

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 170 OF 2024**

IN THE MATTER OF:

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

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Filed on: 03.07.2025
New Delhi

Filed by



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



HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.170/2024

IN THE MATTER OF:-

News Item titled "Barricade illegal sand mining pose threat to WGH river bank" appearing in The Shillong Times dated 29.6.2024

ADDITIONAL AFFIDAVIT IN COMPLIANCE OF ORDER DATED 19.5.2025 ON BEHALF OF RESPONDENT NO.2-MEGHALAYA STATE POLLUTION CONTROL BOARD

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

1. That I am presently posted as the Member Secretary of the Meghalaya State Pollution Control Board, MSPCB, and as such in my official capacity I am conversant with the facts and records of the case and hence competent and authorized to swear this affidavit on behalf of MSPCB, hereinafter referred to as the 'Board'.
2. This Hon'ble Tribunal on 19.5.2025 was pleased to direct as under:-

"In this case, Meghalaya State pollution Control Board has not placed on record as to what action has been taken against the violators. Let supplementary affidavit be filed within one month by Member Secretary, Meghalaya Pollution Control Board



SL INSTRUMENT NO. 26
DATED 30 July, 2025

MEMBER SECRETARY
Meghalaya State Pollution Control Board
Shillong

X

placing on record the action taken against the violators and if no action has been taken, it shall place on record the details of persons responsible for such inaction and also as to what has been done against such defaulting official(s) by State Pollution Control Board.”

3. It is stated that the closure notice was initially issued to 10 operators of illegal sand mines at Chibinang, West Garo Hills District as per the information received from the Divisional Forest Officer, West & South west Garo Hills Division. That to verify compliance of the closure notices, a second inspection was conducted on 9.12.2024, however names and locations could not be verified. During the inspection additional illegal sand mining sites were also identified.

A copy of the inspection Report conducted on 9.12.2024 is marked and annexed as **Annexure R/1**.

4. The Board issued communication dated 10.1.2025 to the Divisional Forest Officer, West & South West Garo Hill (T) for cross-verification and furnishing of names and address of the operators

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Meghalaya State Pollution Control Board
Shillong



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DATED 3rd July, 20 25

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of illegal sand mines with GPS co-ordinates as detected by the Board.

A copy of the letter dated 10.1.2025 issued to the Divisional Forest Officer, West & South West Garo Hill (T) is marked and annexed as **Annexure R/2**.

5. It is stated that based on the information and details received from the Divisional Forest Officer, the Board issued notices dated 15.4.2025 and 21.4.2025 to the identified operators of illegal sand mines in Chibinang area imposing environmental compensation based on the methodology developed by the Central Pollution Control Board which has been adopted by the Meghalaya State Pollution Control Board, MSPCB.

Copies of the Notices dated 15.4.2025 and two Notices both 21.4.2025 is marked and annexed as **Annexure R/3**.

6. It is stated that Environmental Compensation has been imposed by the Board based on the methodology devised by the Central Pollution Control Board which takes into account Pollution Index, Number of days of violation, factor in Rupees, Factor for scale of operation and Location Factor.

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Shillong



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DATED 3rd July, 2025



A copy containing detail of break-up for each illegal operator of sand mining calculated by the Board is marked and annexed as **Annexure R/4.**

7. I say that the facts stated in the above paras are true and correct to the best of my knowledge and information.

Identified By:

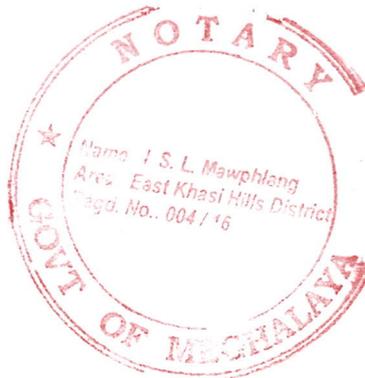

(Miss. P. S. Barch)
Advocate


DEPONENT
MEMBER SECRETARY
Meghalaya State Pollution Control Board
Shillong

VERIFICATION

Verified at _____ on this the 3 day of July, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.

3rd July, 2025 solemnly Affirmed before me this Day on the Deponent is Identified by Adv. Miss P.S. Barch
I Certify that the contents of the Affidavit are read over and explained to the Deponent who Verified the same before me




DEPONENT
MEMBER SECRETARY
Meghalaya State Pollution Control Board
Shillong

Ibaphidahun Shisha Lyngdoh Mawphlang
Regd. No. 004/16
NOTARY
East Khasi Hills District
Government of Meghalaya

