining for which different cases have been registered by the State, is not to be dealt with as directed above. The seized coal shall be dealt by the State in accordance with Section 21 of the Act, 1957 and on being satisfied, the State can take a decision to recover the entire quantity of coal so illegally raised without lawful authority."

6. That Paragraph-6 of the Application is denied as frivolous and misleading. It is most respectfully submitted that similar politically motivated petitions were filed by the accomplices of the applicant before the Hon'ble *Lokayukta* Meghalaya, Hon'ble High Court of Meghalaya and also Hon'ble Supreme Court of India and before the Hon'ble NGT making identical allegations. Upon verification of the background of those petitioners/applicants it was discovered that they are all part of a coal smuggling racket who are criminal history-sheeters against whom cases of forgery, theft, assault, cheating, criminal intimidation, smuggling, illegal coal mining and transportation etc. were pending and some were even declared absconders from law. The orders passed by the *Ld. Lokayukta*, Meghalaya was limited to alleged illegal export of coal from Meghalaya to Assam and Bangladesh and was passed without

jurisdiction and contrary to the provisions of the Parliamentary legislation. Hence, these orders have been challenged by the State of Meghalaya before the Hon`ble High Court and because of the present pandemic situation the case has not been taken up for hearing after 18.03.2020 as the Hon`ble High Court is not functioning normally after the said date. The Applicant, who is not even party to these cases, is now imputing intention to the orders passed by the Hon`ble Court in furtherance of his *mala-fide* design and oblique purpose. It appears that the applicant has not disclosed his source of information and it further appears that he is acting at the behest of one Abdul Ahad Chudary against whom more than 50 criminal cases have been registered including recent case by C.B.I. against Abdul Ahad Chaudhary. Earlier, Abdul Ahad Chaudhary got filed the case through one Abhijeet Basumatary before learned Lokayukta and having failed in his illegal design, it appears that the above named person has got filed the instant complaint through the applicant. The answering respondent craves the leave of the Hon`ble Tribunal to place all relevant material in support of above contention during the course of hearing.

Secretary
to the Govt of Meghalaya
Mining & Geology Department

- 7. That Paragraph-7 of the Application is denied as incorrect, false and frivolous. It is reiterated that best efforts are being put by the Government of Meghalaya, under guidance of this Hon`ble Committee for commencement of legal coal mining and simultaneous improvement of environment to ensure that the principles of sustainable development are followed in letter and spirit. Further, there is no issue of loss to public exchequer as

royalty and other statutory charges are being collected even while disposing of the extracted coal as per Supreme Court orders.

8. That Paragraph-8 of the Application is denied as false, frivolous and politically motivated as constitutional body of legislative assembly is being defamed by the Applicant herein. The allegations labelled in the corresponding paragraph of the application has no connection whatsoever with the issues involved in the present case and the applicant has not placed any material on record to substantiate the allegations. Further, the deponent is not conversant with the basis of personal allegations labelled by the applicant and no specific reply can be given for want of knowledge.
9. That Paragraph-9 of the Application is denied as frivolous and politically motivated. The allegations labelled in the corresponding paragraph of the application has no connection whatsoever with the issues involved in the present case and the applicant has not placed any material on record to substantiate the allegations. Further, the deponent is not conversant with the basis of personal allegations labelled by the applicant and no specific reply can be given for want of knowledge.
10. That Paragraph-10 of the application is denied as frivolous and misleading. That insofar as directions of the Hon'ble NGT qua Cement Companies is concerned, it is observed that the said companies have paid royalty to the Government as per disclosure made by them to the Government qua locally sourced coal and other minerals. The directions of the Hon'ble NGT in relation to

cement companies has now been challenged by the Cement Companies before the Hon'ble Supreme Court in Civil Appeal Diary No(s).15528/2020 and the Hon'ble Supreme Court has been pleased to issue notice both on Appeal and stay application vide order dated 17.09.2020 and which is pending adjudication before the Hon'ble Supreme Court. However, the insinuations made by the Applicant that there is tacit Government approval is baseless, frivolous and mala-fide and is vehemently denied. Further, no material whatsoever has been placed on record to substantiate the bald allegations.

11. That Paragraph-11 of the Application is denied as false, frivolous and politically motivated. It is most respectfully submitted that the Hon'ble Supreme Court, in its judgment in the case of *State of Meghalaya v. All Dimasa Students Union* (supra) dated 03.07.2020 has categorically observed that the State of Meghalaya is not liable to pay any compensation to the CPCB and that the amount directed to be paid by the Hon'ble NGT is not compensation. Accordingly, the Hon'ble Supreme Court modified the directions of Hon'ble NGT and directed that the amount of Rs.100 crore be taken out of the MEPR Fund which is collected from the persons who are actual polluters. This amount has also been directed to be used for the state of Meghalaya only. The matter has been fully adjudicated upto Supreme Court and the applicant has concealed material facts from the Hon'ble National Green Tribunal and this Hon'ble Tribunal with oblique motive.

Secretary
to the Govt of Meghalaya
Mining & Geology Department

12. That Paragraph-12 of the Application, insofar as it relates to report of this Hon'ble Committee and directions passed by the Hon'ble NGT are matter of record and are being duly complied with and report of compliance is being filed from time to time. However, any insinuation of the applicant is denied as false and frivolous.
13. That Paragraph-13 of the Application, insofar as it relates to report of this Hon'ble Committee and directions passed by the Hon'ble NGT are matter of record and are being duly complied with. However, the allegations of the applicant as to non-compliance of directions of Hon'ble NGT is denied as incorrect and false.
14. That Paragraph-14 of the application is denied as frivolous and misleading. The Hon'ble NGT has appointed this Hon'ble Committee for supervising and monitoring compliances of the directions passed by the Hon'ble NGT. This Hon'ble Committee is an independent body monitoring compliance of directions passed by the Hon'ble NGT. It is reiterated that no illegal rat hole mining or transportation of coal is being allowed in the State and strictest action in accordance of law is being taken against any violator and action taken reports have been filed before this Hon'ble Committee in this regard from time to time.
15. That Paragraph-15 of the Application is denied as false, frivolous and politically motivated. It is most respectfully reiterated that no illegal mining or transportation of coal is being allowed in the State and strictest action in accordance of law is being taken against any violator. The instant application has been filed with an oblique

Secretary
to the Govt of Meghalaya
Mining & Geology Department

motive to derail the strenuous efforts made by this Hon'ble Committee to ensure that legal, environment friendly and regulated coal mining in Meghalaya may commence at the earliest.

4. That in view of the facts and law stated as above, it is most respectfully prayed that the application of the above-named applicant may please be rejected at the threshold with observations as to the *mala-fide* intention and oblique motive of the applicant in preferring the instant application.

It is prayed accordingly.



DEPONENT
to the Govt of Meghalaya
Mining & Geology Department

VERIFICATION:

Verified at Shillong on this 1st day of October, 2020 that the content of the above reply affidavit is true and correct to the best of my knowledge and belief based on official records of the Government of Meghalaya. That nothing is false and nothing material is concealed therefrom.



DEPONENT
to the Govt of Meghalaya
Mining & Geology Department

-CONFIDENTIAL-

ANNEXURE ① //

**OFFICE OF THE ADDITIONAL DIRECTOR GENERAL OF POLICE::SB
MEGHALAYA ::: SHILLONG**

Letter No. MSB/II/314/Vol-IV/2020/216

Dated: Shillong, the 30th September, 2020.

From : Shri. G.D Kharwanlang, MPS
Superintendent of Police (SB-I),
Meghalaya, Shillong.

To : ✓ Dr. Manjunatha C, IFS,
Secretary to the Government of Meghalaya,
Mining and Geology Department,
Meghalaya, Shillong.

Sub : **Report on Pawan Sharma.**

Ref : Reference your office Letter No. MG.44/2020/289 Dtd 30th Sept., 2020.

Sir,

With reference to the subject cited above, I am directed to enclose herewith a report on Shri. Pawan Sharma, received from the office of the Superintendent of Police, East Khasi Hills District, Shillong which is self explanatory for favour of your kind information and necessary action please.

Enclosed:- As stated above.

Yours faithfully,



Spl. Superintendent of Police (SB-1),
Meghalaya, Shillong.

Memo No. MSB/II/314/Vol-IV/2020/216-A

Dated Shillong, the 30th September, 2020.

Copy to:-

1. The Assistant Inspector General of Police (A), Meghalaya, Shillong for favour of kind information of the Director General of Police, Meghalaya.
2. The Addl. Director General of Police (L&O), Meghalaya, Shillong, for favour of kind information.
3. The Addl. Director General of Police (SB), Meghalaya, Shillong, for favour of kind information.
4. The Deputy Inspector General of Police (SB)/(ER), Meghalaya, Shillong, for favour of kind information.


Spl. Superintendent of Police (SB-1),
Meghalaya, Shillong.

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(215)

OFFICE OF THE SUPERINTENDENT OF POLICE: EAST KHASI HILLS
SHILLONG

Letter No CB/SR/Misc/2020/ 1462

Dated Shillong, the 30th September, 2020.

To
The Special Superintendent of Police(SB-I),
Meghalaya, Shillong

Subject Report on Shri Pawan Sharma.

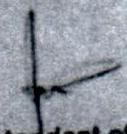
Reference: Your letter No. MSB II/314/Vol. IV/2020/214 dt.30.9.2020.

Sir,

With reference to the above, it may be informed that Shri B.P. Bajoria of Thana Road, Shillong lodged a written FIR on 21.07.2004 with O/C Shillong Sadar PS to the effect that in the month of April,2000 Shri Pawan Sharma came to his office at Thanaroad, Shillong and collected Rs.5000/- (Rupees five thousand)only by putting him in fear of harming his reputation as he claimed himself as the President of NTYU. On 20.7.2004 at 4.00 pm Shri Pawan Sharma again came to his office at Thanaroad and demanded a sum of Rs.10,000/- (Rupees ten thousand)only and on his refusal threatened him.

Accordingly, based on the above referred written FIR, a case vide Shillong Sadar PS Case No.117(7)2004 u/s 384/511 IPC has been registered and after thorough investigation, the case was Charge Sheeted against accused Shri Pawan Sharma vide Sadar PS CS No.75/2004 dated 26.11.2004. The case is subjudice in the Court.

Yours faithfully,


Superintendent of Police,
East Khasi Hills, Shillong

-X-X-X-

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

Original Application No. 110(THC)/2012

Threat to life arising of coal mining
in South Garo Hills District, Meghalaya **Applicant**

-Versus-

State of Meghalaya and ors. **Respondents**

IN THE MATTER OF:

A Rejoinder by the
Applicant to the reply filed
on behalf of government of
Meghalaya.

-AND-

IN THE MATTER OF :-

Shri Pawan Sharma,

....**Applicant**

Versus

State of Meghalaya and ors.

....**Respondents**

1. That under the heading "Preliminary Objection" the State Respondents could not say anything except making vague allegations of

"Politically Motivate, malafied and frivolous" and stating that "the petitioner aims at maligning Ministers of the Government" and the alleged "criminal background of the petitioner" as well as non-specific instance of non-compliance of the orders passed by the HON'BLE NGT, there is nothing which hits at the root of the points raised in the petition and as such the same needs no consideration and the petition requires to be proceeded with in accordance with law.

2. That the reply is evasive as it does not specifically say as to which of the directions contained in the order dated 17.01.2020 has been complied with. Otherwise also, had it been complied as claimed, the rat hole mining and consequent illegal transport of coal would have been stopped, but the print as well as the electronic media are full of the news of hundreds of illegally extracted coal laden trucks passing through the National Highway with impunity causing traffic jam everywhere, although the State Government is tight lipped and shy of admitting the continuance of rat hole mining and the transportation of illegal extracted coal in complete violation of the ban as imposed by this Hon'ble Tribunal.

In this connection the deponent begs to bring on record the following instances of violation of ban as reported in print media :-

(i) The Shillong Times dated 12.03.2020

East Jaintia Hills Police seized 23 coal laden trucks illegally transporting coal which include 12 (twelve) trucks on 10.03.2020 at Kuliang; 9 (nine) trucks on 11.03.2020 at Sonapur Umkiang and

accordingly several cases were registered by the Police at Lumshnong Police Station.

(ii) The Shillong Times dated 19.03.2020

Illegal coal transportation on March 16 around 4.30 p.m Police detected two containers transport vehicles, transporting coal in violation of N.G.T. order at Lumshnong East Khasi Hills . However , driver of the truck managed to escape.

On March 15, around 3 a.m. Police detected one truck transporting coal in violation of N.G.T. order at Mukhep, Lad Longkaluh East Khasi Hills

(iii) The Shillong Times dated 29.03.2020

Despite curfew and lockdown illegal transportation of coal continues. According to Police on March, 26 around 1.30 p.m. 10 ten coal laden trucks were detected and seized from Umbir Village in Ri-Bhoi District for violation of N.G.T. order.

On 24.03.2020 around 7.30 p.m. Police detected 2 (two) trucks while transporting coal in violation of the N.G.T. ORDER OF Umkiang check gate, East Jaintia Hills.

(iv) The Shillong Times dated 07.04.2020

Despite the curfew and lockdown in the State, illegal transportation of coal trucks in violation of the N.G.T. orders, continues in the State.

Only recently 5 (five) coal laden trucks at Nongsning and Mynkre Village from East Jaintia Hills District were seized. At Mynkre Village,

however the members of the Village Defence Party VDP were ones to seize 4 (four) trucks for flouting the lockdown and N.G.T. order.

(v) **The Shillong Times dated 10.04.2020**

Illegal coal transportation on April, 3 around 7.30 p.m. Police seized 3 (three) coal laden trucks at Mawlien Mawkhoon village in Ri-Bhoi District.

(vi) **The Shillong Times dated 13.04.2020**

In violation of the N.G.T. Order as well as lockdown imposed in the State along with the rest of the Nation, Police on April, 7 around 2.05 A.M. detected one stationary coal laden dumper truck MH-12-TRDK-2796 without driver at Rymbai Road, East Jaintia Hills.

(vii) **The Shillong Times dated 14.04.2020**

Shri S. Marwein, E.A.C. Khliehriat lodged a complaint that on April, 11 around 11.30 A.M. while conducting mine raids along with the Police at Moopynien, Khliehriat East, 6 to 8 labourers were seen mining in 2 (two) coal mines, however they managed to escaped. 2 (two) mining equipments were seized from the spot.

(viii) **The Shillong Times dated 09.05.2020**

Coal truck seized - A.Nongdhar, Mines and Royalty Inspector, D.M.R. Umkiang, East Jaitia Hills lodged a complaint that on May, 6 around 4 A.M. 1 (one) truck was detected at Umkiang check gate while illegally transporting coal in violation of the N.G.T. order.

(ix) **The Shillong Times dated 21.05.2020**

Workers unload freshly mined coal at Moolang village in East Jaintia Hills on Wednesday. Earlier on May 13 the Police seized 22 trucks carrying

coal illegally which were parked at Ratacherra and Malidor in East Jaintia Hills.

(x) **The Shillong Times Dated 26.05.2020**

Despite the ongoing lockdown and restrictions there seems to be no end to illegal coal mining in the State. The Ri-Bhoi District Police in the last one week have detected as many as 4 (four) trucks laden with unauthorized coals.

(xi) **The Shillong Times Dated 16.07.2020**

On July 11, around 5 p.m., the Police detected and seized 1 (one) truck while illegally transporting coal under Shillong Police Station in West Garo Hills.

(xii) **The Shillong Times Dated 06.10.2020**

On 1st October around 9.30 A.M. Police detected transporting coal in violation of N.G.T. order at Sohiong petrol pump East Khasi Hills.

(xiii) **The Shillong Times Dated 07.10.2020**

According to media report in Assam , 150 trucks entered Assam on the night of October 5 and only 2 were detained in Beltolla in Guwahati, while on the morning of October 6 as many as 650 trucks entered Assam. There is no way anyone can check the veracity of the numbers quoted but it is an incontrovertible fact that is being clandestinely sold in Assam.....Shri Lakhmen Rymbui was entrusted with the Home Portfolio in controversial circumstances when his predecessor James Sangma's name figured in smuggling of coal – a lucrative trade for the coal rich State. Informed sources claimed that the State Police are like a caged parrot unable to function freely i.e. **they sometimes intercept coal laden lorries as an eyewash**.....It may be mentioned that the issue

pertaining to the illegal transportation of coal even forced a group of Cabinet Ministers to take it up with the Chief Minister, Conrad Sangma. Although the Home Portfolio got shifted from one minister to another, not much change seems to have occurred and the coal seems to be finding their way out of the State, inspite of the N.G.T. ban.

(xiv) The Shillong Times Dated 08.10.2020

While the M.D.A. Government continues to be on denial mode on the allegation of syndicated supply of coal to Assam led to James Sangma being stripped from his portfolio earlier this year.

(xv) The Shillong Times Dated 10.10.2020

The clamour for action against coal racketeering in the State is apparently getting louder. For its part, the N.P.P. led M.D.A. Government seems to be getting concerned with unremitting allegations over illegal transportation of coal from several quarters.

Soon after B.J.P., an ally in the M.D.A., demanded arrest of Power Minister James Sangma over the matter, civil society groups in the State are now demanding a C.B.I. inquiry into the alleged coal syndicate.

(xvi) The Shillong Times Dated 12.10.2020

Meghalaya B.J.P. which has been demanding arrest of Power Minister James Sangma for his alleged involvement in illegal transportation of coal has asserted that they would approach the Prime Minister's Office, P.M.O., on the matter.

(xvii) The Shillong Times Dated 13.10.2020

Sangma further said that the Government was serious about dealing with the illegal transportation of coal and hence the Government has also prepared selling up of integrated check gates which will have live C.C.T.V. cameras along with other technological solutions to check all the trucks.