INSTRUMENT NO. 26 -
DATED 3rd July, 2025

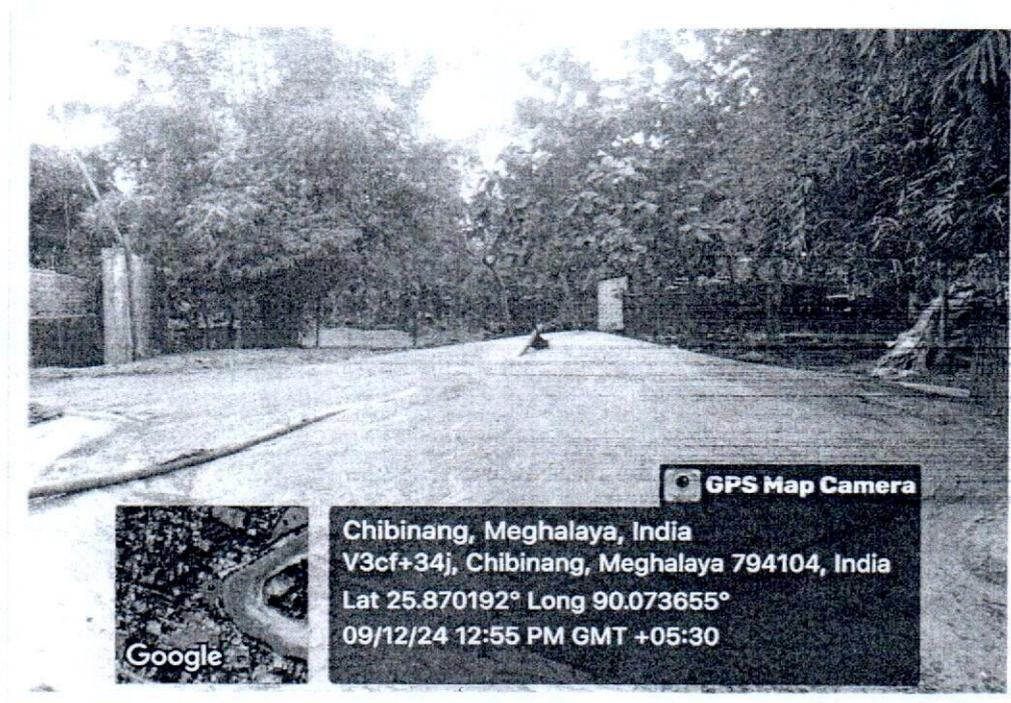
MEGHALAYA STATE POLLUTION CONTROL BOARD
INSPECTION REPORT

Inspection for verification of closure of illegal sandmining units was carried out on 9th December 2024 at Chibinang, West Garo Hills District by Smt. R.R.Marak, AEE and Shri. A. Marak, MTA and the following observations were made:

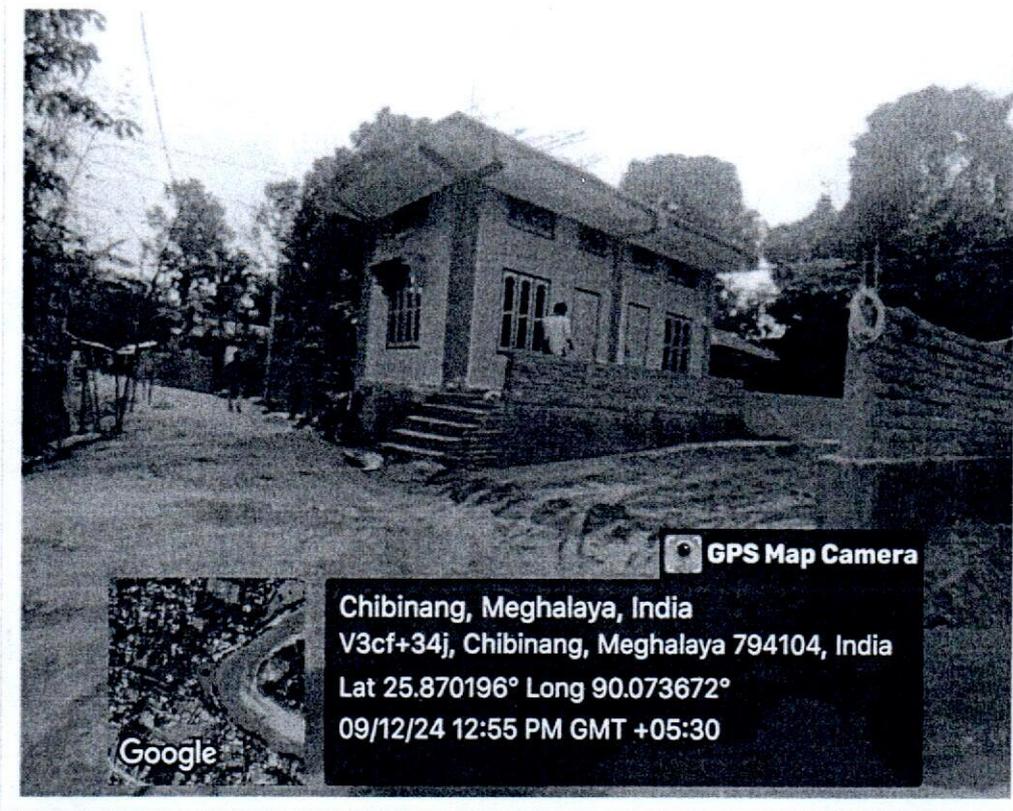
Observations:

1. The illegal sand mining units are still in operation in Chibinang, West Garo Hills District.
2. Pumping machines operated in the river bank for sand extraction were observed.
3. Few workers were present at the sand mining sites. Upon inquiry on the ownership of the sand heaps, the names against which Closure Notices have been issued by the Board as per the list received from the DFO, West & South West Garo Hills (T) Division, Tura, could not be verified on ground during inspection as different names were being provided and was unable to cross-check with the said list.
4. A total of 20 nos. of sand heaps have been detected along the Rongai River.

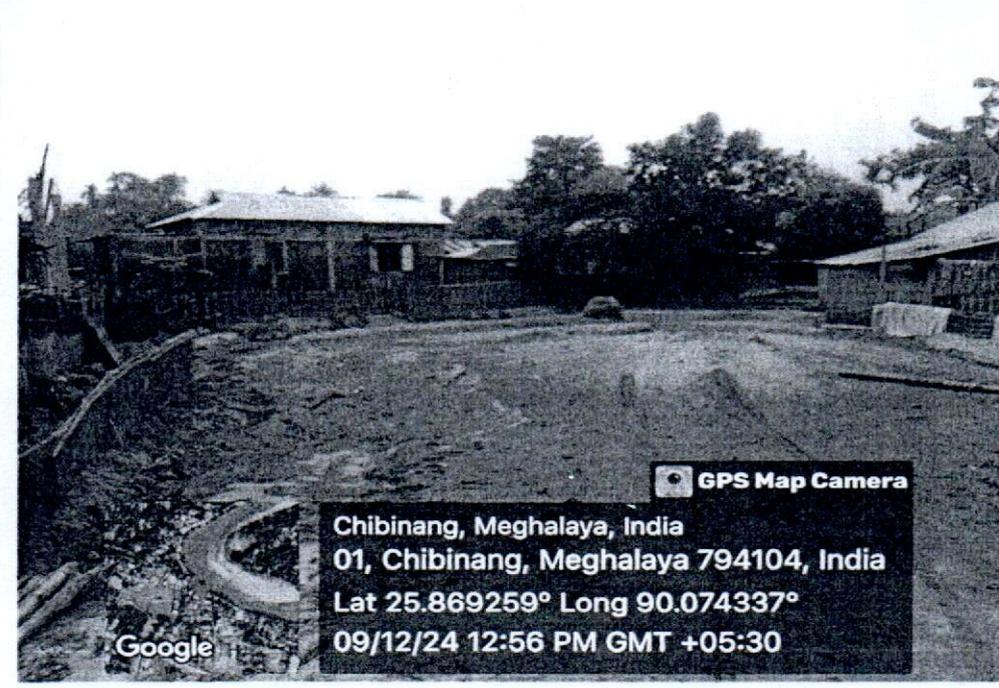
Site No.1



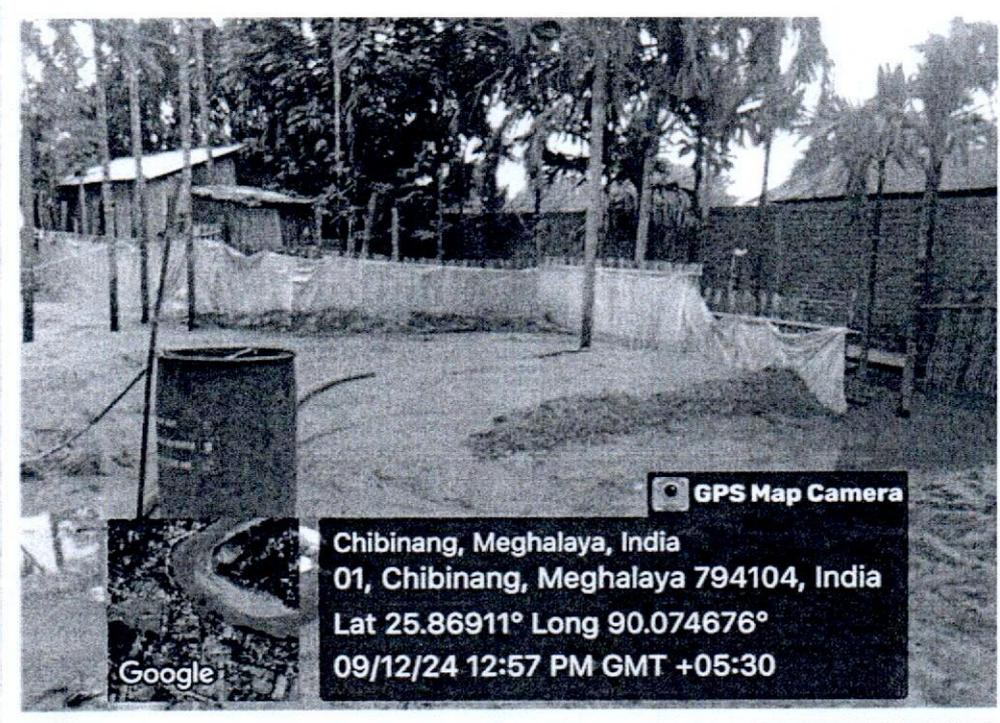
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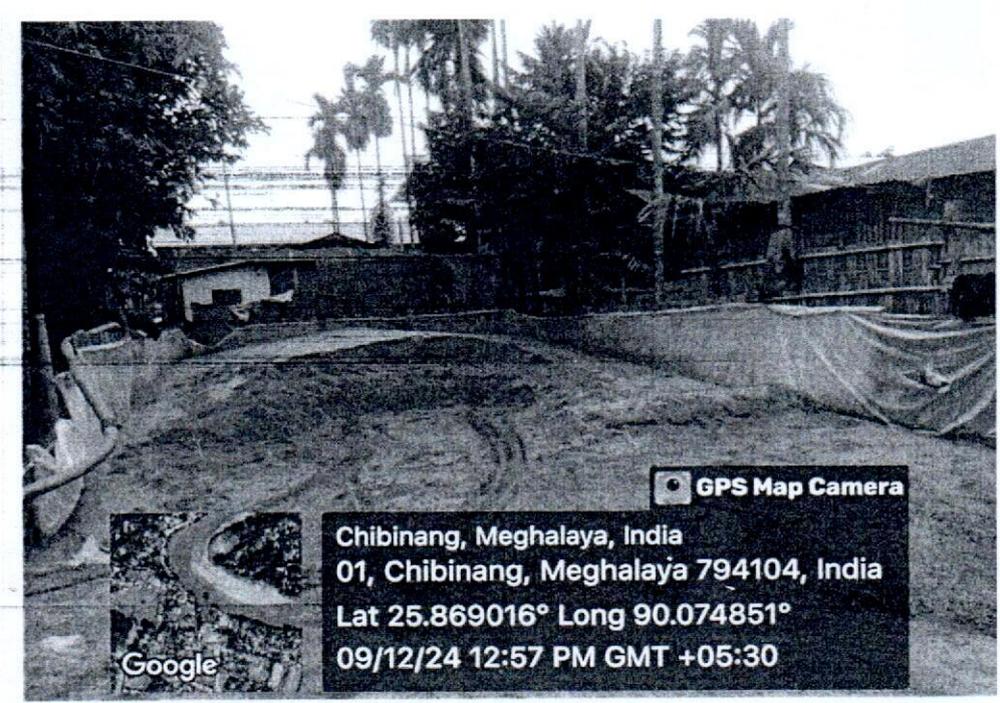