(All the above newspaper cuttings are enclosed herewith and marked as Annexure I to Annexure XVII respectively)

3. That the allegation that the Applicant is having a criminal background is false, mischievous and the product of vicious mind as the case mentioned in the reply was a false case filed by vested interests to tarnish the image of the Applicant and as such it has failed to stand the test of Judicial Scrutiny as no witness came forward to substantiate the aforesaid false and motivated allegations and the case resulted into honourable acquittal of the Applicant.

4. That the Applicant has set up a case for the failure of the State to comply with the direction of this Hon'ble Tribunal. In para 3 of the application, the Applicant has specifically mentioned about the 19 directions of this Hon'ble Tribunal which has not been complied with.

For instance no steps have been taken :-

a) *For electronic recording of movement of coal including by way of G.P.S and R.F.I.D. Tags and having Central Server for the purpose.*

b) *Monitoring of sourcing of illegally mined coal by Cement Manufacturing / Thermal Power Plant for enforcement of Mining Law including punitive and remedial action for sourcing of illegally mined materials as found by the Committee.*

c) *Building of Board's home in Khliehriat and Sutnga area in East Jaintia Hills District, Meghalaya for preparation of Geological Report and Feasibility Report for scientific coal mining.*

d) *Compiling information about locations of dumps of coal.*

e) *Finalizing mode and manner of handling of coal and its disposal including e-auction;*

f) *Transfer of coal to Coal India Limited;*

g) *Adopting Satellite Surveillance systems;*

5. That had the aforementioned directions of this Hon'ble Tribunal been complied with the illegal extractions of coal by way of rat-hole mining and transportation would have stopped but as would transpire from the above media reporting that thousands of illegally mined coal laden trucks would not have been moving out of Meghalaya.

6. That it took almost 9(nine) months for the Chief Minister of the State to declare that it was serious about the dealing with the illegal transportation of coal and hence, the government is proposing to setup integrated check gates which will have live CCTV cameras along with other technical solutions to check all the trucks as published in The Shillong Times dated 13.10.2020 (Annexure XVII) and that to mere lip service to cover up the inaction in complying with the Hon'ble Tribunal's direction.

7. That as stated in the above media report i.e. the Shillong Times dated 07.10.2020 (Annexure - XVII) the police as an eyewash has been detecting merely one or two trucks while leaving hundreds of trucks to pass through unchecked, which speaks volume of the conspiracy of the coal syndicate causing immense loss to the public exchequer.

That the statements made in paragraph 1,3-7 are true to the best of my belief and those made in paragraph 2 are true to my information being derived from the record which I believe to be true.

Dated, Shillong
The 15th October, 2020

Verification

Verified at Shillong on this the 14th day of October, 2020 that the contents of the above rejoinder is true and correct to the best of my knowledge and belief based on records. That nothing is false and nothing material is concealed herein.



To,

Hon'ble Chairperson,
The National Green Tribunal,
Faridkot House,
Coperrnicus Marg,
New Delhi-110001

Reference: Original Application No. 110(THC)/2012

**Threat to life arising of coal mining in South Garo Hills District, Meghalaya
-Versus-
State of Meghalaya**

Sir,

Please find here with a copy of the rejoinder by the applicant to the reply submitted by the government of Meghalaya.

Thanking You,

Yours Sincerely,

Dated, Shillong
The 15th October, 2020

A.S.Siddiqui,
Advocate for the Applicant
Shri Pawan Sharma.
Email: asamad2210@gmail.com

12th MARCH, 2020

Police seize 23 coal trucks

By Our Reporter

SHILLONG: East Jaintia Hills district police seized as many as 23 coal trucks since the last two days.

The trucks seized include twelve on March 10 at Kuliang, nine on March 11 at Lumshnong, and two at Sonapur-Umkiang for illegally transporting coal.

Police said four different cases under relevant provisions of law have been registered at Lumshnong police station.

Two of his friends were also injured while six others had managed to escape. All of

Elvis Kharkongor, said that the deceased's mother, R Kharshandi, had told them at

family, particularly for his young siblings.

(Contd on P-7)

Suspected city coronavirus case tests negative

By Our Reporter

SHILLONG: The patient, who was admitted at the North East Indira Gandhi Regional Institute of Health and Medical Sciences (NEIGRIHMS) recently with suspected coronavirus symptoms, has tested negative.

Informing this here on Wednesday, Health and Family Welfare Minister AL Hek said that the report has come in and it is negative and there is no case of coronavirus in the state.

Asking people not to panic, the minister, however, urged that advisories issued by the department be followed.

The department is taking care to ensure that people are protected," he said.

Sources in NEIGRIHMS also confirmed that the patient, who was admitted in the hospital with respiratory tract infection, is not affected with the virus and is recovering.

A coronavirus scare had hit the city on Monday morning after the case sheet of the patient went viral on social media.

Samples were sent to ICMR lab in Kolkata.

Reacting to a query about the shortage of masks and hand sanitisers in the city, Hek said that the department was trying to arrange these.

DC appeals

The East Khasi Hills district Deputy Commissioner on Wednesday appealed to users of social media and other public platforms to re-

frain from posting and sharing any rumour or false information which could create panic and anxiety among the public.

The DC said people may contact East Khasi Hills District Surveillance Unit COVID-19 Control Room on +917085281316 for any information/report.

Helpline numbers

The Director of Health Services (MCH & FW) has informed that call centres have been set up to facilitate correspondence with the public for immediate information with regard to any clarifications.

The Control Room Helpline Numbers, Integrated Disease Surveillance Programme are: State Surveillance Unit 9366090748. (Contd on P-7)

ST POLL

Question: Do you think the Congress MLAs should support the MDA candidate for Rajya Sabha seat?

(Poll closes at Midnight)

Question: Do you think a concerted drive is needed to end superstition prevailing in society?

84% 16%

Vigilance probe ordered into coal racket

Direction to CID to submit preliminary report within 3 months

By Our Reporter

SHILLONG: Instead of CBI, the state government has ordered a CID inquiry into the coal racket in the state.

The order was issued by Chief Secretary MS Rao in the capacity of Vigilance Commissioner on Monday.

According to the order, the CID will have to probe the acts and omissions of the persons involved from April, 2014 to December, 2019 which has resulted in huge loss of revenue to the state government.

The CID has been directed to give a preliminary report within 3 months.

Earlier, the Lokayukta had ordered a CBI probe into the matter but the state government challenged it in the High Court of Meghalaya.

Curiously, the order of chief secretary did not refer to the direction of Lokayukta but mentioned about CAG reports and NGT orders regarding the matter.

The order said that the NGT had on April 17, 2014 banned illegal coal mining

which was upheld by the Supreme Court on July 3, 2019.

The chief secretary said the government has been receiving a number of complaints in respect of illegal coal mining and its transportation.

Over-declaration of coal

The Comptroller and Auditor General of India (CAG) in its report for year ending March 31, 2018 had mentioned about audit covering 2013-14 to 2017-18 and recorded illegal mining and transportation of coal causing loss to public exchequer.

It has been observed in the CAG report that over-declaration was made by the coal miners who kept on mining to meet the quantity at the time of assessment.

Suspicion has also been raised of collusion with some government officials who have assessed coal in excess of what was actually available.

It was also observed in the report that the Mineral Transport Challans issued during the ban period to the transporters indicated more quantity (Contd on P-7)

State govt asks MHA to postpone Census exercise

From Our Special Correspondent

NEW DELHI: The state government has reportedly urged the Centre to halt the upcoming Census 2021 exercise that is scheduled to begin from next month in view of the dreaded coronavirus crises.

Meghalaya may not be able to deploy its manpower on two fronts — countering coronavirus and managing Census, the state said during a video conference with the Union Ministry of Home Affairs (MHA), according to sources.

The Home Ministry has directed the states to stop all "inessential" travel through international borders and increase quarantine facilities in far-flung areas with the help of stakeholders.

The MHA was reviewing the level of preparedness in all states bordering Nepal, Bhutan, Bangladesh and Myanmar, including all the eight Northeastern states.

Home Secretary Ajay Bhalla held a video conference with chief secretaries and additional chief secretaries of Assam, Arunachal Pradesh, Bihar, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Uttarakhand, Uttar Pradesh and West Bengal. Secretary, Border Management, and DG of BSF, SSB and Assam Rifles. (Contd on P-7)

M'la to p

Be serious

By Our Reporter

SHILLONG: Meghal continues to remain on alert even as no case of coronavirus has been reported in the state.

Chief Secretary MS Rao on Wednesday issued a series of directions to ensure that the state is free from the spread of virus.

Though the education institutions, parks, sports spots, cinema halls and other public places were closed, worry for the government is market places.

The government has an immediate plan to issue instructions to close down markets as it involves livelihood. However, there are general instructions to the people to avoid crowded places. Both the government and private institutions have already adopted measures like distribution of hand sanitizers to ensure personal hygiene of the employees.

Earlier on Wednesday Chief Minister, Goma Sangma held a video conference with Deputy Commissioners and Medical Officers of all districts to take stock of the preparedness in containing COVID-19. In the meeting, the chief

made in a laboratory or otherwise worldwide. that it uses to grab and

Vigilance probe ordered...

(Contd from P-1) than what was assessed which also promoted illegal mining and transportation of coal during the ban period.

According to the order, during audit, it was observed by the CAG that the district administration had noticed three cases of illegal mining and 847 cases of transportation of illegal extracted coal involving 24750 MT of coal after NGT prohibition.

Out of 847 cases, 716 cases belonged to East Jaintia Hills and Ri Bhoi districts. In addition to these, police had also reported two cases of illegal coal mining in Laskain (September 2017) and Khlobo Kyriming (April 2018) in West Jaintia Hills. Audit noticed cases of illegal coal mining in the reserve forest areas in Garo Hills as reported by the Assistant Mines Royalty Inspector, Williamnagar, to the District Administration and Forest Department (June 2016). The Mining Department and District Administration officials, during an inspection in Dipogre and Damal Asim area in West Garo Hills (April 2018), also reported on illegal mining operation at these two locations.

The order said during the field audit in Rymbai road/village, Lad Sumga area and Dkhiah village in East Jaintia Hills district (August 23, 2018) the audit team noticed huge coal stocks lying on the road side and coal mining appeared to be freshly carried out. Labour camps, cranes, generators and diesel along with dumpers were also seen at these sites.

Assam team detects 1373 coal trucks

Moreover, on receiving complaints about overloaded coal trucks coming from Meghalaya, the Deputy Commissioner, Cachar District, Assam constituted an inspection team (January 18, 2018).

During the period from January 22, 2018 to March 21, 2018 (59 days), the inspection team detected 1373 overloaded coal trucks exiting from Meghalaya with total load of 55.60 thousand MT, with average excess load of 17 MT per truck (total excess load- 23.25 thousand MT). The team collected penalty of Rs. 3.83 crore for overloading.

The Assam Commissioner of Transport had also written to the Director, Directorate of Mineral Resources on March 13, 2018 pointing out that coal trucks are not having proper challans issued by Meghalaya Tax Department and Mines and Minerals authorities, indicating that on account of acts and omissions of the concerned authorities, illegal transport of coal had taken place during the check period.

The chief secretary said it appears from the CAG report that about 48.62 thousand MT excess coal was transported from Meghalaya to Assam during 2017-18. Since the excess load was not detected and reported at Meghalaya check-gates, it could not be accounted against the inventory of the coal owners as per NGT order.

Rs 5.64 cr revenue loss

As a result, it led to revenue loss of at least Rs 5.64 crore in the form of royalty and Meghalaya Environment Protection and Restoration Fund (MEPRF). Also, the inadequate functioning of check-gates allowed illegal extraction/transportation of at least 48.62 thousand MT of coal valued at Rs.23.58 crore in one year.

Besides, the orders passed by NGT on April 17, 2014 and January 4, 2019 imposing a fine of Rs 100 crore on Meghalaya and the recent order on January 17 also indicate that illegal mining and transportation of coal have been going on in the state.

The chief secretary said it has become imperative to act on the reports of the CAG and NGT pointing out illegal coal mining, illegal transportation of coal and evasion of taxes/loss of revenue of government.

State govt asks MHA...

(Contd from P-1) as well as DGPs and Additional DGI the states also attended the video-conferencing.

The Home Secretary urged all the officials to ensure that round-the-clock deployment of doctors, with adequate testing kits and other medical supplies, be done so hundred per cent screening is done without fail.

As a precautionary measure, the government has already sealed the international border with Bangladesh Myanmar besides imposing restrictions on the movement of transport and people.

Bhalla urged all the officials to ensure round-the-clock deployment of doctors, with requisite testing kits and other medical supplies so that 100 per cent screening is done without fail.

Some border states highlighted difficulties they are facing in screening people due to "intense" passenger movement on the India-Nepal border.

The states also requested the Centre, particularly Ministry of Civil Aviation, to provide them with quick dates about passengers arriving from abroad and proceeding towards the states. According to sources, the states told the Centre that foreign passengers landing in metro cities are often reaching states via regular transport without any intimation to the states about the same.

West Bengal sought further restriction of passenger traffic along the Bangladesh border and sanitisation of major airports and railway stations in the country.

Manipur requested suspension of Inner Line Permit to stop the movement of outsiders.

Almost all states asked for more assistance from paramilitary forces deployed in the border states.

Arunachal Pradesh requested the Centre to ensure screening and safety of defence forces too.

Hoax message on Norwegian..

(Contd from P-1)

Tests negative at NEIGRIHMS

Meanwhile, 4-5 people were screened at NEIGRIHMS but the tests have been confirmed to be negative.

Officials from NEIGRIHMS said that the institute started screening people for coronavirus and patients with symptoms related to COVID-19 have been segregated from the OPD itself.

Confusion over price of local sanitiser

Meanwhile, confusion arose over the pricing of a locally produced sanitiser 'Special Hygiene' that was being sold at the departmental store in NEIGRIHMS at Rs 50 and Rs 150, respectively. The price was found to be handwritten on the bottles.

When contacted, the Medical Superintendent of NEIGRIHMS said he would look into the matter.

However, manufacturer of the sanitiser, K Mawth clarified that she runs a small production unit and since there was a sudden surge in demand there was difficulty in printing the labels and the price had to be handwritten.

She also maintained that the price of the sanitiser produces is not inflated since other brands were being sold in the market for Rs 250-300.

M'laya remains on alert...

(Contd from P-1) and the logistics and setting up of control rooms at the district and state level. The meeting stressed on the need to disseminate awareness on hygiene, respiratory etiquette and social distancing.

Health and Family Welfare Minister A L Hek, Home Minister Lakhmen Rymbui and Food and Civil Supply Minister James K Sangma were also present.

The Shillong Times

19th March, 2020

13

motor vehicle Act, 1988, pointed out that vehicles meant for transporting livestock should have special licence issued by the Regional Transport Officer (RTO) and those who do not have it should not be allowed to ply on the roads.

Sangma also claimed that around 30-40 heads of cattle are transported on a single truck which stresses the animals and violates other rules. According to him, the cattle are ill-treated which is punishable under the Prevention of Cruelty to Animals Act, 1960.

Meanwhile, a video of what is being claimed as police escorting, a post involving one such truck was uploaded in Facebook on Tuesday. In the video, a police Gypsy is seen staying back while allowing the truck to pass. After the truck passes, the vehicle starts to move and one of the policemen can be heard shouting in Garo dialect saying "Why are you taking the video!"

According to the FB post, the video was taken around 9:05 am on Tuesday in the vicinity of the Panda reserve. The post further claimed that the smuggled cattle were being taken through Rongara which shares a border with Bangladesh.

in the plain-belt area of West Garo Hills sought by current Rajabala Congress MLA Azad Zaman does not hold any ground. The MLA this week submitted a memorandum to Chief Minister Conrad Sangma seeking the creation of a new district under Rajpur (Wadagokgre) in West Garo Hills.

"The Rajabala Constituency is a minority populated area, and they don't own or possess the ownership of land of their own. If these people do not possess their own land then it is impractical to demand for the crea-

Assam and demographically is not even sufficient for a C&RD block or a sub-division.

"Rajabala is part of the GHADC and the entire region belongs to the Garo community, and as such the demand for the creation of a new district goes against the sentiments of the Garo community and other sub-tribes," stated AHAM.

According to the NGO, a similar demand had been made during the previous government led by Mukul Sangma, which was also not considered.

GH teachers challenge validity of eligibility test

By Our Reporter

from their existing service.

SHILLONG: The temporary teachers from Garo Hills have petitioned the High Court challenging the validity of the MTET exam stating that it is not mandatory for the existing teachers, a statement issued here informed.

The teachers, in the writ petition, said that they were appointed on temporary basis for 59 days and since then had been continuing in service for the past 2 to 10 years.

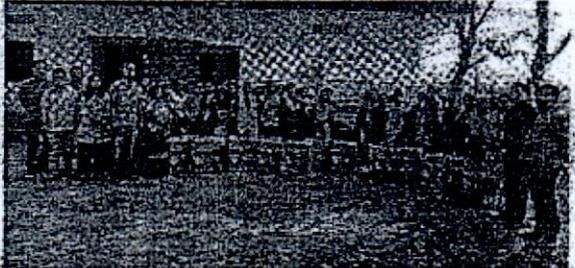
While maintaining that they were qualified in all aspects as per the requirement in NCTE notification (advertisement for MTET) dated July 29, 2011, the petitioners submitted that there were no terms and conditions as well as clarity in the MTET advertisement as to whether it was mandatory for the existing teachers to appear in the exam and if those who fail to clear the said exam will be removed

After the declaration of the MTET result on February 25, the government issued an "impugned" order directing all the Sub-Divisional Schools Education Officers to issue only One Time Extension for the period of 59 days.

The petitioners also raked the incident of question leak which happened prior to the MTET exam.

"The teachers also state that prior to the MTET examination there was question leaked for three days and in this regard an FIR was also lodged at the Tura Police Station and some who were involved in the case were also arrested," the statement read.

It is stated that government has set up SIT (Special investigation Team) to look into the matter but even after a year from the incident, the team has not submitted its final report to the government, the statement informed.



Officials of CAU KVR, Choptot, along with farmers from various villages during the three-day training programme on Quality Seed Production of agricultural crops and distribution of knapsack sprayer in South Garo Hills.

Crime update

Assault

Binut Khongthah (30) lodged a complaint that on March 15, around 11.15 pm, five persons—Aristle Khonglam (22), Jestanwell Drengdoh (20), Pynlangbiang Khonglanoh (20), Robinson Khongsar (22) and Pariah Khongjee (21), all from Nohwet village — assaulted the complainant with stick at Dong Riamkdait, Nohwet, East Khasi Hills. In the incident, the complainant sustained grievous injuries on his head.

Illegal coal transportation

On March 16, around 4.30 pm, police detected two container transport vehicles (JP-21-CN-7966 and JP-21-CN-5245) driven by Md Harspen and Sewaj Khan, and one truck (AS-01-KC-9786), transporting coal in violation of NGT order at Lumshmong (EJH). However, driver of the truck managed to escape.

On March 15, around 3 am, police detected one truck (AS-25-EC-1175) transporting coal in violation of NGT order at Mukhep Lad longkalub (EJH). However, on seeing the police, the occupants of the truck fled away.

29th MARCH, 2020

14

Despite curfew, coal transport continues

By Our Reporter

SHILLONG: Despite curfew and lockdown, there is no end to the illegal transportation of coal.

According to police, on March 26 around 1.30 pm, ten coal laden trucks were detected and seized from 'Ei-Pyngad' picnic spot at Umbrir village in Ri Bhoi for violation of NGT order.

The trucks had all Meghalaya number plates.

On March 24 around 7.30 pm, police detected two trucks (NL-01A-2107 and AS-HDC-3870) while transporting coal in violation of NGT order at Umkiang check gate, East Jaintia Hills.

However, the truckers managed to escape. During enquiry, it transpired that one Nazim Uddin was involved in the illegal transportation of coal.

(Contd on P-9)

ST POLL

GOVERNMENT OF MEGHALAYA

PRESS RELEASE

27th MARCH (1900 HRS)

- Hon'ble PM has announced a 21-day lockdown w.e.f 25th March, 2020. Curfew promulgated in the whole State of Meghalaya is now extended to 6:00 am of 31st March, 2020.
- Online delivery systems have been set up for home delivery of commodities. All information and links relating to this is available at web link, <https://meghamart.com/>.
- Fair price shops and other grocery shops are being opened in a manner. Deputy Commissioners are issuing specific instructions same.
- All citizens are now required to continue to stay indoors in accordance with curfew orders.
- In case of all COVID-19 related emergencies, call 108.
- In case of any other emergency, please call the Deputy Commissioner's Office Control Room.

Sl. No.	Districts	Control Room No.
1.	West Garo Hills	6009926806/8258991324
2.	East Garo Hills	9485113132
3.	North Garo Hills	9485113132
4.	South Garo Hills	

300 beds to be ready ...

(Contd from P-1) He has given direction to the administration to ensure that essential commodities are made available to the public. "People should not panic and maintain social distancing. The government is making efforts to put in place all logistics and supply of essential commodities," the CM added.

Despite curfew, coal ...

(Contd from P-1) Earlier, on March 20 around 4.30 am, 5/6 coal laden trucks approached a police check point under Khliehriat police station.

However, when signaled to stop for checking, the trucks accelerated and drove towards Mynkre village, in a rush and negligent manner, endangering the life of the police personnel on duty. After enquiry, police detected three trucks (ML-10B-9796, MLAS-01-FC-0018 & AS-01-CC-0955) along with two drivers, Abdul Barbhuiya and Jakir Hussain at an open space of Jud Cement Plant, and another two trucks (NL-01-AA-8424 & AS-01-DE-6734) at an internal road of Amrit Cement Plant, East Jaintia Hills.

Groups distribute free ...

(Contd from P-3) In addition, there are some individuals like Michael Kharsyntiew, who is making sure that food reaches the homeless and the poor.

The Shillong Marwari community is also making sure that essential items reach the poor while the owner of Delhi Mistan Bhandar, Kailash Verma is also giving out snacks for anybody who comes to him for help.

The Shillong Bengali Association has also joined in making sure that apart from meals, tea and snacks are served to police personnel of Shillong city who are on the streets every day.

Anxious ... urges Cl save Ben

By Our Rep

SHILLONG: Amra Bangal gansahon has written to C Sangma about the safety of Bholaganj, Ichhamati and

In its letter dated March said it was "anxious" about the four localities because of inhuman torture by KJ and other groups.

"It is reported that in t nal activities, some police the letter said.

The organisation urge Bengalees from all types

The group has also v Chief Minister Mamata even when the entire w demic, the Bengalis are parts of Meghalaya. "I

7th APRIL, 2020

day

SHILLONG: The state BJP on Monday observed its 40th foundation day at the party headquarters here in the city in a simple manner. It was on April 6, 1980, when the party was formed under the leadership of Atal Bihari Vajpayee and LK Advani. Due to the ongoing lockdown, very few members and party officials participated in the programme while BJP state president, Ernest Mawrie, hoisted the party flag and paid floral tributes to the veteran leaders of the party.

Stay-home plea on Shab-e-Barat

SHILLONG: The Shillong Muslim Union has decided not to hold Ibadat in the Masjid and Ziyarat in Kabristan in the wake of the guidelines issued by the government amid the COVID-19 pandemic. "I would once again appeal to the members of the community and all stakeholders to refrain from coming out from their homes and observe the holy occasion in their individual homes on the occasion of Shab-e-Barat on April 9, considering that this day is a very significant and auspicious for the Muslim community," a statement from the union said.

Market opens at Samasi village

JOWAI: The East Jaintia Hills district administration on Monday opened a market at Samasi village in the presence of headman, village VDPs and also Police personnel to ensure that social distancing norms were followed properly amidst the COVID-19 pandemic. "The same practice will be initiated and continued in the near future while ~~Indians still fighting against the spread of virus~~," the EJI SP, Vivekanand Singh Rathore, said.

WJH Police helps poor

JOWAI: Police personnel from Jowai Sardar Police Station visited 13 poor families of Sohmynting village and provided them with essential commodities. The team, led by the officer in-charge, distributed various essential commodities to the poor families, who are the worst-affected due to the ongoing lockdown. Earlier, Phramer Traffic Cell had also taken a similar step by distributing essential commodities to poor families of Phramer and

haved with the complainant and his staff, when she was advised to undergo compl-

Coal trucks continue flouting curfew orders

By Our Reporter

SHILLONG: Despite the curfew and lockdown in the state, illegal transportation of coal trucks, violating also the NGT order, continues in the state.

Only recently, five coal-laden trucks at Nongsning and Mynkre village from East Jaintia Hills district were seized.

At Nongsning village, Police detected one truck and arrested two persons (the driver and co-driver) in this regard.

At Mynkre village, however, members of the Village Defence Party (VDP) were the ones to seize four trucks for flouting the lockdown and the NGT order. In this connection, four persons were apprehended who, according to Police, hailed from Cachar district of Assam.

ments in a restricted area at HQ, Eastern Air Command (Unit), Air Force, 7th Mile, Upper Shillong.

Securit

HYC slams

From Our Correspondent

NONGSTON: The Hyniewtrep Youth Council (HYC), West Khasi Hills (WKH) District Unit, on Monday slammed the state government for being unable to fix the rate of food and essential commodities in the market, which has gotten the public in dilemma over the timely increase of prices, causing problems to the

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1917iTEAMS

By Our Reporter

SHILLONG: 1917iTEAMS has scaled its IVR call capacity from 8 to 30 manned by 12 additional call and dispatch personnel and also added an additional Agri Response Vehicles (ARVs) to its initial fleet of 18 vehicles.

On the other hand, NaRI, the home delivery network of the Shillong Milk Union has also scaled up by adding 24 mil-

Church prepares for distribution in

10th APRIL, 2020

Sec. 144

Illegal coal transportation

On April 3, around 7.30 pm, police seized three coal-laden trucks ML-06-7627, AS-25C-4167 and ML-06A-0237 at Mawlein Mawkhan village in Ri Bhoi.

Fake govt order

BC Momin, Inspector, Excise Department, lodged a complaint that on March 29, a fake government order dated March 29 for home delivery of IMFL in Tura area was found circulated through WhatsApp.

Shop without license

On April 5, around 11 am, police arrested one Banwar Lal Mangal from Happy Valley, Shillong, for opening a drug store without a valid license, therefore, violating the order under section 144 CrPC issued by District Magistrate, East Khasi Hills.

Prime Minister Narendra Modi ordered 21 days of lockdown, resorted to spending time in the forests hunting innocent creatures.

Speaking to *The Shillong Times*, some elderly people, who wished not to be named, informed that there was mass and indiscriminate killing of fish in Rilang River from Rangthong area downstream, wherein people use poisonous chemical as well fish net and even explosives.

They also informed that many villagers from both sides of the river spend four to five days in the Rilang riv-

er to catch fish for their daily consumption, the villagers added.

The villages that are located near the Rilang river include Rangthong, Rangdong, Mawlieh, Mawli, Kensim Phlang and Ngu raw village on one side while Marjem, Mawjarai, Phlangmawpra, Mawpha saw, Mawmuh and other villages on the other.

"The lockdown has become an enemy of fishes, many rivers and streams in South West Khasi Hills, the district administration does not do anything in regard, the population of *Khasi* (chocolate mab-

Emergence of 'wet market' trend

From Our Special Correspondent

NEW DELHI: Even after so much hue and cry from all over the world, the wildlife market of China, the main suspected source of the dreaded COVID-19, is back in business raising fears of revival of the virus from the epicentre itself.

Commonly known as wet market, these are a series of stalls that sell fishes, chicken, mutton, beef, pork and also a variety of wild animals and birds. Emergence of COVID-19 put a spotlight on the regime's poorly regulat-

ed wild animal trade - driven by relentless demand for exotic delicacies and ingredients for traditional medicine some real and some hoax. China's markets, where wild animals are often poached and crammed together, have been described as a breeding ground for disease and an incubator for a multitude of viruses to evolve and jump the species barrier to humans, one report said. But for many locals, wet markets are part of the local culture in this part of Asia including parts of North East India as people believe that meat and pro-

duce sold there is fresher and cheaper than in modern retail outlets, where the same is preserved for long before sale. These traditional markets are also a lifeline for millions of small farmers, vendors and small businesses in the vast country.

Reports have indicated that germs of COVID-19 originated from wildlife like bats, pangolins and snakes - all popular dishes in China and many Northeastern states like Nagaland, Mizoram, Arunachal Pradesh and Sikkim. With the end of winter season, the tradition of hunting has

come to an end and so all the bush meat feast in North East.

Only this month in Meghalaya, three persons were arrested for eating a wild leopard cat. There were all reports of killing of other wild animals like pangolin in the region earlier.

Wildlife poaching and killing do take place in the North East and animals well and their parts have been supplied to Chinese markets for decades. Rampant killing of wildlife continues in the region too as China remains the major consumer.

Animals come out of wild during lockdown

From CK Navak

NEW DELHI: Wild animals and birds all over the world are coming out to human locality that too in capitals and even metropolis during the total lockdown period because of the COVID-19, but a pair of pandas started something which they hardly do and never in public. Mating!

In their enclosure, with no visitors and not much else to do, a pair of pandas in Hong Kong zoo finally

ing since coronavirus-caused lockdowns shut off the flow of guests to the zoo.

In Noida adjacent to New Delhi, a nilgai, the largest of antelopes, was found strolling in aimlessly across a once very busy mall. In Dehradun Sambar deer were spotted walking on the streets, while, an endangered Indian civet was seen crossing the road in Kerala's Kozhikode.

Olive Ridley Turtles came ashore a beach in Odisha

through a marketplace in Karnataka. Peacocks have started dancing on the streets in Mumbai, and a leopard reached close to an Air Force base near Patna while a bear made it to the MTNL office in Gangtok.

Not only in our country, from the US to France, Italy to Japan, Poland to England, have animals truly come out of the wild. In neighbouring Nepal a Rhino chased a man on the streets as if to force isolation during the pandemic.

once in a year with long gestation period of six to eleven months. Since Ying Yui and Le Le's arrival in Hong Kong in 2007 and attempt at natural mating since 2011 they unfortunately have yet to succeed until this year upon years of trial and learning. The park officials released photos of the pair embracing in an enclosure uncharacteristically from prying eyes and clicking camera phones. They are elated since the species hardly mate and never do

13th APRIL, 2020

Its in on study of plasma therapy

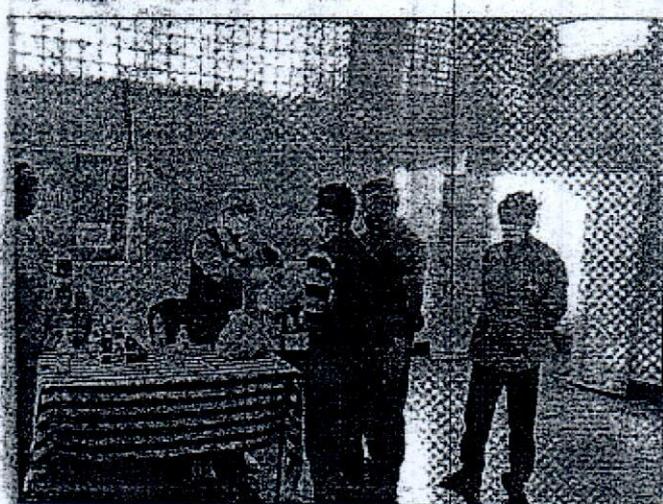
COVID-19 e guide- l institu- provide eatment nical tri- chich are ational: at, the ammend option als. a letter autions and in-

rastructure available to participate in a clinical trial to study the safety and efficacy of convalescent plasma in COVID-19 patients, subsequent to necessary approvals and clearances.

"Institutions which are interested to collaborate with ICMR on undertaking this trial intervention may express their interest by providing the details," the ICMR said.

In convalescent plasma therapy, antibodies from the

blood of patients who have recovered from COVID-19 are used to treat severely infected patients. The study is aimed at assessing the efficacy of convalescent plasma to limit complications in COVID-19 patients and to evaluate the safety of treatment with anti-SARS-CoV-2 plasma in infected patients. Earlier, the ICMR had given its nod to the Kerala government to commence convalescent plasma therapy. (PTI)



Mananda, secretary, Ramakrishna Mission, Shillong, along with volunteers distribute relief in the city on Sunday. Continuing its minimum number of indigent members of the society with lockdownisation provided 5 kg rice, 5 kg potatoes and masks to as many as 150 families from Rynjah area.



Crime update

Coal truck detected

In violation of the NGT order as well as the lockdown imposed in the state along with the rest of the nation, police, on April 7, around 2.05 am, detected one stationary coal-laden dumper truck (MH-12TRDK-2796) without driver at Rymbai Road, East Jaintia Hills.

Lockdown violation

On April 7, around 7.30 am, police detected one motorcycle ridden by Binash Marak while transporting rubber tapping materials at Mendipathar in North Garo Hills in violation of the order issued by the district magistrate.

Bike stolen

Annu Kumar Ray lodged a complaint that on April 2, miscreants stole his motorcycle (ME-05S-0387) which was parked at Lawmali, Shillong.

Prominent city engineer passes away

By Our Reporter

SHILLONG: Saurindra Mohan Datta of Lumdiengsoh, Shillong, passed away at the age of 94 due to cardiac arrest at a local hospital here on Thursday and his body was cremated.

Born on July 17, 1927 in Kamrup District of undivided Assam to Late Rajsalleh Kamini Mohan Datta, Extra Additional Commissioner, Government of Assam and Late Hemanita Kumari Datta. Late Datta began his school education in Guwahati and completed his Bachelor of Electrical Engineering from Jadavpur University, Calcutta in 1951.

He was a singer, cricketer and an excellent athlete.

He had served as an engineer for ten years in Digboi and Duliajan with the Assam Oil Company (formerly Burma Oil Company).

Later, he joined the Shillong Hydro Electric Company, the first power generation company in Shillong.

plary integrity, dedication and industry, the city saw the expansion of household electrification during the sixties and seventies. After his retirement in 1984, many a Dorbar Shong headman would come to pay tribute and respect to him for his service.

He was an avid gardener even in his nineties and till his last days, he grew a delectable selection of flowering plants in his home at Lumdiengsoh.

He was available anytime for the needy and helpless in society which reflected his philanthropic proclivity and responsible citizenship.

He is survived by his wife Reba Datta, son Shyamal Datta, daughter Mondakini-Basu, son-in-law Apurba Basu, grandson Kaustav Basu and grand-daughters Averi Ivy Basu and Awareness-Paksang.

Due to the COVID-19 outbreak and the accompanying lockdown, there will be a small ritual on April 21

The Shillong Times

14th APRIL, 2020

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nurses are facing problems.

News Capsule

Food distributed

The Adventurers Khalid Khan, Ooms Jewar, Taring, Amanda J. Jyrwa, Susuki Parat, Suresh Singh, Kailash Varma and Rotary Club of Shillong distributed food items over 200 needy people and face masks to 100 persons.