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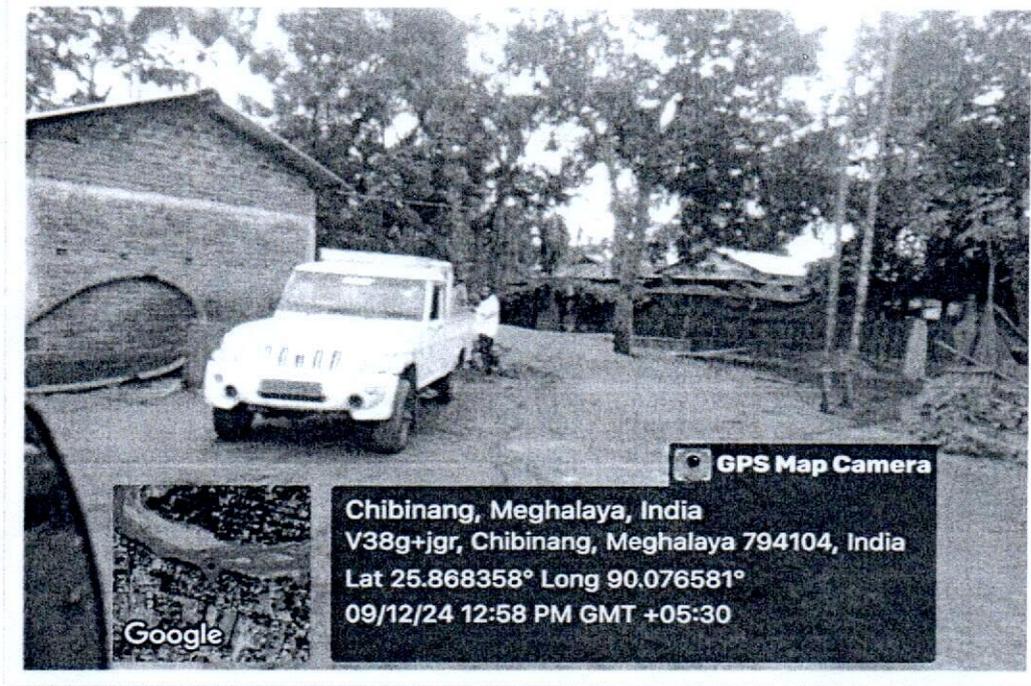
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Site No.5