Prohibition

The District Magistrate of South West Garo Hills has prohibited mobile video recording and taking pictures inside and within the premises of hospitals, CHCs and PHCs by unauthorised personnel.

Dadengre, BDO, C&RD Selsella and CI Phulbari along with reinforcement rushed to the spot and brought the situation under control. Later, the crowd dispersed from the place. Matter is under investigation.

Illegal coal mining

S Marwein, EAC, Khliehriat lodged a complaint that on April 11, around 11.30 am, while conducting mine raids along with police at Moopynten, Khliehriat East, 6-8 labourers were seen mining in two coal mines. However, they managed to escape. Two mining equipments were seized from the PO.

Lockdown violation

On April 10 police detected one pick up vehicle (ML-08-3573) driven by Mendrack N Marak possessing permit for delivery of food for ADB workers, while transporting cement in violation of prohibitory orders imposed by the district administration.

Timber trucks seized

On April 10, police detained two trucks (ML-05C-3872 and ML-10-3172) while transporting timber in violation of lockdown order at Phlangjeh village (WKH). In this connection, Phrangki Lyngkhor, Shingambor, Nongphud, Teibeikhem, Mawlieh, Dink Mawthup and Bakson Kharbari have been arrested.

public and the gullible people through fake schemes and fraudulent acts.

Cautioning the people not to reveal their bank details like account number, pin, passwords etc. at any cost, the District Police Chief has said that fraudsters are making attempts to trap the innocent people by revealing their bank details while making online payments.

Reminder of curfew extension

Meanwhile, West Garo Hills DC, Ram Singh in separate notification has reminded the people of the modification made to the timing of the curfew in the district since on Monday, 6th April, the curfew which was at 10.00 a.m. to 12.00 p.m. has been extended to 12.00 a.m. of the same day.

The Shillong Times

ANNEXURE VIII

9th May, 2020

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...stated that the supply of food and other essential commodities is stable and every household is happy as the PDS is also working well and there is no shortage even in the open market.

District chiefs..

(Contd from P-3) self employed persons, shops for repair of trucks outside TMB area, mobile recharge, computer shops outside Tura bazar area, stand-alone vehicle repair shops as identified by TMB and home delivery of books have been allowed.

East Jaintia Hills DC further said that shopkeepers are not allowed to sell beyond fixed MRP price.

All shops and consumers are requested to provide dustbins, to maintain hygiene and cleanliness, to maintain social distancing at least 1 meter from one another and spitting in public places is strictly prohibited, the DC added.

Crime Update

Suspected murder

On May 7, one Bringson Lyngdoh (25) was found lying with head injuries on the roadside at Mawdwar village under Dntoi P/C, Ri Bhoi. He was shifted to CHC Bhoirambong where the attending medical officer declared him brought dead. The deceased is suspected to have been murdered by unknown miscreant(s).

Coal truck seized

A Nongdhar Mines Royally inspector, DMR Umkhang, E/H, lodged a complaint that on May 6 around 4 am, one truck (NL Q1AD 8938) driven by Ashish Uddin Talukdar was detected at Umkhang check gate (E/H) while illegally transporting coal in violation of NCI order.

distribution to the beneficiaries under PM-GKAY scheme despite prevailing pandemic," a statement said on Friday.

The PMGKAY covers 21.46 lakh beneficiaries in Meghalaya, 6.68 lakh in Mizo-

...the scheme is yet to 66,092 metric tonnes date, valuing about rice allotted to the PMGKAY is 79,448 ing to Rs. 310 crore.



Regional Director, IC CR, Shillong, N. Munish Singh, pays floral of Rabindranath Tagore on his 150th birth anniversary at B. Riblong. Normally, it is celebrated with attendance of large path events which were not witnessed this year due to coronavirus. However, an online poetry recitation was conducted on the oc-

Annexure
26/ May/20 Annexure X

The Shillong Times

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High Court for status quo on unlifted coal

By Our Reporter

SHILLONG: The High Court of Meghalaya has asked the government to maintain status quo regarding the quantity of coal which is yet to be lifted.

Hearing a petition on May 22, the court said the coal which is already lifted and in transit should be allowed to be transported subject to lockdown condition.

The authorities have been asked to keep the details of the trucks which will be transporting coal following the court order and submit the same on the next date of hearing on June 4.

NGT order violation

Despite the ongoing lockdown and restrictions, there seems to be no end to illegal coal mining in the state.

The Ri Bhoi district police in the last one week have detected as many as four trucks laden with unauthorised coal.

"We seized three trucks recently and one truck was seized on Sunday," Ri Bhoi SP, Chomphang Syri said, adding that cases have been registered.

He also said police will keep strict vigil in Umroi and Umiam to check illegal coal transportation.

Earlier, Chief Minister Conrad Sangma had denied that there is any illegal mining of coal in the state.

KHADC aid

COVID-19: India now

NEW DELHI: India has entered the list of 10 countries worst hit by the novel coronavirus after record spike in the number of cases for four consecutive days, pushing the tally of infections to over 1.38 lakh, surpassing Iran, according to the John Hopkins University data.

The country registered 154 deaths and a record jump of 6,977 cases in the last 24 hours, taking the nationwide tally to 1,38,845 and death toll to 4,021 on Monday with some experts attributing the spike in cases to the lockdown relaxations,

including partial resumption of rail services and road transport along with the return of the migrant workers, while others say the rise in cases is due to enhanced testing capacity in the country.

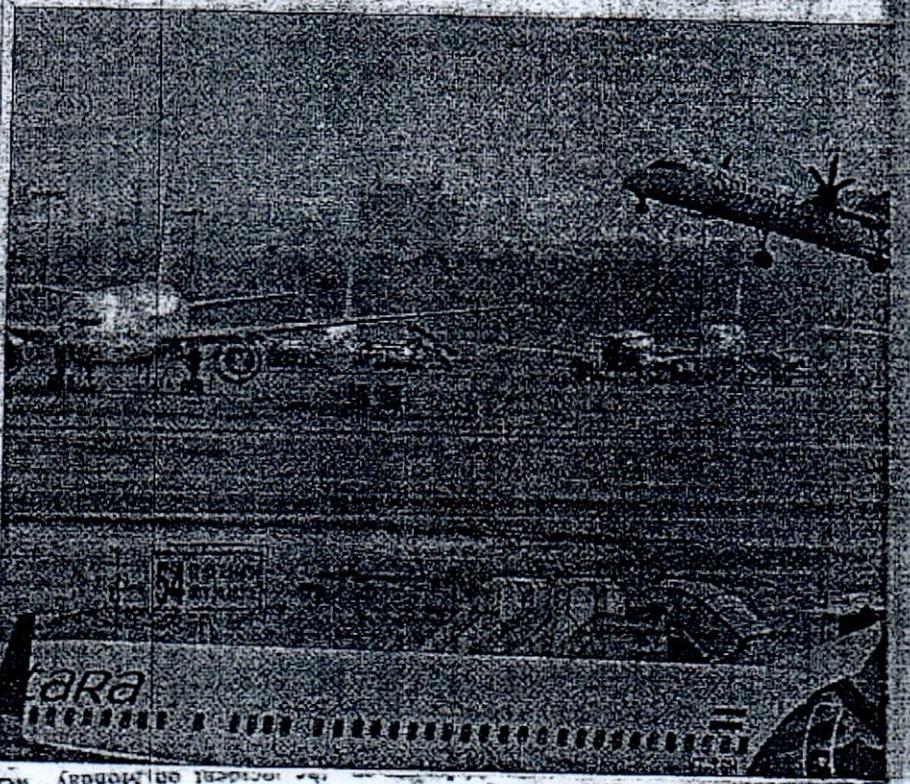
Domestic passenger flights also resumed operations on Monday after a gap of two months. India is the tenth most affected nation by the pandemic after US, Russia, UK, Spain, Italy, Brazil, Germany, Turkey and France, as per the JHU data.

The country has recorded 6,088, 6,654, 6,767 and 6,977 on May 22, 23, 24

and 25 respectively.

Also, the number of RT-PCR tests for detection of COVID-19 in the country crossed the 30-lakh mark on Monday. Commenting on the partial resumption of rail and road transport services, Dr Chandrakant S Pandav, former president of Indian Public Health Association and Indian Association of Preventive and Social Medicine said these relaxations will create an enabling environment for the coronavirus infection to flourish.

"Now, the government will have to ensure strong surveillance and monitoring



... Monday were really scared

16th July, 2020

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ait outside the Shillong Civil Hospital on Wednesday, resting for COVID-19 from various localities to the hospital. people, two in each car, in the city. (ST)

City schools shine in CBSE exams

By Our Reporter

SHILLONG: The students of BSF Senior Secondary School and BK Bajoria School have come off with flying colours in this year's CBSE board exams, both in Class X and XII.

While Class X students from BSF School achieved a feat of cent per cent result with no compartment and no essential repeat, Class-XII students made their mark with 100 per cent result in Arts and Commerce while the Science department came close with 99.4 per cent.

Inspector General, BSF, Kuldeep Saini, Meg. Ft. Head Quarters, Shillong, Chairman of BSF Senior Secondary School, Principal Abha Sharma, the teachers and the non-teaching staff have extend their greeting and congratulated the students and their parents.

In view of the pandemic, the online admission to

Class XI Arts, Commerce and Science this year will be done online.

BK Bajoria

Meanwhile, BK Bajoria School obtained cent per cent result in the All India Secondary School Examination (AISSE) declared by the CBSE on Wednesday.

Ritom Roy topped the school result, securing an aggregate of 95 per cent. Second position was shared by Anshu Mishra, Nikita Sharma and Pranav Sharma, each securing an aggregate of 94.2 per cent, while at the third position, with an aggregate of 94 per cent, were Devendra Joshi and Diya Rajput. A statement said, Altogether 70 students had appeared for the AISSE 2020, out of which, 61 students passed with first division including 49 distinctions in English, 36 in Hindi, 27 in Maths, 16 in Science and 38 in Social Studies.

Harassment in Ibari OC

The residents said that on July 3, the inquiry was conducted by the OC, during which it was discerned that nobody had been harassed.

The residents have also demanded action against the scribe of an Assam-based newspaper for alleging that Meghalaya Police tortured the people of South Salmara in Solcartek.

er for a month

has created a lot of problems of Kensimphlang." KSU presmphlang Unit, said. The Union has also requested Executive Engineer that it is MPDCL to provide electricity an area under Kensimphlang

ation also met the executive wkyrwat Division, and SDO Sub-Division of the PHE de-king water facilities for Kenllage including Mawlar. ers told us that the department conducted survey to extend

Illegal coal transport on

By Our Reporter

SHILLONG: Police have detected three trucks over the last one week allegedly illegally transporting coal in West Khasi Hills and East Jaintia Hills districts.

On July 11, around 5 pm, police detected and seized one truck (ML-04B-2789) driven by Dapborin Purweh (35 yrs), while illegally transporting coal at Umsor village under Shallang PS in West Khasi Hills.

Earlier, on July 9, around 4.35 am, police received information from I/c DMR Check Gate, Umkiang, East Jaintia Hills that two suspected coal-laden trucks had evaded checking fled.

Following this, police along with DMR staff carried out 'naka' checking at Ar-Kilo area near Umkiang (EJH) and detected the two trucks (AS-10AC-3673 & AS-10HC-4701), illegally transporting coal in violation of NGT order. Enquiry found Vicky Sumer (31), Saharul Alam (22), Ahad Hussain (21), Jasim Uddin and Islam Uddin to be involved in the case.

Meghalaya Nuggets

Body found afloat Umiam

SHILLONG: The East Khasi Hills Superintendent of Police, on Monday, informed that the body of an unknown female was seen floating at Umiam river. The body, which was found in a highly-decomposed state at Mawdun village, East Khasi Hills, was shifted to Civil Hospital, Shillong, for conducting post-mortem examination. It was then kept at the Civil Hospital Morgue Room for identification.

MLA inspects model college



NONGPOH: Jirang MLA, Sosthenes Sobtan, on Wednesday inspected the construction progress of Model Degree College, Patharkmah, hoping that with

6th October, 2020

(23)

the upscale Sadashivanagara locality in the city.

As the day progressed, the restless supporters started a flash protest across the key junctions in the city causing traffic jams and throwing social distancing norms to the wind.

Hearing rumours that Shivakumar and his brother and Bengaluru Rural Lok Sabha MP D.K. Suresh could be taken into custody, drama ensued with his supporters trying to "gherao" the CBI sleuths' vehicles and lay siege on the CBI headquarters in Hebbal. (IANS)

Crime update

Coal-laden trucks detected

On October 1 around 9:30 am, Police detected two trucks (AS-01-KC-17774 and AS-01-KC-1674) driven by Samlang Mawlong (25) and Proteusius Mawlong (36) respectively, transporting coal in violation of NGT order at Sohiong Petrol Pump, Len Mawtap, Sohiong, East Khasi Hills.

Theft

Farid Mukhim lodged a complaint that on October 1 around 9 pm, unknown miscreants broke into the residence of his employees at Laitkor, Nongdaneng, Shillong, and stole Rs 1,500 in cash, mobile phone, truck battery, construction materials, etc.

SHILLONG: Member of Rajya Sabha, Rakesh Sinha, has stressed on the need to reduce differences and bolster diversification of ideas.

Speaking at an online launch event of his official website on Monday, the MP said leadership is multi-faceted, adding that a successful leadership can never be effective by going solo.

He said in every society there is a hierarchy of thought leadership and it is on the part of the top intellectuals to moralise the debate.

The launch programme was attended by Editor of *Organiser Magazine*, Praful Ketkar, Editor of *The Shillong Times*, Patricia Mukhim, and senior journalist, Alok Mehta.

During the online event, which was also attended by distinguished individuals from different sections of the society, discussion on 'Democracy and Social Media' was held.

Ketkar said that through this website, MPs will be able to bring their viewpoints in front of the society.

Mukhim, during the programme, highlighted the role of social media in overcoming the ignorance about the people and geography of North East.

Highlighting the need for newspaper owners to look into an alternate mode of revenue generation so that they do not have to depend on corporate advertisement for their survival, she said this will lead to greater freedom for journalists to work on any story.

Rahul a 'VIP kisan', sits on sofa on tractor: Smriti

GANDHINAGAR: Union Minister Smriti Irani on Monday ridiculed Congress leader Rahul Gandhi as a "VIP kisan" after photographs showed him sitting on a cushioned seat on a tractor during his party's protest rally in Punjab against the Centre's new farm laws.

Gandhi is holding a series of tractor rallies named 'Kheti Bachao Yatra' across the Congress-ruled north-east state to protest against the three farm laws being seen as major reforms in the agriculture sector.

"He is someone who uses a sofa to sit on a tractor. A VIP kisan like him can never support a system which is meant to free small and marginal farmers from the clutches of middlemen," Irani, who had defeated Gandhi in Amethi in the

2019 Lok Sabha polls, said here.

Speaking to reporters at the Gujarat BJP headquarters, the Union textiles and women and child development minister hit out at Gandhi over his comment that the Congress, if voted to power, would scrap the contentious legislations.

"His dream of coming to power will never be fulfilled," she said, adding "it is not in his nature to respect parliamentary traditions" as he had torn an ordinance (to protect convicted lawmakers) brought in by the Congress-led UPA government, referring to a 2013 incident. "You cannot expect him to respect our Parliament," Irani asserted.

She said the new laws give farmers the right to sell their produce to anyone, anywhere at the price he

deems fit, but the Congress got rattled as its politics is about keeping cultivators dependent on middlemen. Irani claimed people are unable to understand why the Congress was against laws that would ensure farmers get fair and quick payment for their produce.

President Ram Nath Kovind has given his assent to the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill; Farmers' (Empowerment and Protection) Agreement of Price Assurance and Farm Services Bill; and Essential Commodities (Amendment) Bill, which were passed by Parliament last month.

The Centre claims these laws will boost growth in the agriculture sector, but critics say the reforms would lead to the exploitation of farmers. (PTI)

PMLA case likely against website in Hathras incident

NEW DELHI: The Enforcement Directorate (ED) is examining an FIR registered by the Hathras police against website for criminal conspiracy to incite communal violence in Uttar Pradesh following the recent brutal murder of a Dalit girl.

Top sources told IANS that the ED may file a case under the Prevention of Money Laundering Act (PMLA) against the website 'JusticeforHathras' created on the platform carid.co as preliminary investigation has indicated funding of violent protests from a dubious organisation.

Sources said an FIR has been filed and others will be scheduled offences under the PMLA and all money collected by committing this crime is liable to be confiscated. The action will be followed with arrests and prosecution which entails a jail term of 7 years. (IANS)

The Shillong Times

7th October, 2020

Coal mafia continue to thrive despite NGT ban

By Our Reporter

SHILLONG: The issue pertaining to illegal transportation of coal continues to haunt the ruling MDA Government as there are credible reports that trucks carrying illegal coal have been plying with impunity and seldom get intercepted by the police.

According to media reports in Assam, 150 trucks entered Assam on the night of October 5 and only two were detained in Belitola in Guwahati, while on the morning of October 6, as many as 650 trucks entered Assam. There is no way anyone can check the veracity of the numbers quoted but it is an incontrovertible fact that coal is being clandestinely sold in Assam.

A source close to the ruling MDA Government said here on Tuesday that earlier there were several allegations of illegal transportation of coal in the state and the incumbent Home Minister Lakhmen Rymbui was trying to streamline the functioning of the department. Rymbui was entrusted with the Home portfolio in controversial circumstance when his predecessor James Sangma's name figured in smuggling of coal - a lucrative trade for the coal-rich state.

It may be mentioned that CBI is currently carrying out investigation in Barak valley about an organised racket in selling Meghalaya coal to Bangladesh via Karimganj in Assam.

Informed sources claim that the state police is like a caged parrot unable to function freely. That it sometime intercepts coal-laden lorries is an eyewash. To show that they are active, the state police recently detected two trucks driven by Samlang Mawlong (25) and Protesius Mawlong (36) respectively, transporting coal in violation of NGT order at Sohiong Petrol Pump, Len Mawtap, Sohiong, East Khasi Hills.

Admitting that things are in a mess in the government, the source said that an illegality which was taking place for years together cannot be eliminated overnight.

So vicious are the racketeers, about two years ago when the CSWO President, Agnes Kharshuing and her associate went for physical

check of mining area, was brutally assaulted by coal mafia in East Jaintia Hills. The organisation has once again petitioned Meghalaya DGP along with the photographs alleging that coal trucks are stationed all along Mawryngkneng and the Shillong Bypass facing towards Jowai to avoid detection.

It may be mentioned that the issue pertaining to the illegal transportation of coal even forced a group of Cabinet Ministers to take it up with the Chief Minister, Conrad Sangma. Although the Home portfolio got shifted from one minister to another, not much change seems to have occurred and the coal seems to be finding their way out of the state, in spite of the NGT ban.

trapped crore

Labour department's Chief Minister Relief for providing financial assistance to close to 2 lakh people in the state who suffered wage loss during the pandemic and subsequent lockdown.

(Contd on P-10)

BJP hits back at Rymbui for turning down CBI probe

By Our Reporter

SHILLONG: In a riposte to district council affairs minister Lakhmen Rymbui turning down a CBI probe into the alleged misuse of funds in GHADC, the state BJP on Tuesday said the state has no authority to allow or oppose an investigation by

GHADC funds misuse charges

state has no control over tribal affairs.

"The state government has a limited role in the Sixth Schedule areas as the land does not belong to the state

RTIs after RTIs to track down implementation of BJP-sponsored central schemes in the state and that has moved most of the leaders to adopt unlawful steps," he alleged.

Marak further alleged that people involved in corruption were so powerful that they would hire goons

Home Min seeks report from DGP on illegal coal trade

Our Bureau

SHILLONG/GUWAHATI: Home Minister Lalukhman Rymbui seems to have been caught unawares about the rampant violation of NGT on transportation of coal. A day after Assam police had intercepted coal-laden lorries and arrested the operators, a somewhat surprised Rymbui said that he had sought for a report from the DGP and only after that would take action for stopping coal transportation.

Two lorries were detained and five persons arrested in connection with illegal transportation, Assam police sources in Guwahati confirmed on Wednesday. Basistha police station officer-in-charge, Partha Prasad Gogoi informed *The Shillong Times* that the ar-

Assam cops arrest 5, seize two coal-laden trucks

rests were made on Tuesday and that the five were being interrogated.

Those arrested include Sudipta Pal (34) who hails from Baksa district in lower Assam and four others: Myntoimi Kyndait (27) of Khliehriat; Dehum Tariang (27) of Raliang; Heime Suring (20) of Umlang and Salches Phawa (19) of Lad Rymbui.

Two among the four are drivers of the trucks while two are handymen.

The coal-laden trucks, bearing registration number ML11 4188 and ML04 C 5395, were seized for failure to produce legal documents.

According to reports in a section of the media in Guwahati, 150 trucks had en-

tered Assam on Monday night while as many as 650 trucks had entered the state on Tuesday night.

A case under Sections 120(B)/379/406/420 of the IPC has been registered in connection with the incident.

Asked whether the arrested persons have revealed any details or informed at whose behest the activity was carried out, Gogoi said, "So far they have not revealed anything but we are investigating the case."

As the issue pertaining to illegal transportation of coal continues to resurface time and again, the ruling MDA Government has come under questioning

with credible reports of trucks transporting illegal coal without being intercepted by police.

While Rymbui has been trying to streamline the functioning of the department, nothing has changed much with the black diamond being illegally ferried out of the state in violation of the ban imposed by the National Green Tribunal on such transportation.

Rymbui was entrusted with the Home portfolio in controversial circumstances when his predecessor James Sangma's name figured in smuggling of coal — a lucrative trade for the coal-rich state.

Meanwhile, the CBI is currently carrying out an in-

vestigation in Barak Valley about an organised racket selling Meghalaya coal to Bangladesh via Karimganj in Assam.

"All along I have said that whatever allegations are there it is the duty of the government to ensure that no illegality takes place," the Home minister said while reacting to continuous allegations about illegal coal transportation thriving in the state.

The minister said that so far he has not got a report which has been sought by him.

While the MDA Government continues to be on denial mode on the allegations, the allegation of syndicated supply of coal to Assam led to James Sangma being stripped of the Home portfolio earlier this year.

(Contd on P-10)

Prefabricated entry point to be ready by Dec 15

By Our Reporter

SHILLONG: The state government on Wednesday asserted that the prefabricated entry point being constructed at Umling in Ri Bhoi district will be made operational on or before December 15.

Informing this, Deputy Chief Minister, Prestone Tynsong said that the entry

'Govt bound by guidelines to test people at border'

By Our Reporter

SHILLONG: Meghalaya Government has asserted that they are bound by the guidelines of the Ministry of Health and Family Welfare and Indian Council of Medical Research (ICMR) to conduct antigen tests at the

entry points. Tynsong said that antigen tests have to be in place to shorten the process of detection of cases, "we are bound to follow the guidelines," Tynsong said. On Wednesday, a day after NEIGRIHMS Director, Dr P Bhattacharya termed the tests at the entry gate as

wastage of resources. He said of reports that private hospitals in the state were referring all COVID-19 cases to NEIGRIHMS which is overloaded with patients.

Tynsong said that if required, the government would hold a review meeting with the private hospitals to make sure that they

128 new cases

By Our Reporter

SHILLONG: 128 new COVID-19 cases were reported in the state on Wednesday.

72 cases were detected in East Khasi Hills, 33 in Ri Bhoi, 11 in West Garo Hills, 4 in East Garo Hills, 3 in South Garo Hills, 2 each in West Jaintia Hills and East Jaintia Hills and 1 in North Garo Hills.

88 people also recovered on the day. The state now has 2411 active cases while

Clamour for action against coal racketeers gets louder

By Our Reporter

SHILLONG: The clamour for putting an end to illegal coal racketeering in the state is apparently getting louder.

For its part, the NPP-led MDA government seems to be getting cornered with unremitting allegations over illegal transportation of coal from several quarters.

Soon after BJP, an ally in the MDA demanded arrest of power minister James Sangma over the matter, civil society groups in the state are now demanding a CBI inquiry into the alleged illegal coal syndicate.

The United Democratic Party, an important constituent of the MDA

NGO wants CBI probe; UDP leaves it to govt to handle situation



Coal-laden trucks seized in East Jaintia Hills. (File)

coalition, meanwhile, has left it to the government to deal with the allegations.

UDP president, Metbah Lyngdoh said, "It is the role of the government. They have to take a call on how

to manage the allegations or charges."

Asked if the UDP also wants a CBI probe, Lyngdoh said, "Let the chief minister take a call on this... What is right, what is wrong, whom

to arrest and whom not to."

On the other hand, Civil Society Women's Organisation (CSWO) president, Agnes Kharshing who has been spearheading the movement against illegal coal mining and transportation of coal, demanded that the matter should be handed over to the CBI for the reality to come out "as there has been a lot of government's revenue leakage."

"They are hiding a lot of information and I am telling you they are still digging and rat-hole mines are still working. So we need an independent inquiry and the matter should be handed over to the CBI," she said.

(Contd on P-10)

Assembly committee asks govt to subsidise COVID-19 test rates

By Our Reporter

SHILLONG: The Meghalaya Legislative Assembly Committee on Women's Empowerment has asked the state government to subsidise the "high" rate of COVID-19 tests.

Stating that the test rates in Meghalaya are exceptionally high compared to those across the country, the committee chairperson, Ampareen Lyngdoh said that the common people would stand to suffer if the government does not bring down the price

of tests.

Lyngdoh also noted that there was marked difference in the rates charged in private hospitals, adding that patients who go to private hospitals for COVID treatment were forced to bear 60 to 70 per cent of the treatment cost despite being covered by the Megha Health Insurance Scheme (MHIS).

"This matter needs to be reviewed with all private hospitals," Lyngdoh said.

Speaking to media persons after holding a meeting with the MHIS chief

executive officer here on Friday, Lyngdoh also expressed her disappointment with the "sub-optimal coverage by MHIS" so far.

In East Khasi Hills, 53.97 per cent of the population has been covered under MHIS as of now while in North Garo Hills only 47.35 per cent of the population has been covered. In Ri Bhoi, 49.46 per cent of the population has been covered under the health insurance scheme.

The committee was informed that the government (Contd on P-10)

High conviction rate in crime against women in Meghalaya

From Our Special Correspondent

NEW DELHI: Meghalaya has a good conviction rate when it comes to crime against women, but it cannot be any indicator of speedy disposal of justice or low crime rates, considering the small size of the hill state and its matrilineal society.

According to the latest National Crimes Records Bureau (NCRB) data, Meghalaya has a conviction rate of 57.3 per cent. In the North East region, Mizoram leads with 88.3 per cent conviction rate while Manipur has 58.0 per cent.

The figures have gained more prominence in wake of the Hathras murder case in Uttar Pradesh (UP).

The Union Territory of Puducherry has a 100 per cent conviction rate and has witnessed nine convictions, according to the latest data.

UP has 55.2 per cent conviction rate when it comes to crime against women.

The NCRB 2019 data defines the conviction rate as the ratio of the number of convictions carried out by courts in the state and the number of cases where trials were concluded.

NCRB provides a breakdown of conviction in cases from previous years and in 2019 separately before arriving at the total.

The breakdown is also

Illegal transportation of coal

BJP ready to knock on PMO doors

By Our Reporter

SHILLONG: Meghalaya BJP, which has been demanding arrest of Power Minister, James Sangma for his alleged involvement in illegal transportation of coal, has asserted that they would approach the Prime Minister's Office (PMO) on the matter.

The statement came from BJP Spokesperson, Bernard Marak a day after Opposition Leader, Mukul Sangma asked the party to approach the PMO if they were serious about exposing the alleged scam in the state.

"We first want a copy of the report which Home Minister Lahkmen Rymbui has sought from the Meghalaya DGP before making our move," Marak said.

According to Marak, the party wanted to know the names of all those who were involved in illegal transportation of coal.

"We will take up the matter with national leaders and various ministries including PMO," he added.

The BJP leader from Garo Hills also slammed former chief minister, Mukul Sangma saying that the Op-

position had been apprising the central leadership of the huge scam in the state was their first priority.

Marak also said that instead of advising BJP, Mukul Sangma should work as a sincere Opposition leader and work towards uprooting corruption in the state.

"It was the duty of the Opposition to highlight these issues but since the Opposition is weak, the BJP had to take the onus on itself to raise the issue which concerns the future of the state and its people.

On Saturday, Mukul Sangma, while reacting to the alleged involvement of the Power Minister in the coal racket which was unearthed in Assam recently, had said that his party was looking forward to an independent inquiry followed by necessary legal action.

"They have bitten more than what they can chew," he had said, referring to the allegations that the government was allowing a free hand to the illegal transportation of coal.

He had also advised the BJP to stop demanding the arrest of the Power minister



Volunteers

Live bull like

From Our Correspondent

NONGSTOIN: A day after sons were arrested for burying one Boris Marng Nongdisong village in W Hills, police on Sunday arrived more while also seeking to exhume the body.

The arrested persons - nus Marngar (32), Exstarr (52), Bezangio Marngar

Conrad defends James, denies coal illegalities

By Our Reporter

SHILLONG: In his first reaction to reports of racketeering in coal, Chief Minister, Conrad Sangma was on denial mode and boldly defended his older sibling, Power Minister James Sangma.

When asked about the media reports naming James Sangma for his alleged involvement in the illegal transportation of coal, he said it is easy to make allegations even as he added that it is wrong for media houses and some individuals to directly jump into a conclusion about illegal transportation of

coal as soon as they see movement of trucks on the highways.

Dismissing outright the charges made by coalition ally BJP, he said, "These allegations are baseless and no such activities are allowed."

He also termed the move of BJP or any party which is demanding CBI probe as "very irresponsible".

He felt that whenever people see a coal truck on the highway, "they presume and jump into conclusion" that it is illegal transportation of coal. "Movement of coal trucks takes place with paper and proper documents," he claimed.

Reiterating that the state government has taken strong measures in this regard, he added that the deputy commissioners, SPs and Mining and Geology department had been directed to ensure that illegal movement of coal was not allowed.

Sangma further said that the government was sensible about dealing with the illegal transportation of coal and hence the government had also proposed setting up of integrated check gates which will have live CCTV cameras along with other technological solutions to check all the trucks.

When asked if the gov-

ernment is open to the idea of a CBI probe into the allegation to clear the doubt, here too the chief minister deflected it by saying it was easy for everyone to demand a CBI probe but the government has to act in a "practical and responsible manner".

"If there are some genuine and valid reasons obviously but CBI is not an agency which we just call and ask them to come. There has to be proper systematic way to approach and if there are any issues, we will definitely look into it but I don't there are any allegations with base right now," he said.

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March next year. "We have tried our best but this not a fight of the government alone," he said while justifying the move saying that MDA is the only government which gave financial assistance to labourers.

When asked how the total expenditure jumped from Rs 200 crore to Rs 400 crore, he said that he had spoken only about the amount which has been cleared by the govern-

88 new cases, death toll climbs to 64

By Our Reporter

SHILLONG: Meghalaya on Monday recorded one more death and 88 new COVID-19 cases, taking the active tally to 2434.

The number of recoveries has gone up to 5273 after 131 people recovered on the day. 50 new cases were reported in East Khasi Hills, 26 in West Jaintia Hills, 10 in West Garo Hills and 1 each in Ri Bhoi and East Jaintia Hills.

The death toll increased

COVID UPDATE

NEW CASES ON
OCTOBER 12-20

Confirmed Cases	2771
Active Cases	2434
Recovered	5273
Deceased	64
E Khasi Hills	1699
Ri Bhoi	325
W Garo Hills	178
W Jaintia Hills	81
S Garo Hills	35

**OFFICE OF THE NGT COMMITTEE
MEGHALAYA, SHILLONG**

**(Constituted by the Hon'ble National Green Tribunal vide Order dated
31.08.2018 in OA No. 110 (THC)/2012)**

PRESENT

**HON'BLE MR. JUSTICE B. D. AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**SHRI S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE OF INDIAN SCHOOL OF MINES,
(IIT - ISM), DHANBAD**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD**

IN THE MATTER OF

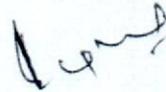
**Petition of Shri Pawan Sharma, G. S. Road,
East Khasi Hills, Shilling, Meghalaya.**

Date of Hearing: 08.12.2020

Date of Order: 10.12.2020

This petition, in the nature of public interest litigation, has been filed by one Shri Pawan Sharma, a resident of Shillong, Meghalaya alleging inactions and omissions by the State of Meghalaya in implementing various directions of Hon'ble National Green Tribunal. The petition was initially submitted before the Hon'ble NGT, Principal Bench, New Delhi. Subsequently the petition was transferred to this Committee by the Hon'ble NGT vide its Order dated 27.07.2020.

2. After obtaining reply of the State and rejoinder by the applicant the petition was listed for hearing in person on 08.12.2020. It was because on the previous date the audio and video system of the petitioner's lawyer was not working well. However, on 08.12.2020 neither the petitioner nor his lawyer Shri A.S Siddiqui appeared before the Committee for advancing their arguments, despite being notified through mail and personal contact. On the other hand, the State was represented by Dr Manjunatha C, IFS, Secretary in



the Mining & Geology Department, Government of Meghalaya. We have also perused pleadings of both the parties.

3. In his petition the petitioner has quoted all the directions of the Hon'ble NGT given in their Order dated 17.01.2020 in OA No. 110 (THC)/2012. After quoting the directions of the Hon'ble NGT verbatim the petitioner has made sweeping and general allegations that all the wings of the Government have failed in implementing the directions of the Hon'ble Tribunal. At the end of the petition the applicant has sought a direction from the Tribunal that the State of Meghalaya should initiate necessary actions u/s 21 of the Mines and Minerals (Development and Regulation) Act, 1957 against the persons responsible for export of the illegally raised coal out of Meghalaya from different exit points. Truly speaking, in the rejoinder the applicant has attempted to substantiate his allegation of transportation of coal, illegally mined in the State of Meghalaya, by appending photo copies of a particular newspaper reporting about movement and seizure of trucks transporting coal from Meghalaya illegally.

4. Per contra, the Government has raised serious objection about the intention of the applicant in filing this application. In the reply the State has alleged that the petition is politically motivated, malafide and frivolous and it has nothing to do with compliance of the directions of the NGT. The State has also referred to a Police case against the applicant to show that his credentials are not worthy to be a whistleblower and disentitles him to file a PIL. It has further been alleged that with similar allegation of corruption in the coal transportation accomplices of the applicant has also filed petitions before the Hon'ble Lokayukta and Hon'ble High court of Meghalaya and also before the Hon'ble Supreme Court with identical allegations and upon verification of the antecedents of the petitioner it has been found that they are part of a coal smuggling racket and the present applicant is also acting at the behest of one Abdul Ahad Choudhury against whom 50 criminal cases, including one case with CBI are pending.

4.1. However, keeping in mind the nature of the prayer in the petition we are not inclined to close this petition on the preliminary objections of the State and instead would like to examine the issues on merit.