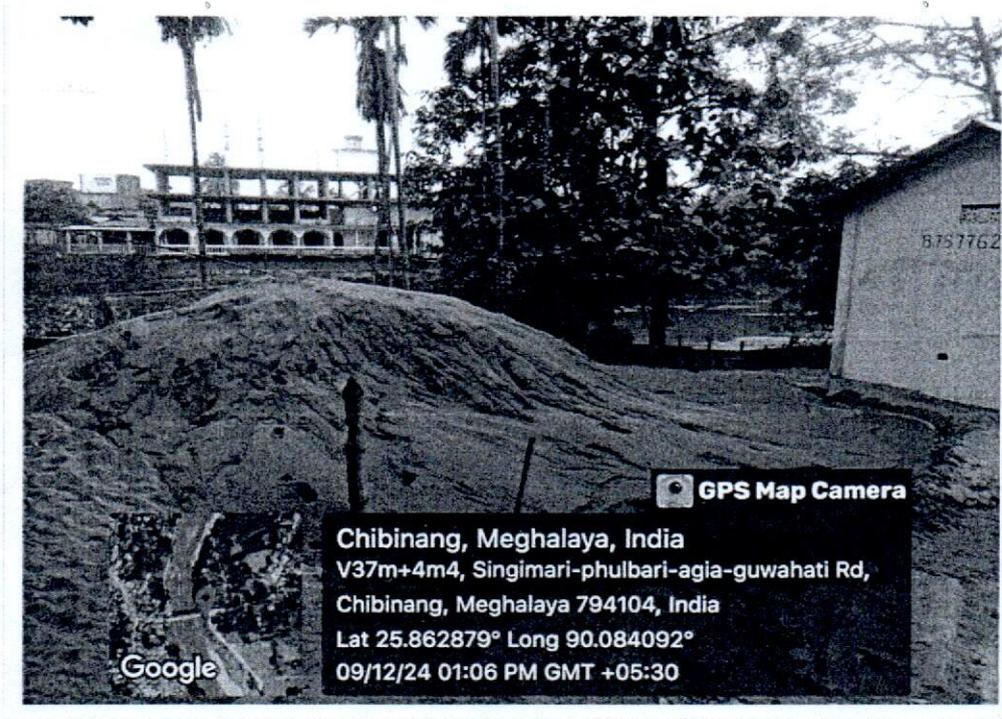
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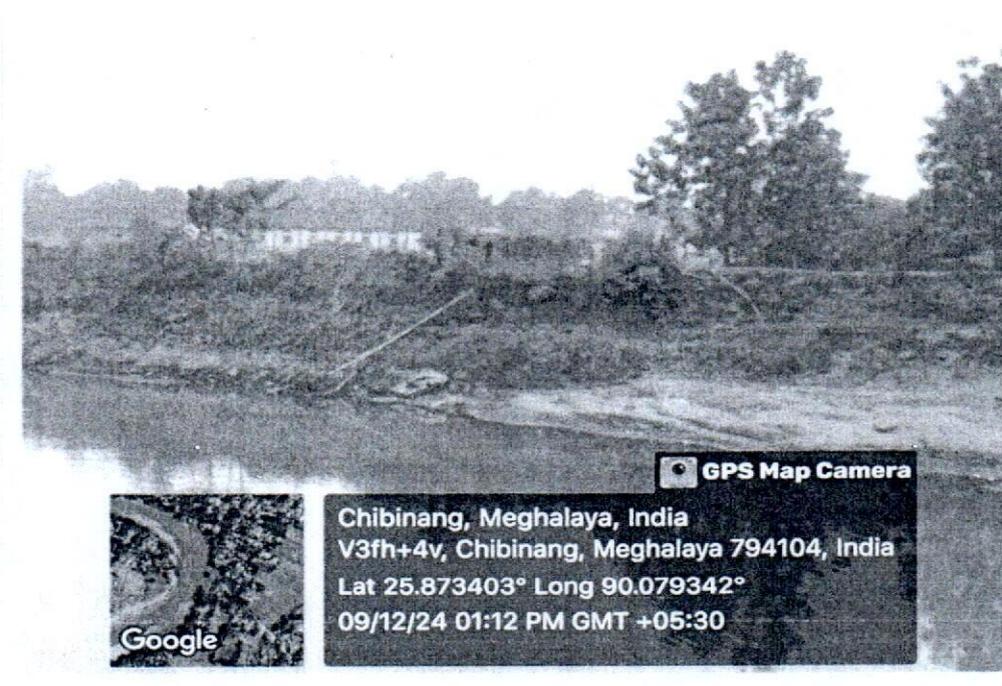
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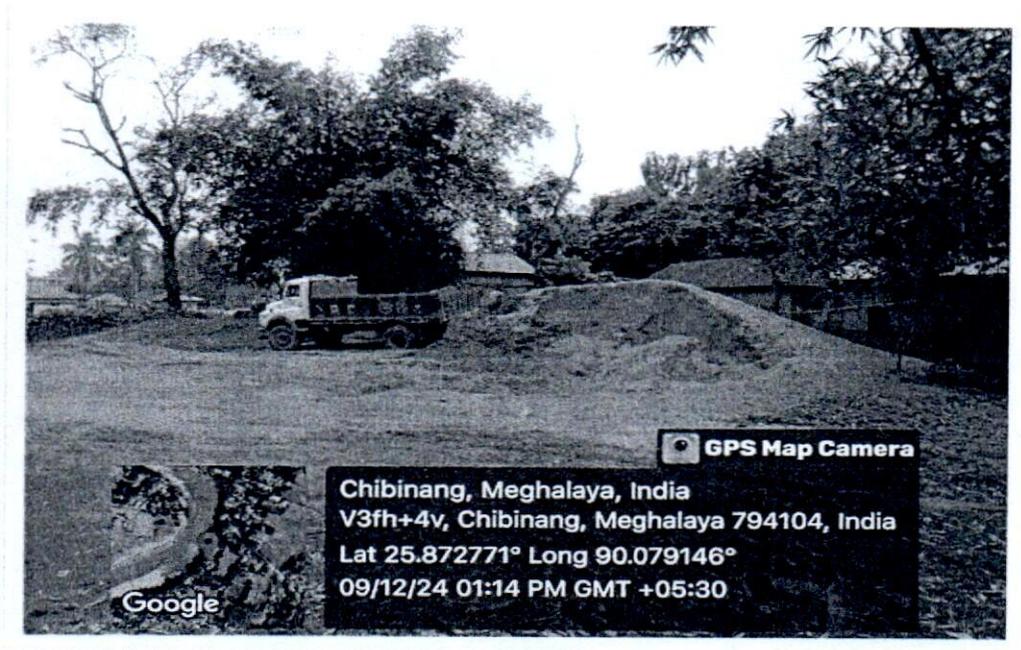
Site No.8



Site No.9



Site No.10



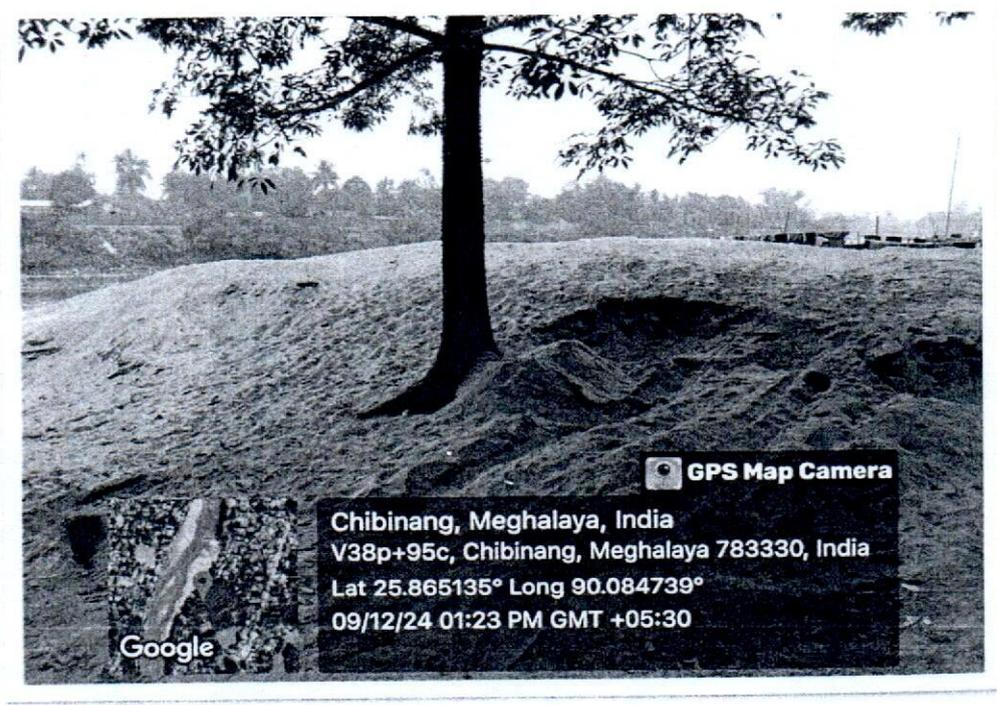
Site No.11

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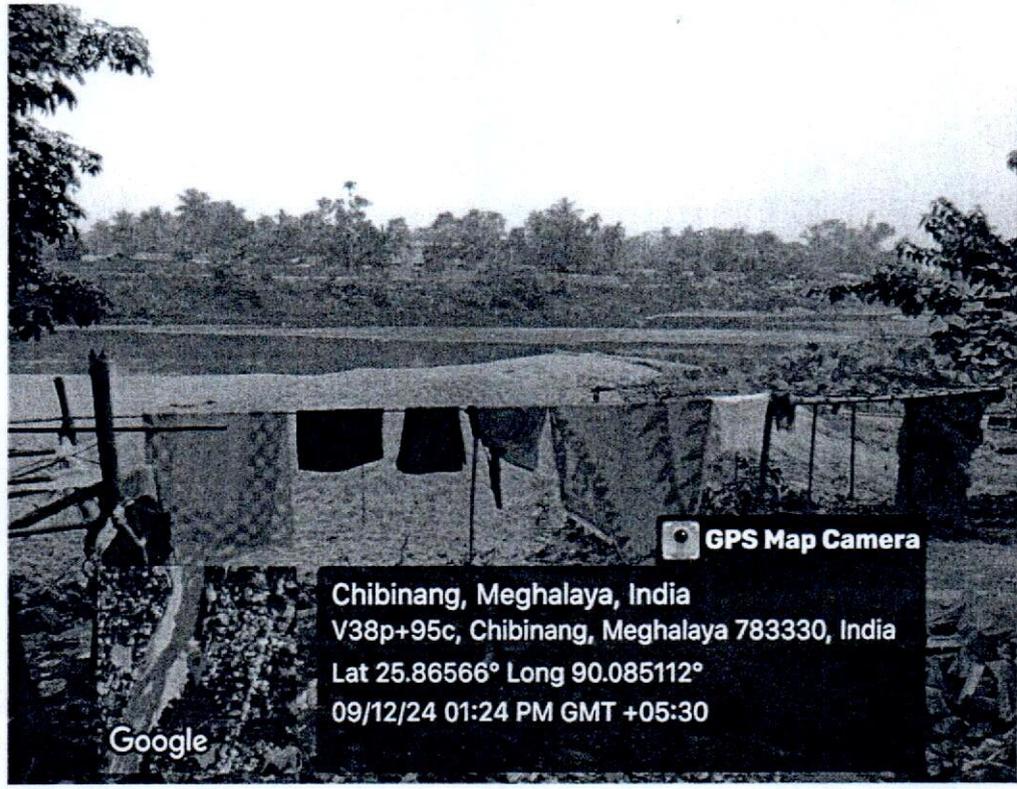
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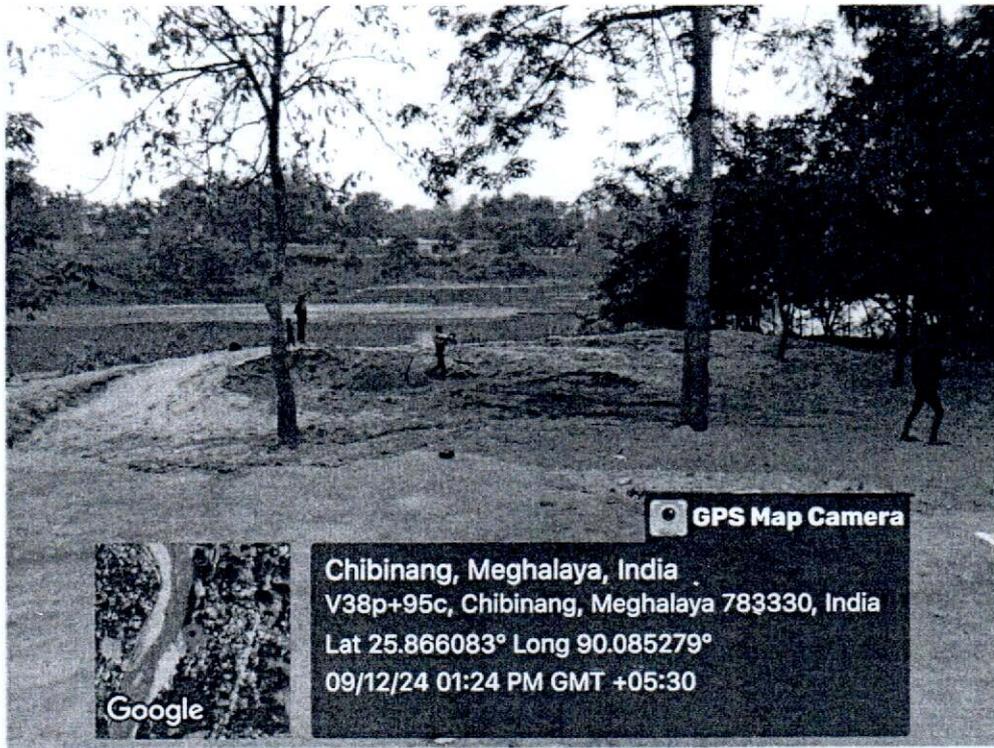
Site No.13