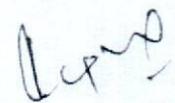


5. On the merit of the case the department has denied the allegation of illegal mining or transportation of illegally raised coal. It has further been stated in the reply that as and when any illegal act or omission is noticed actions are being taken u/s 21 of the MMDR Act, 1957. It has also been submitted that some of the directions have already been complied with and certain directions are in the process of implementation and it is being monitored by this Committee.

6. As noted earlier thrust of the complaint is on alleged illegal transportation of coal from Meghalaya. Neither in the original petition nor in the rejoinder a single instance of illegal coal mining has been mentioned. All the newspaper reports only highlight about illegal transportation of coal. Had the applicant substantiated his allegation of illegal rat-hole coal mining contrary to the ban imposed by Hon'ble NGT this Committee could have taken the matter further. In the absence of any admissible evidence in this regard the Committee possesses no authority to pass any sweeping remarks holding that illegal rat-hole coal mining is still continuing. However, the petitioner is permitted to raise this issue again with substantial evidence in future.

7. The entire focus of the applicant was concentrated on the allegation of illegal transport of coal. In the opinion of the Committee this allegation cannot be totally brushed aside in view of numerous media reports. Strangely, there is no categorical denial also from the State in this regard. On the other hand, it is the stand of the State that as and when it is noticed that illegally raised coal is being transported actions are taken u/s 21 of the MMDR Act.

7.1. Initially, when this Committee was constituted by the Hon'ble NGT its mandate was confined to monitor the restoration of degraded environment due to illegal rat-hole coal mining. Subsequently, the Hon'ble Supreme Court also involved this Committee to auction the illegally raised coal and since transportation of coal without proper protection involves degradation of environment this Committee also monitors movement of coal laden trucks etc. Besides this, since the Hon'ble NGT has banned any kind of illegal mining of coal it is imperative that there should be no transport of illegally mined coal as well. As of now, the process of scientific mining has not yet started in Meghalaya. Therefore, the entire quantity of coal extracted before and after the



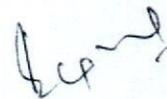
ban order of Hon'ble NGT is within the purview of this Committee and this Committee will be well within its jurisdiction to check, control and movement of coal from and within the State of Meghalaya. The Hon'ble NGT has also accepted the recommendations of this Committee regarding monitoring of illegal raising and transportation of coal in its Order dated 17.01.2020.

7.2 On the directions of the Committee the Police Department has submitted a chart of cases registered u/s 21 of the MMDR Act wherefrom it is gathered that from 2014 to November, 2020 as many as 1535 cases of illegal transportation of coal were registered. The break-up of the cases reflects that numbers of cases are almost steady and there is no sign of sharp decline in the offences. During the short period from January 2020 to November, 2020 as many as 166 cases have already been registered in various Districts of Meghalaya and nearly 450 trucks (including Gypsy, Dumper etc) of coal laden trucks have been seized by the Police Department. However, from January to November, 2020 the total quantity of seized coal from 450 trucks would be around 13500 MT coal if per truck transports 30 MT coal is taken in average. Lump-sum quantity has been assessed by us since the police department is yet to quantify the seized coal in good number of cases. The total quantity of coal seized since 2014 must be abysmally high. There may be many more seizures by the Mining and Forest Department Offices. Be that as it may, from the statistics provided by the Police Department it is apparent that transportation of illegally mined coal is unabated. Regular detection of illegal coal transport cases is an abundant proof that the smugglers must have been successful to export the coal from Meghalaya or at least doing illegal coal business within the State. During the audit of cement and power plants of Meghalaya by this committee it was detected that nearly 40 Lakh tons of illegally procured coal was used by those industries during 2014 to 2018, causing a whopping loss of Govt. revenue to the tune of nearly 614 Crores. Despite, regular reporting of illegal transportation of coal in the media and public resentment the menace of illegal coal transportation is unabated.

8. Hence, the Committee directs the Government and, more particularly to the DGP, Meghalaya to take the following actions immediately to arrest the offence of transportation of illegally mined coal:-



- (i) File Charge-sheets in all the cases, registered u/s 21 of the MMDR Act within a period of 2 (two) months from the date of registration of the case. This will deter the coal smugglers from violating the ban order of the Hon'ble NGT.
- (ii) The Chief Secretary and DGP, Meghalaya are also directed to issue necessary instructions to the investigating officers and other concerned officers to sell the seized coal within a period of 3 (three) months. This step will also discourage the owners of coal from transporting it illegally without payment of royalty and taxes. In case, there is any delay in giving orders for auction of the seized coal and equipments by the courts/magistrates the Government should approach the Hon'ble Meghalaya High Court for appropriate directions to the concerned magistrates. Till now the seized coal are lying in open causing environment hazardous. Hence, disposal of seized coal at the earliest is also imperative on this count.
- (iii) The Chief Secretary and DGP, Meghalaya are also directed to issue necessary instructions to the investigating officers and other concerned officers to confiscate and sell the seized trucks, dumpers, conveyances and equipments in accordance with law within a period of 3 (three) months. This step will also discourage the owners of coal and trucks from transporting it illegally without payment of royalty and taxes.
- (iv) As per resolutions taken by this Committee in various meetings and recommendations to the Hon'ble NGT (subsequently approved by the Hon'ble NGT by its Order dated 17.01.2020) the Govt. of Meghalaya is directed to install centralized server, uploading of transport permits/challans and tracking of coal laden trucks through GPS and RFID tags, as stipulated in Appendix XII to the EIA Notification, 2016 and also introduce high security mineral challans to prevent and detect multiple use of transport challans within a period of four weeks. It is further ordered that no new challan for coal transportation shall be issued by the Director of Mineral Resources, Meghalaya till the aforesaid system is put in place.
- (v) Take legal action against the officials who fail to detect and detain the trucks and other conveyances from their respective check points.
- (vi) To increase the Police patrolling in the coal bearing areas to prevent illegal coal mining, if any.



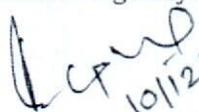
(vii) The Government should also expedite the process of implementation of the project "**Meghalaya Mineral Truck Scanning and Monitoring System**". Every endeavour should be made to make this system operational within three months.

9. With regard to the allegation of non implementation of directions regarding preventing acidic water, GPS and RFID tags on coal trucks, audit of cemented power plants, study of land use and land cover, payment of compensation to victims etc we can only say that perhaps the petitioner is not aware of the origin of these agenda. To apprise the petitioner these agenda are the out-come of the 'Action Plan' prepared by this committee as per the directions of the Hon'ble NGT to check the degradation of the environment due to coal mining. All the agenda are elaborately deliberated in the meetings and periodical reports are submitted to the Hon'ble NGT with the resolutions of the committee. The reports are also uploaded in the official web site of Mineral & geology department of Meghalaya. Hence, we are not inclined to deliberate each and every issue in this order. The petitioner is advised to first update himself with the Committee's reports and then come with specific issue.

The Chief Secretary and DGP, Meghalaya are directed to submit a compliance report of the directions given in this Order to this Committee within three months.

With the aforesaid directions and observations the petition is disposed-of.

The Secretary of the Committee is directed to circulate a copy of this Order to the Chief Secretary, DGP, Meghalaya and all other concerned departments and also to the petitioner urgently.


10/12/2020

**SHRI JUSTICE B. D. AGARWAL (RETD),
CHAIRMAN**

**SHRI S. C. BHOWMIK
MEMBER**

**DR. SHANTANU KUMAR DUTTA
MEMBER**

GOVERNMENT OF MEGHALAYA
MINING & GEOLOGY DEPARTMENT

No.MG.44/2020/56

Dated Shillong the 24th July, 2020

From: Dr. Manjunatha C. IFS
Secretary to the Govt. of Meghalaya
Mining and Geology Department

To: ✓ The Member Secretary
Hon'ble Justice Mr. B.D. Agarwal Committee
constituted by the Hon'ble National Green Tribunal.

Sub: **Compliance Report on the directions of the Hon'ble National Green Tribunal vide Order dated 17th January, 2020 in O.A. No. 110(THC) /2012.**

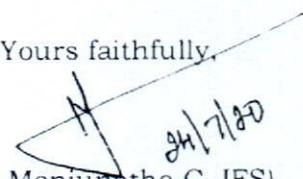
Sir,

In inviting a reference to above cited subject, I have the honour to submit herewith the Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in O.A No. 110(THC) /2012.

Kindly place the Compliance Report before the Committee constituted by the Hon'ble National Green Tribunal under the Chairmanship of Hon'ble Mr Justice B.D. Agarwal, Former Judge, Gauhati High Court for kind consideration.

Encl: As above

Yours faithfully,


(Dr Manjunatha C, IFS)
Secretary to the Govt. of Meghalaya
Mining and Geology Department

Secretary
to the Govt of Meghalaya
Mining & Geology Department

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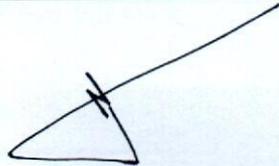
Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in OA No. 110(THC) /2012 submitted before the NGT Committee, Meghalaya

Directions	Compliance
<p>10.3.3(i). Release and utilisation of an amount of Rs.96.59 lakh from the MEPR Fund in favour of the Deputy Commissioner, East Jaintia Hills District for purchase of the six vehicles mounted with water tankers.</p>	<p>An amount of Rs.96.59 lakh has been released from the MEPRF and 5 nos of vehicle mounted water tankers have been purchased by the Deputy Commissioner, East Jaintia Hills District for supplying drinking water to coal mining affected villages. One more vehicle could not be purchased due to shortage of funds and the balance amount is returned back to DMR.</p>
<p>10.3.3 (ii). Installation of Digital Display Boards at the Headquarters of coal mining affected Districts and Sub-Divisions and display thereon quality of water in ten worst polluted rivers/streams in the District/Sub-Division.</p>	<p>Digital Display Boards have been installed in the following places, namely: - District Headquarter: - Jowai, Shillong, Mawkyrwat, Khliehriat, Ampati, Resubelpara, Tura, Nongpoh, Nongstoin, Baghmara and Williamnagar. Sub-Divisions: -Ranikor, Mawshynrut, Pynursla, Chokpot, Raksamgre, Sohra, Mairang, Amlarem and dadenggiri.</p>
<p>10.3.3 (iv). Mechanism to be adopted for effective action against illegal transportation of coal such as electronic manifest system for regulating movement of vehicles and issuance of challans.</p>	<p>a) The Mining and Department has introduced high security Transport Challans embedded with hologram and fugitive ink printed on maplitho paper. The QR codes will be used in the Transport challan to prevent misuse of the transport challans.</p>



Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in OA No. 110(THC) /2012 submitted before the NGT Committee, Meghalaya

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<p>10.3.3 (iv). Mechanism to be adopted for effective action against illegal transportation of coal such as electronic manifest system for regulating movement of vehicles and issuance of challans.</p>	<p>a) The Mining and Department has introduced high security Transport Challans embedded with hologram and fugitive ink printed on maplitho paper. The QR codes will be used in the Transport challan to prevent misuse of the transport challans.</p>



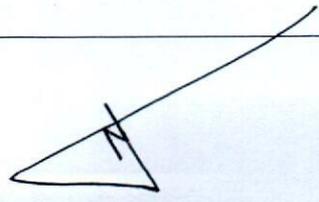
	<p>a) The Department has initiated a project 'Meghalaya Mineral Truck Scanning and Monitoring System' to set up computerized checkgates for automatic scanning and validation of mineral laden trucks, and CCTV video recording and capturing of vehicle number with the objectives to prevent illegal transportation of minerals and plug the leakage of revenue. Under the said project, mineral laden vehicle and QR code transport challans will be scanned at the checkgate to permit mineral laden trucks with valid documents only to exit from the State. A centralized dash board will give data on number and type of mineral laden trucks exited through each checkgate. Copy of minutes of meeting chaired by the Secretary, Mining and Geology Department on 25th June, 2020 enclosed as Annexure 1 (Page No 17-20).</p>
<p>11.4.1(ii). Efforts be expedited to identify victims who have suffered at least since 01.07.2012 and to assess loss to the environment and the manner of restoration.</p>	<p>The Mining and Geology Department has issued public notice in newspapers in English Khasi and Garo languages to receive claims for compensation to victims who have lost lives or received injury in coal mining. Consequently, 10 nos of claims have been received and verification of claims is under process. Labour Department has been asked to formulate simple procedure to verify claims for compensation.</p>



16.1 The State of Meghalaya shall constitute a Monitoring Committee under Chairmanship of the Chief Secretary to undertake monthly review of actions taken by various 'Authorized Officers' to file complaints before concerned Courts of Law under Section 21 of the MMDR Act against the persons involved in illegal raising and transportation of coal.

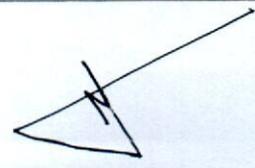
- a) The Chief Secretary held a meeting on 26th February, 2020 with Director General of Police, Mining and Geology Department, Forests and Environment Department and Meghalaya State Pollution Control Board to monitor compliance of directions passed by Hon'ble National Green Tribunal. Copy of Minutes of the meeting enclosed as **Annexure 2 (Page No. 21 to 27)**.
- b) A monitoring Committee has been constituted under Chairmanship of Chief Secretary for monthly review of actions taken by various 'Authorized Officers' to file complaints before concerned Courts of Law under Section 21 of the MMDR Act against the persons involved in illegal raising and transportation of coal. Copy of Notification enclosed as **Annexure 3 (Page No. 28)**.
- c) Monitoring Committee held review meeting on 29th June, 2020. Copy of minutes of the meeting enclosed as **Annexure 4 (Page No. 29 to 32)**.
- d) Police have registered 99 cases under Section 21 of the Mines and Minerals (Development & Regulation) Act, 1957 against persons involved in illegal raising and transportation of coal during the period of January, 2020 to June 2020 (up to 26th June).

	<p>e) Authorized officers under the Director of Mineral Resources have filed 10 FIRs against the persons involved in illegal raising and transportation of coal.</p> <p>f) Till date, 215 cases have been registered under Section 21 of MMDR Act, 1957, of which 154 under investigation, 56 are charge-sheeted and 5 ended in Closure of Report (CF).</p>
<p>16.4 The State of Meghalaya shall in exercise of powers conferred by Section 23 (C) of the MMDR Act formulate rules for preventing illegal mining, transportation and storage of minerals and shall notify the same in the official Gazette within one month</p>	<p>Draft Meghalaya (Prevention of illegal mining, transportation and storage of minerals) Rules, 2020 has been prepared. The draft rules will be placed in the Cabinet for consideration and approval.</p>
<p>16.7 In case any fresh illegal mining, storage or transportation of coal in the State of Meghalaya is detected by the Police or District Administration or the Mining and Geology Department, apart from initiation of proceedings under relevant provisions of the MMDR Act against the persons involved in such mining, storage and transportation of the coal, the same shall also be intimated to the MSPCB and CPCB for initiation of necessary actions to file complaint against relevant section(s) of the Water Act</p>	<p>Authorized officers under the Directorate of Mineral Resources have filed 10 nos of FIRs during the period of January 2020 to June 2020 (up to 26th) against illegal coal mining and transportation incidences. Details of cases have been furnished to MSPCB and CPCB and MOEF&CC, North Eastern Regional Office, Shillong for initiation of necessary action under Water Act and Environment Protection Act, 1986. Copy of letter enclosed as Annexure 5 (Page No. 33 to 34).</p>

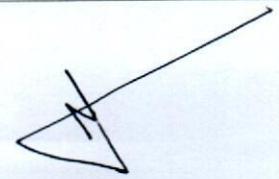


against such person. Details of all such cases detected after imposition of ban on illegal rat hole coal mining in April, 2017 shall also be communicated to the MSPCB and CPCB for similar actions.