Site No.14



Site No.15



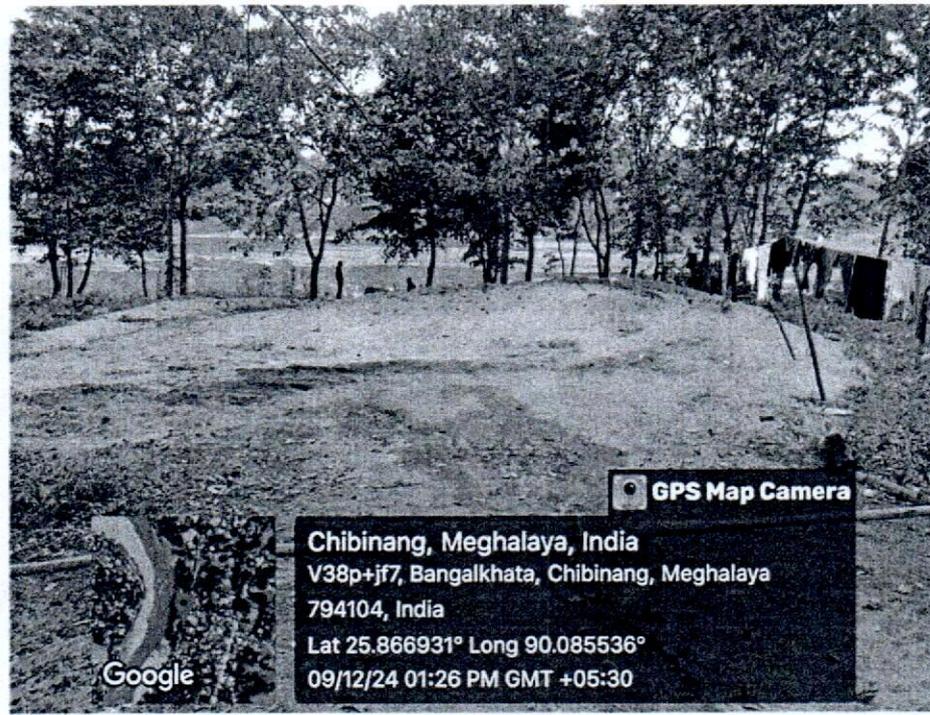
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Site No.17



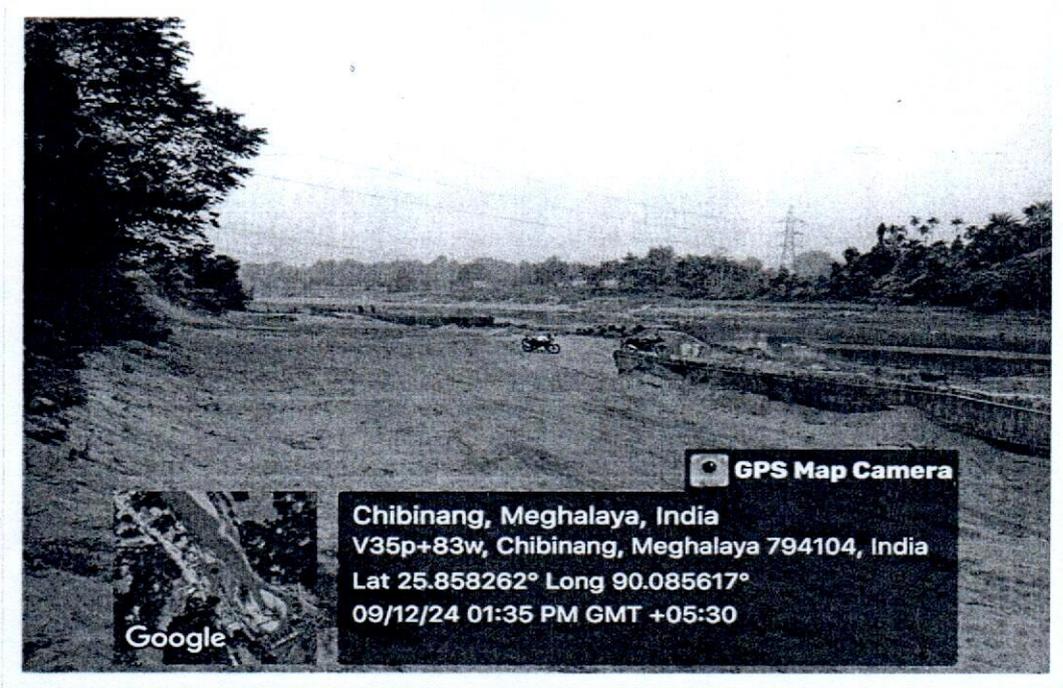
Site No.18



Site No.19



Site No.20



(Smt.R.R.Marak, AEE)

(Shri. A. Marak, MTA)

No.MSPCB/TB-98/2024/2024-25/ 18

Dated Shillong, the 15th January, 2025

To,

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

Sub: O.A. No. 919/2024 on Illegal sand mining in Chibinang, West Garo Hills District –
reg.