16.8. In case any fresh raising of coal in the State of Meghalaya is detected by the Police or District Administration or the Mining and Geology Department, apart from initiation of proceedings under relevant provisions of the MMDR Act against the persons involved in such illegal raising of the coal, the same shall be intimated to the North Eastern Regional Office of the Ministry of Environment, Forest and Climate Change, Government of India for initiation of necessary actions to file complaint against relevant section of the EP Act against such persons. Details of all such cases detected on or after 15.01.2016 shall also be communicated to the North Eastern Regional Office of the Ministry of Environment, Forest and Climate Change, Government of India for similar actions

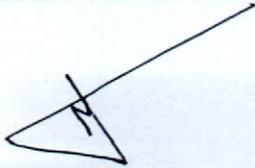


<p>16.10 The State of Meghalaya shall within one month put in place a mechanism stipulated in Appendix XII of the EIA Notification 2006 to regulate transportation of coal in the State. No transportation of coal in the State of Meghalaya shall, after a period of one month, be allowed till such system containing all the features stipulated in the said Notifications is fully operationalized</p>	<p>b) The Mining and Department has introduced high security Transport Challans embedded with hologram and fugitive ink printed on maplitho paper. The QR codes will be used in the Transport challan to prevent misuse of the transport challans.</p> <p>c) The Department has initiated project 'Meghalaya Mineral Truck Scanning and Monitoring System' to set up computerized checkgates for automatic scanning and validation of mineral laden trucks, and CCTV video recording and capturing of vehicle number with the objectives to prevent illegal transportation of minerals and plug the leakage of revenue. Under the said project, mineral laden vehicle and QR code transport challans will be scanned at the checkgate to permit mineral laden trucks with valid documents only to exit from the State. A centralized dash board will give data on number and type of mineral laden trucks exited through each checkgate. (copy of minutes of meeting chaired by the Secretary, Mining and Geology Department on 25th June, 2020 enclosed as Annexure 1)</p>
<p>16.11 The State of Meghalaya shall operationalize a system to video record consignment of each truck passing through all probable routes likely to</p>	<p>a) CCTVs have been installed in checkgates to video record trucks carrying coal.</p>



be used for illegal transportation of coal. The State of Meghalaya shall identify suitable locations which may cause least disturbance to non truck traffic and install a system of Close Circuit Cameras to ensure video recording of registration number and consignment of each truck passing through each such routes. To minimize inconvenience to non-truck traffic, feasibility of installation of such system at existing toll gates, checkpoints, parking lanes/ bays etc. may be explored. In case no such toll gates, check points, parking lanes/ bays etc. exist at the required locations, the State of Meghalaya in consultation with and/or assistance of the National Highways and Infrastructure Development Corporation (NHIDCL) and/or National Highways Authority of India (NHAI) shall construct additional lanes to facilitate checking of trucks without causing inconvenience to other traffic. Temper proof continuous video recordings made at the check points shall be retained at least for a period of one year and shall periodically be reviewed / checked by the authorities in the Police, Civil Administration and Mining & Geology Department from time to time.

b) The Department has initiated project 'Meghalaya Mineral Truck Scanning and Monitoring System' to set up computerized checkgates for automatic scanning and validation of mineral laden trucks, and CCTV video recording and capturing of vehicle number with the objectives to prevent illegal transportation of minerals and plug the leakage of revenue. Under the said project, mineral laden vehicle and QR code transport challans will be scanned at the checkgate to permit mineral laden trucks with valid documents only to exit from the State. A centralized dash board will give data on number and type of mineral laden trucks exited through each checkgate. (copy of minutes of meeting chaired by the Secretary, Mining and Geology Department on 25th June, 2020 enclosed as **Annexure 1**)



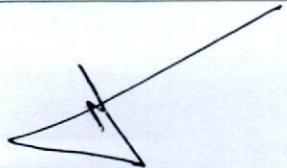
16.13 The State of Meghalaya with the assistance of North Eastern Space Applications Centre (NESAC), Department of Space, Government of India, shall within a period of three months put in place a Coal Mine Surveillance System (CMSS) in the State of Meghalaya and also develop a Standard Operating Procedure (SoP) providing for effective follow up action, in case any illegal mining or dumping of coal is detected by the MSS. The CMSS to be developed may be similar to one which has already been developed by the Ministry of Mines and Indian Bureau of Mines (IBM) with assistance from the Bhaskaracharya Institute for Space Application and Geo-Informatics (BISAG), Gandhinagar and Ministry of Electronics and Information Technology

The Department has submitted request to the North Eastern Space Applications Centre (NESAC), Umiam Meghalaya to submit proposal to set up Coal Mine Surveillance System (CMSS) in the State of Meghalaya. Copy of letter sent to NESAC enclosed as **Annexure 6 (Page No. 35)**.

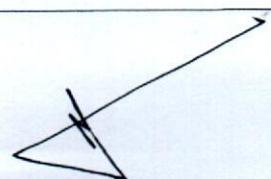
16.15 The State of Meghalaya shall expedite drilling of requisite number of bore-holes in 1 sq. km. area in Khliehriat-Sutnga area in East Jaintia Hills District and complete preparation of Geological Report and

- a) Status report of drilling works at Khliehriat-Sutnga coal block is enclosed at **Annexure 7 (Page No. 36 to 62)**
- b) The coal block selected is not a virgin area and it is worked out area with full

<p>Feasibility Report for scientific coal mining in the said area within two months.</p>	<p>of existing shaft and adits, so lot of cavities encountered which affected drilling rod alignment and caused jamming. Due to these problems, the Government is contemplating to discontinue the drilling works in Khliehriat-Sutnga coal block and looking for virgin coal blocks to start fresh works of exploration for preparing model mining plan.</p>
<p>16.18 The State of Meghalaya shall within one month formulate draft guidelines, strictly in conformity with the broad parameters suggested by the Justice Katakey Committee in its fourteenth Sitting held on 03.06.2019, for utilization of amounts available in the MEPR Fund in an expeditious and transparent manner and submit the same to the Committee. The Committee shall examine the draft guidelines and place the same along with its comments thereon before this Tribunal within one month of receipt of the guidelines</p>	<p>a) The Mining and Geology Department has submitted draft guidelines for utilizing the Meghalaya Environment Protection and Restoration Funds (MEPRF) before the NGT Committee, Meghalaya for consideration and approval.</p> <p>b) The Committee during the 22nd sitting held on 19th June, 2020 deliberated on the said Guidelines and conveyed approval for the said guidelines with amendments. Copy of proceedings and draft guidelines approved by the Committee enclosed as Annexure 8 (Page No. 63 to 73).</p>
<p>18.3.2.1. The Chief Secretary of the State of Meghalaya shall undertake monthly review the quantity of clinker and/or power produced by each Cement Manufacturing Plants and thermal Power Plant in the State of</p>	<p>a) Committees have been constituted at District level to facilitate monthly review of the quantity of clinker and/or power produced by each Cement Manufacturing Plants and thermal Power Plant in the State and the</p>

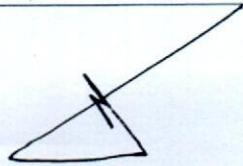


<p>Meghalaya and the quantity of coal purchased by each such plant from legal sources to produce such reported quantities of clinker and/or power. Such review for a month shall be undertaken on or before tenth day of the next month. A quarterly report stating therein the month-wise quantities of clinker and/or power produced, quantity of coal consumed to produce such quantities of clinker and/or power by each such plant and action(s), if any, taken against any such plant in case of any anomaly observed during the review shall be submitted to this Tribunal by the Chief Secretary, Meghalaya. Such report for a quarter shall be submitted to this Tribunal on or before fifteenth day of the next quarter.</p>	<p>quantity of coal purchased by each such plant from legal sources to produce such reported quantities of clinker and/or power. Copy of notification enclosed as Annexure 9(Page No. 74 to 75).</p> <p>b) Monthly review was conducted on 29th June, 2020 to review the quantity of clinker and/or power produced by 8(eight) Cement Manufacturing Plants and 5(five) thermal Power Plants/captive thermal power plant. Copy of minute of the meeting enclosed as Annexure 10 (Page No.76 to 85).</p>
<p>18.3.2.3.The State of Meghalaya shall realise royalty, GST/VAT, contribution to the MEPR Fund and any other statutory tax and/levy payable on the illegally mined coal utilised by these Cement Manufacturing Plants and the Thermal Power Plants in the State of Meghalaya after the ban on illegal rat-hole mining in the State of Meghalaya was imposed by this Tribunal in April 2014.</p>	<p>Demand notices have been issued to the Cement Manufacturing Plants and the Thermal Power Plants in the State to pay royalty, GST, MEPRF on the illegally mined coal utilised by respective companies. However, no response received from the cement plants and thermal power plants. Reminder has been sent to defaulters to make payment. Copies of notices sent enclosed as Annexure 11(Page No.86 to 92).</p>



<p>18.3.2.4 To restore the damage caused to the flora, fauna, rivers, streams, water bodies and the environment in general by illegal rat-hole mining of coal and also to mitigate the suffering caused to the local tribal residents by the illegal rat-hole coal mining, the State of Meghalaya shall realise from each of the aforementioned Cement Manufacturing Plants and Thermal Power Plants who have used illegally mined local coal after a ban on illegal rat-hole coal mining was imposed by this Tribunal in the month of April 2014, an amount of Rs. 400 per tonne of coal to be utilised by each such plants on or after the date of this order and deposit the same in the MEPR Fund. Such amount for coal utilised during a month shall be realised on or before fifteenth day of the next month. Not less than fifty percent of these amounts shall be utilised for restoration of damage</p>	<p>It has been decided during the meeting chaired by the Chief Secretary on 26th February, 2020 to collect Rs 400 per tonne of illegally mined coal utilized by the cement plants and thermal power plants after the ban imposed by Hon'ble NGT in April, 2014. Draft guidelines for utilizing this amount will be framed shortly and will be submitted before the NGT Committee, Meghalaya for approval.</p>
<p>19.6.1 The State of Meghalaya shall, immediately, provide to the North Eastern Space Application Centre (NESAC), Department of Space, Government of India, Umiam, the location (latitude and longitude) and</p>	<p>Details of location (latitude and longitude) and other details of each dump has been furnished to NESAC to prepare geo-referenced map depicting location of each of coal dumps. Copy of letter sent to NESAC enclosed as Annexure 12 (Page No. 93).</p>

<p>other details of each dump where coal to be auctioned is located. The NEASC, shall within one week from the date of receipt of these details prepare a geo-referenced map depicting the location of each of these dumps and provide a copy of the same to the Secretary to the Government of Meghalaya, Mining and Geology Department and the Coal India limited for placing a copy thereof along with a list containing name and address of the owner and quantity of coal available at each such dump on their respective websites.</p>	
<p>19.6.2. The Secretary to the Government of Meghalaya, Mining and Geology Department shall, immediately, place on website of the Department a copy of the additional affidavit containing details of 32,56,715 MT coal stated to be available at various depots filed before the Hon'ble Supreme Court on 10.04.2019 by the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department.</p>	<p>Copy of additional Affidavit filed before the Hon'ble Supreme Court has been placed in the Mining and Geology Department's Website.</p>
<p>19.6.7. The State of Meghalaya and the Coal India Limited shall provide all the information and documents sought by</p>	<p>a) Copy of Copy of additional Affidavit filed before the Hon'ble Supreme Court has been submitted before the NGT</p>

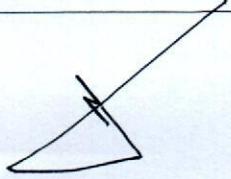


the Katakey Committee for finalization of mode and manner of handing over of the coal available at various Depots to the Coal India Limited. The Committee shall finalize the mode and manner for handing over of the coal available at various depots to the Coal India Limited strictly in conformity with the directions issued by the Hon'ble Supreme Court. The State of Meghalaya and the Coal India Limited shall abide by the mode and manners finalised by the said Committee.

Committee, Meghalaya. Copy of letter enclosed as **Annexure 13 (Page No. 94)**
 b) Comprehensive plan for handing over of 32,56,715 MT of extracted coal to Coal India Limited for auction has been jointly prepared by the State Government and CIL. The plan was deliberated and approved by the NGT Committee, Meghalaya. Copy of approved plan is enclosed as **Annexure 14 (Page No. 95 to 117)**.

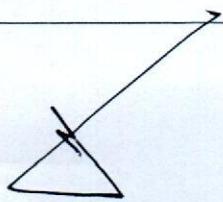
19.6.15. The State of Meghalaya shall install and make fully functional, within a month, a system involving establishment of a centralised server, uploading of transport permit/challans and tracking of coal loaded trucks through GPS and RFID tags as stipulated in the said Appendix-X[1 to the EIA Notification, 2016 to prevent and detect multiple use of transport permit/challans. Transportation of the coal in the State of Meghalaya shall not be permitted till the said system is made fully operational

The Department has initiated project 'Meghalaya Mineral Truck Scanning and Monitoring System' to set up computerized checkgates for automatic scanning and validation of mineral laden trucks, and CCTV video recording and capturing of vehicle number with the objectives to prevent illegal transportation of minerals and plug the leakage of revenue. Under the said project, mineral laden vehicle and QR code transport challans will be scanned at the checkgate to permit mineral laden trucks with valid documents only to exit from the State. A centralized dash board will give data on number and type of mineral laden trucks exited through each checkgate. (copy of minutes of meeting chaired by the Secretary, Mining and Geology Department on 25th June, 2020 enclosed as **Annexure 1**).

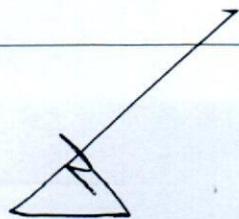


19.6.21. The State of Meghalaya shall within three months, establish integrated check post and temper-proof weigh-in-motion weighbridge at each of the seven LCSs in the State of Meghalaya. Each such integrated check-post and weigh-in-motion weighbridge shall jointly be manned by the representative, one each from the Mining and Geology Department and the Forests & Environment Department in the State of Meghalaya and the Border Security Force (BSF) and the Customs Department in the Union of India. Each such integrated check-post and weigh-in-motion weighbridge shall be provided with an adequate number of CCTV cameras to ensure video recording of the registration number and the consignment loaded in each truck passing through such integrated check-post and the weighbridge. The network of CCTV cameras to be installed at the weighbridge shall also ensure video recording of the display panel indicating weight of each truck passing through such weighbridge. The footage of each CCTV camera installed at each integrated check-post and the weighbridge shall be retained for a minimum period of one year.

Matter has been referred to the Transport Department to take up with Ministry of Home Affairs, Govt. of India to set up integrated check post and temper-proof weigh-in-motion weighbridge at each of the seven LCSs in the State of Meghalaya.



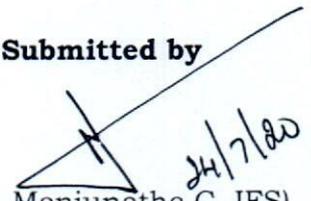
<p>19.6.22. Vigilance wing in the Customs and the BSF in the Union of India and the Home (Police) Department in the State of Meghalaya shall undertake regular inspection of the integrated check-posts and weigh-in-motion weighbridge and submit a quarterly report on such inspections to the Chief Secretary, Meghalaya and their respective Departmental Heads.</p>	<p>Copy of order of the Hon'ble NGT has been forwarded to BSF, Commissioner of Customs (Preventive) and Home (Police) Department Govt. of Meghalaya for necessary action. Copy of letter enclosed as Annexure 15 (Page No. 118 to 119).</p>
<p>19.6.25. The State of Meghalaya shall, within a month, formulate a simple procedure for verification of the claims for receipt of ex-gratia from the labourers who received injuries while working in illegal rat-hole coal mines in the State of the Meghalaya and also from the next-of kin of laborers who were killed while working in such mines. Such procedure may contain adequate safeguards to detect, deter and reject false claims.</p>	<p>Matter has been taken up with Labour Department to formulate a simple procedure for verification of the claims for receipt of ex-gratia from the labourers who received injuries while working in illegal rat-hole coal mines in the State of the Meghalaya and also from the next-of kin of laborers who were killed while working in such mines. Copy of letter enclosed as Annexure 16 (Page No. 120).</p>
<p>19.6.28. State of Meghalaya shall disburse an amount of rupees five lakh to next of kin of each of the labourers who were killed and rupees two lakh to each of the labourers who received serious injuries while working in any illegal rat-hole coal mining in the State of Meghalaya including the labourers which were killed or</p>	<p>Ex-gratia of an amount of Rs 5.00 Lakh (Fve lakhs) has been disbursed to next of kin of each of labours who died in Ksan coal mines, East Jaintia Hills District during December, 2018. Copy of letter from Deputy Commissioner enclosed as Annexure 17(Page No. 121).</p>



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received serious injuries in a tragic accident in an illegal rat-hole mine in Ksan village in East Jaintia Hill district in December 2018 and in South Garo Hills District in the year 2012	
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Submitted by



24/7/20

(Dr. Manjunatha C, IFS)
Secretary to the Govt. of Meghalaya
Mining and Geology Department

Dated Shillong the 24th July, 2020

**Secretary
to the Govt of Meghalaya
Mining & Geology Department**

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Annexure-XV

**GOVERNMENT OF MEGHALAYA
MINING & GEOLOGY DEPARTMENT**

No.MG.44/2020/302

Dated Shillong the 30th September, 2020

From: Dr. Manjunatha C, IFS
Secretary to the Govt. of Meghalaya
Mining and Geology Department

To: ✓ The Member Secretary
NGT Committee Meghalaya

Sub: **Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in OA No. 110(THC) /2012**

Sir,

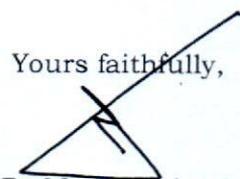
In inviting a reference to above cited subject, I have the honour to submit herewith '**Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in OA No. 110(THC) /2012.**'

Kindly place the Compliance Report before the Hon'ble NGT Committee, Meghalaya.

Encl: As above



Yours faithfully,


(Dr Manjunatha C, IFS)
Secretary to the Govt. of Meghalaya
Mining and Geology Department

Compliance Report on the directions of the Hon'ble National Green Tribunal vide order dated 17th January, 2020 in OA No. 110(THC) /2012 submitted before the Hon'ble NGT Committee Meghalaya headed by Hon'ble Justice Mr. B.D. Agarwal former Judge Gauhati High Court.

1. An amount of Rs.96.59 lakh has been released from the MEPRF and 5 nos of vehicle mounted water tankers have been purchased by the Deputy Commissioner, East Jantia Hills District for supplying drinking water to coal mining affected villages.
2. The Mining and Department has introduced high security Transport Challans with hologram, fugitive ink and QR codes to prevent misuse of the transport challans. CCTVs have been installed in checkgates to video record trucks carrying coal to detect illegal transportation of coal.
3. The Department has initiated a project 'Meghalaya Mineral Truck Scanning and Monitoring System' to set up computerized checkgates for automatic scanning and validation of mineral laden trucks, and CCTV video recording and capturing of vehicle number with the objectives to prevent illegal transportation of minerals and plug the leakage of revenue. Under the said project, mineral laden vehicle and QR code transport challans will be scanned at the checkgate to permit mineral laden trucks with valid documents only to exit from the State. A centralized dash board will give data on number and type of mineral laden trucks exited through each checkgate. (copy of minutes of meetings chaired by Secretary Mining and Geology enclosed as **Annexure 1 and 2**).
4. The Mining and Geology Department has issued public notice in newspapers in English Khasi and Garo languages to receive claims for compensation to victims who have lost lives or received injury. Consequently, 10 nos of claims have been received and verification of claims is under process. Labour Department has been asked to formulate simple procedure to verify claims for compensation.
5. The Chief Secretary held a meeting on 26th February, 2020 with officials of Home (Police) Department and Mining and Geology Department to monitor compliance of directions passed by Hon'ble National Green Tribunal(copy of minutes of meeting enclosed as **Annexure 3**).
6. A monitoring Committee has been constituted under Chairmanship of Chief Secretary for monthly review of actions taken by various 'Authorized Officers' to file complaints before concerned Courts of Law under Section 21 of the MMDR Act against the persons involved in illegal raising and transportation of coal. (copy of Notification enclosed as **Annexure 4**).
7. Monitoring Committee held review meeting on 29th June, and 11th August 2020 to review the action taken by Police and DMR officials against illegal mining and transportation of coal (copy of minute enclosed as **Annexure 5 and 6**). Total 245 cases have been booked under section 21 of MMDR Act, 1957 since March 2019. Total 112 cases have been booked under Section 21 of the MMDR Act, 1957 against persons involved in illegal mining and transportation of coal during the period of Jan 2020 to July 2020.
8. Procedure laid down for exercise of the powers conferred on the State under sub-section (5) of section 21 of the MMDR Act to recover mineral raised unlawfully from such person or where such mineral has already been disposed to recover price (copy of order No. MG.94/2011/588 dated 10.09.20 enclosed as **Annexure 7**)

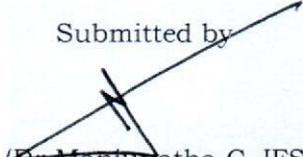
9. Draft Meghalaya (Prevention of illegal mining, transportation and storage of minerals) Rules, 2020 has been prepared. The draft rules will be placed in the Cabinet for consideration and approval.
10. Authorized officers under the Directorate of Mineral Resources have filed 14 nos of FIRs during the period of January 2020 to July 2020 against illegal coal mining and transportation incidences. Details of cases have been furnished to MSPCB and CPCB and MOEF & CC North Eastern Regional Office, Shillong for initiation of necessary action under Water Act and Environment Protection Act, 1986. (copy of letter dated 23.07.20 enclosed as **Annexure 8**)
11. Scheme to reward informer for giving credible information on incidences of illegal coal mining/transportation has been introduced (copy of order No. MG.44/2020/120 dated 10.09.20 enclosed as **Annexure 9**)
12. The Department has submitted request to the North Eastern Space Applications Centre (NESAC) to submit proposal to set up Coal Mine Surveillance System (CMSS) in the State of Meghalaya. (copy of letter dated 30.06.2020 is enclosed as **Annexure 10**). NESAC has asked the Department to provide shape file and names of mining district and mining areas/coal blocks for developing coal surveillance system.
13. With regard to drilling of requisite number of bore-holes in 1 sq. km. area in Khliehriat-Sutnga area in East Jaintia Hills District, the coal block selected is not a virgin area and it is worked out area with full of existing shaft and adits, so lot of cavities encountered which affected drilling rod alignment and caused jamming. CMPDIL has been asked to submit report on feasibility of drilling and exploration in this area. Due to these problems, the Government is contemplating to discontinue the drilling works Khliehriat-Sutnga coal block and looking for virgin coal blocks to start fresh works of exploration for preparing model mining plan.
14. Revised guidelines for utilizing the MEPRF fund duly approved by NGT Committee issued on 20th August, 2020 (copy of guidelines enclosed as **Annexure 11**).
15. Committees have been constituted at District level to facilitate monthly review of the quantity of clinker and/or power produced by each Cement Manufacturing Plants and thermal Power Plant in the State and the quantity of coal purchased by each such plant from legal sources to produce such reported quantities of clinker and/or power. (copy of notification dated 13.03.2020 enclosed as **Annexure 12**)
16. Monthly review was conducted on 29th June, and 11th august 2020 to review the quantity of clinker and/or power produced and legal sources of coal for 8(eight) Cement Manufacturing Plants and 5(five) thermal Power Plants/captive thermal power plant. (copy of minutes of the meeting enclosed as **Annexure 13 and 14**)
17. Demand notices have been issued to the Cement Manufacturing Plants and the Thermal Power Plants in the State to pay royalty, GST, MEPRF on the illegally mined coal utilised by respective companies. However, no response received from the cement plants and thermal power plants. Reminder has been sent to for payment. No response received. (copies of demand notices served enclosed as **Annexures 15**)

18. It has been decided during the meeting chaired by the Chief Secretary on 26th February, 2020 to collect Rs 400 per tonne of illegally mined coal utilized by the cement plants and thermal power plants after the ban imposed by Hon'ble NGT in April, 2014. DMR has been asked to issue demand notice to cement plants for payment of Rs. 400 per MT. (copy of letter dated 25.09.2020 enclosed as **Annexure 16**) Draft guidelines for utilizing this amount will be framed shortly and will be submitted before the NGT Committee, Meghalaya for approval.
19. Details of location (latitude and longitude) and other details of each dump has been furnished to NESAC to georeferenced map depicting location of each of coal dumps.
20. Copy of additional Affidavit filed before the Hon'ble Supreme Court has been placed in the Mining and Geology Department's Website.
21. Copy of Copy of additional Affidavit filed before the Hon'ble Supreme Court has been submitted before the NGT Committee, Meghalaya.
22. Comprehensive plan for handing over of extracted coal to Coal India limited for auction has been jointly prepared by the State Government and CIL. The plan was deliberated and approved by the NGT Committee, Meghalaya.
23. In compliance of Hon'ble NGT order dated 27.07.2020 a Revised comprehensive plan duly approved by NGT Committee has been prepared and published on 24th august 2020.
24. Scheme stipulating terms and conditions of auction has been prepared. (copy of scheme enclosed as **Annexure 17**)
25. Procedure for transportation of extracted coal from pitheads to depots laid down. (Copy enclosed as **Annexure 18**)
26. Designated depots have been selected in each of 4 districts (copy of order enclosed as **Annexure 19**). The Deputy Commissioners have been asked to transport extracted coal to depots for auction. Tendering process for selecting transporter completed in West Khasi Hills and East Jaintia Hills.
27. Periodical details (viz. name & full address) of the exporter for each consignment of coal originating from the Meghalaya which was allowed by the Mining and Geology Department in the Government of Meghalaya for export to the Bangladesh from each of the seven LCS in Meghalaya since the ban on rat hole coal mining in Meghalaya was imposed by the Hon'ble NGT in April, 2014 has been submitted NGT Committee Meghalaya on 22nd July, 2020. (copy of compliance report dated 24.07.20 enclosed as **Annexure 20**)
28. Matter has been referred to the Transport Department to take up with Ministry of Home Affairs to set up integrated check post and temper-proof weigh-in-motion weighbridge at each of the seven LCSs in the State of Meghalaya.
29. Copy of order of the Hon'ble NGT has been forwarded to BSF and Commissioner of Customs(Preventive) and Home (Police) Department Govt. of Meghalaya to undertake regular inspection of the integrated check-posts and weigh-in-motion weighbridge and submit a quarterly report on such inspections to the Chief Secretary, Meghalaya and their respective Departmental Heads. (copies of letter dated 22.07.2020 enclosed as **Annexure 21**)

30. Ex-gratia of an amount of Rs 5.00 Lakh (Five lakhs) has been disbursed to next of kin of each of labors who died in Ksan coal mines, East Jaintia Hills District during December, 2018.

Dated 30th September, 2020

Submitted by


(Dr. Manjunatha C, IFS)
Secretary to the Govt. of Meghalaya
Mining and Geology Department

GOVERNMENT OF MEGHALAYA
OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA *** SHILLONG**

Letter No. MG/Court-334/2019/Pt.II/123

Dated, Shillong the 9th December, 2020.

From : **Shri. G.K.Iangrai, MPS**
Asstt. Inspector General of Police (A)
Meghalaya Shillong.

To : **Shri. M.B.K Reddy, IFS**
Additional Principal Chief Conservator of Forests
(Planning, Development & Legal Matters).

Sub : **Matter relating to NGT Cases – regarding.**

Sir,

With reference to the subject cited above, I am directed to furnish herewith summary data on NGT Cases registered in the State w.e.f 2014 to 30th November 2020 which is self-explanatory for favour of kind information and perusal.

Yours faithfully

Encl: As stated.

(G.K.Iangrai, MPS)

Asstt. Inspector General of Police (A)
Meghalaya, Shillong.

Memo No. MG/Court-334/2019/Pt.II/123-A

Dated, Shillong the 9th December, 2020.

1. The Director General of Police, Meghalaya, Shillong for favour of kind information.
2. The Addl. Director General of Police (L&O), Meghalaya, Shillong for favour of kind information.
3. The Chairman Principal Chief Conservator of Forests (Territorial), Meghalaya State Pollution Control Board, for favour of kind information.
4. The Inspector General of Police (Hqr/Admn), Meghalaya, Shillong for favour of kind information.
5. The Secretary, Mining and Geology Department, Meghalaya for favour of kind information.

Asstt. Inspector General of Police (A)
Meghalaya, Shillong

**SUMMARY ON - TOTAL NO OF CASES
REGISTERED IN CONNECTION WITH ILLEGAL
TRANSPORTATION OF COAL IN MEGHALAYA
FROM YEAR 2014 UPTO 30.11.2020**

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	137	103	16	18
2	West Khasi Hills	111	102	7	2
3	South West Khasi Hills	7	6	1	0
4	Ri-Bhoi	443	361	31	51
5	West Jaintia Hills	78	65	2	11
6	East Jaintia Hills	547	494	17	36
7	West Garo Hills	20	8	4	8
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	160	40	112	8
10	East Garo Hills	22	19	2	1
11	South Garo Hills	10	5	4	1
	TOTAL	1535	1203	196	136

ILLEGAL TRANSPORTATION

SUMMARY ON TOTAL CASES REGISTERED IN CONNECTION WITH ILLEGAL TRANSPORTATION OF COAL IN MEGHALAYA YEAR WISE

2014					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	26	26	0	0
2	West Khasi Hills	68	61	7	0
3	South West Khasi Hills	5	4	1	0
4	Ri-Bhoi	34	34	0	0
5	West Jaintia Hills	14	14	0	0
6	East Jaintia Hills	40	40	0	0
7	West Garo Hills	3	2	0	1
8	South West Garo Hills	0	0	0	0
9	North Garo Hills	8	5	3	0
10	East Garo Hills	0	0	0	0
11	South Garo Hills	1	1	0	0
	TOTAL	199	187	11	1

2015					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	48	46	02	NIL
2	West Khasi Hills	28	28	NIL	NIL
3	South West Khasi Hills	1	1	NIL	NIL
4	Ri-Bhoi	77	75	01	01
5	West Jaintia Hills	18	18	NIL	NIL
6	East Jaintia Hills	184	179	05	NIL
7	West Garo Hills	05	04	01	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	116	08	107	01
10	East Garo Hills	13	12	01	NIL
11	South Garo Hills	02	02	NIL	NIL
	TOTAL	492	373	117	2

2016					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	07	06	01	NIL
2	West Khasi Hills	NIL	NIL	NIL	NIL
3	South West Khasi Hills	1	1	NIL	NIL
4	Ri-Bhoi	18	17	NIL	01
5	West Jaintia Hills	13	12	01	NIL
6	East Jaintia Hills	76	70	04	02
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	04	04	NIL	NIL
11	South Garo Hills	01	NIL	01	NIL
	TOTAL	120	110	7	3

2017					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	21	13	02	06
2	West Khasi Hills	01	01	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	86	74	6	6
5	West Jaintia Hills	16	12	01	03
6	East Jaintia Hills	121	114	06	01
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	04	03	01	NIL
10	East Garo Hills	NIL	NIL	NIL	NIL
11	South Garo Hills	NIL	NIL	NIL	NIL
	TOTAL	249	217	16	16

2018					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	10	06	01	03
2	West Khasi Hills	05	05	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	102	80	15	7
5	West Jaintia Hills	03	02	NIL	01
6	East Jaintia Hills	14	13	01	NIL
7	West Garo Hills	03	01	01	01
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	15	13	01	01
10	East Garo Hills	NIL	NIL	NIL	NIL
11	South Garo Hills	01	NIL	01	NIL
	TOTAL	153	120	20	13

2019					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	19	6	10	3
2	West Khasi Hills	07	7	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	62	46	9	7
5	West Jaintia Hills	12	7	NIL	5
6	East Jaintia Hills	33	29	1	3
7	West Garo Hills	4	1	2	1
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	12	11	NIL	1
10	East Garo Hills	3	2	1	NIL
11	South Garo Hills	4	1	2	1
	TOTAL	156	110	25	21

UPTO 30.11.2020					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	6	0	0	6
2	West Khasi Hills	2	0	0	2
3	South West Khasi Hills	0	0	0	0
4	Ri-Bhoi	64	35	0	29
5	West Jaintia Hills	2	0	0	2
6	East Jaintia Hills	79	49	0	30
7	West Garo Hills	5	0	0	5
8	South West Garo Hills	0	0	0	0
9	North Garo Hills	5	0	0	5
10	East Garo Hills	2	1	0	1
11	South Garo Hills	1	1	0	0
	TOTAL	166	86	0	80

**SUMMARY ON TOTAL CASES REGISTERED IN
CONNECTION WITH ILLEGAL EXTRACTION OF
COALIN MEGHALAYA FROM YEAR 2014 UPTO
30.11.2020**

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	1	1	0	0
2	West Khasi Hills	7	3	2	2
3	South West Khasi Hills	1	1	0	0
4	Ri-Bhoi	0	0	0	0
5	West Jaintia Hills	7	4	2	1
6	East Jaintia Hills	115	86	26	3
7	West Garo Hills	3	0	2	1
8	South West Garo Hills	0	0	0	0
9	North Garo Hills	0	0	0	0
10	East Garo Hills	2	2	0	0
11	South Garo Hills	3	1	0	2
	TOTAL	139	98	32	9

ILLEGAL EXTRACTIONSUMMARY ON TOTAL CASES REGISTERED IN CONNECTION WITH ILLEGAL
EXTRATION OF COAL IN MEGHALAYA YEAR WISE

2014					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	0	0	0	0
2	West Khasi Hills	0	0	0	0
3	South West Khasi Hills	0	0	0	0
4	Ri-Bhoi	0	0	0	0
5	West Jaintia Hills	0	0	0	0
6	East Jaintia Hills	2	1	1	0
7	West Garo Hills	0	0	0	0
8	South West Garo Hills	0	0	0	0
9	North Garo Hills	0	0	0	0
10	East Garo Hills	0	0	0	0
11	South Garo Hills	0	0	0	0
	TOTAL	2	1	1	0

2015					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	01	01	NIL	NIL
2	West Khasi Hills	01	01	NIL	NIL
3	South West Khasi Hills	01	01	NIL	NIL
4	Ri-Bhoi	NIL	NIL	NIL	NIL
5	West Jaintia Hills	02	02	NIL	NIL
6	East Jaintia Hills	46	43	03	NIL
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	01	01	NIL	NIL
11	South Garo Hills	NIL	NIL	NIL	NIL
	TOTAL	52	49	3	0

2016					
Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	NIL	NIL	NIL	NIL
2	West Khasi Hills	NIL	NIL	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	NIL	NIL	NIL	NIL
5	West Jaintia Hills	03	02	01	NIL
6	East Jaintia Hills	08	07	01	NIL
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	01	01	NIL	NIL
11	South Garo Hills	NIL	NIL	NIL	NIL
	TOTAL	12	10	2	0

2017

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	NIL	NIL	NIL	NIL
2	West Khasi Hills	NIL	NIL	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	NIL	NIL	NIL	NIL
5	West Jaintia Hills	01	NIL	01	NIL
6	East Jaintia Hills	28	17	11	NIL
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	NIL	NIL	NIL	NIL
11	South Garo Hills	NIL	NIL	NIL	NIL
	TOTAL	29	17	12	0

2018

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	NIL	NIL	NIL	NIL
2	West Khasi Hills	NIL	NIL	NIL	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	NIL	NIL	NIL	NIL
5	West Jaintia Hills	NIL	NIL	NIL	NIL
6	East Jaintia Hills	16	08	07	01
7	West Garo Hills	NIL	NIL	NIL	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	NIL	NIL	NIL	NIL
11	South Garo Hills	01	NIL	NIL	01
	TOTAL	17	8	7	2

2019

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	NIL	NIL	NIL	NIL
2	West Khasi Hills	4	2	2	NIL
3	South West Khasi Hills	NIL	NIL	NIL	NIL
4	Ri-Bhoi	NIL	NIL	NIL	NIL
5	West Jaintia Hills	NIL	NIL	NIL	NIL
6	East Jaintia Hills	13	10	1	2
7	West Garo Hills	2	NIL	2	NIL
8	South West Garo Hills	NIL	NIL	NIL	NIL
9	North Garo Hills	NIL	NIL	NIL	NIL
10	East Garo Hills	NIL	NIL	NIL	NIL
11	South Garo Hills	2	1	NIL	1
	TOTAL	21	13	5	3

2020

Sl.	District	Cases Registered	Charge Sheet	Final Report	Pending Investigation
1	East Khasi Hills	0	0	0	0
2	West Khasi Hills	2	0	0	2
3	South West Khasi Hills	0	0	0	0
4	Ri-Bhoi	0	0	0	0
5	West Jaintia Hills	1	0	0	1
6	East Jaintia Hills	2	0	2	0
7	West Garo Hills	1	0	0	1
8	South West Garo Hills	0	0	0	0
9	North Garo Hills	0	0	0	0
10	East Garo Hills	0	0	0	0
11	South Garo Hills	0	0	0	0
	TOTAL	6	0	2	4