Ref: Memo.No.B/x/1/1266 dated 6th June 2024

Sir,

With reference to the subject above, I am to inform you that the Board had issued Closure Notice against 10 (ten) nos. of operators of illegal sand mines at Chibinang, West Garo Hills District vide No.MSPCB/TB-7(C)/2024(Pt-II)/2024-25/35, 41, 43, 45, 47, 48, 50, 51, 61, 62 dated 30th August 2024, as per the information received from your office vide letter under reference.

Further, inspection for verification of compliance of Closure was carried out on 9th December 2024 by the Board's officials, and as per the report, 20 (twenty) nos. of illegal sand mining sites still in operation were detected at Chibinang, West Garo Hills. However, the names of the proprietors and their locations could not be verified.

In this regard, you are hereby requested to kindly furnish the GPS coordinates of the identified illegal sand mining as per the list enclosed as Annexure -I and also to cross verify the name and address of the proprietors of illegal sand mines at Chibinang, West Garo Hills with the list enclosed as Annexure -II herewith along with GPS co-ordinates to enable the Board to impose environmental compensation against the unit/individual indulged in illegal extraction of river sand.

This is for your kind information and necessary action.

Enclosed: As stated above

Yours faithfully,


(Dr.G.H.CHYRMANG, MFS)

Member Secretary

Meghalaya State Pollution Control Board
Shillong

Memo No. MSPCB/TB-98/2024/2024-25/ 18-A

Dated Shillong, the 15th January, 2025

Copy to:

1. The Deputy Commissioner, West Garo Hills, Tura, for favour of information.


Member Secretary

26/6/24
SECRET

(10)

11/6/24



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



Memo No. B/2/1/1266 Dated Tura, the 6th June/2024.

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

To: ✓ The Member Secretary,
Meghalaya State Pollution Control Board, Shillong.

Sub: Illegal Mining Activities, regarding.

Ref: MFG/83/10/Illegalities/MMMCR/Pt.III/798 Dtd Shillong, the 26th April,2024.

Sir,

With reference to the subject cited above, I have the honour to re-submit herewith the required detail information as per the directive of the Conservator of Forests (T), Khasi & Jaintia Hills, Shillong, Meghalaya.

This is for your kind information and necessary action.

Enclo: As above.



Yours faithfully

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

Dated Tura, the June/2024.

Memo No. 26/6/24
Copy to :-
The Conservator of Forests (T), Khasi & Jaintia Hills, Shillong,
Meghalaya for his kind information.

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

JEF-11
[Signature]
28/6/24

LIST OF ACTION TAKEN AGAINST ILLEGAL SAND MINING UNDER WEST & SOUTH-WEST, GARO HILLS (T) DIVISION, TURA.				ANNEXURE - VIII
Sl No.	NAME	ADDRESS	LOCATION	ISSUE No.
1	Shri. Sahajamal Sk.	Bholarbhita, P.O. Chibinang P.S. Phulbari, West Garo Hills, Meghalaya.	Bholarbhita	HD/28/2021/227 dt.31.10.2021.
2	Shri. Akidur Islam.	Bholarbhita, P.O. Chibinang, P.S. Phulbari, West Garo Hills, Meghalaya.	Bholarbhita	HD/28/2021/233 dt.31.10.2021.
3	Shri. Arjun A Sangma.	Ghagupara, P.O & P.S. Tikrikilla, West Garo Hills, Meghalaya.	Ghagupara	HD/28/2022/13-14 dt.25.01.2022.
4	Shri. Ram Krishna Rabha.	Kodomsali, P.O & P.S Tikrikilla, West Garo Hills, Meghalaya.	Kodomsali	HD/28/2022/17-18 dt.28.01.2022.
5	Shri. Tobath Ch Marak.	Damalgre, P.O & P.S. Damalgre, South- West Garo Hills, Meghalaya.	Damalgre	T/88(a)/22/131-32 dt.25.03.2022.
6	Shri. Wandesh M Marak.	Damalgre, P.O & P.S. Damalgre, South- West Garo Hills, Meghalaya.	Damalgre	T/88(a)/22/129-30 dt.25.03.2022.
7	Shri. Djmbith Ch Marak.	Damalgre, P.O & P.S. Damalgre, South- West Garo Hills, Meghalaya.	Damalgre	T/88(a)/22/133-34 dt.25.03.2022.
8	Shri. Pilson Ch Marak.	Balalgre, P.O. Mukdangra P.S. Damalgre, South- West Garo Hills, Meghalaya.	Balalgre	T/88(a)/22/135-36 dt.25.03.2022.
9	Shri. Pilson M Sangma.	Jewilgre, P.O. Mukdangra P.S. Damalgre, South- West Garo Hills, Meghalaya.	Jewilgre	T/88(a)/22/137-38 dt.25.03.2022.

10.	Shri. Mian M Marak.	Dorambokgre, P.O. Mukdangra P.S. Damalgre, South- West Garo Hills, Meghalaya.	Dorambokgre	T/88(a)/22/139-40 dt.25.03.2022.
11.	Shri. Sengchon G Sangma.	Bolgangre, P.O. Mukdangra P.S. Damalgre, South- West Garo Hills, Meghalaya.	Bolgangre	T/88(a)/22/141-42 dt.25.03.2022.
12.	Shri. Dinesh T Sangma.	Sonamite, P.O & P.S. Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/143-44 dt.25.03.2022.
13.	Shri. Kasan Marak.	Sonamite, P.O & P.S. Garobadha, South-West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/145-46 dt.25.03.2022.
14.	Shri. Nusula G Momln.	Sonamite, P.O & P.S. Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/147-48 dt.25.03.2022.
15.	Shri. Tilbath M Marak.	Wategre, P.O. Rangakona P.S. Garobadha, South- West Garo Hills, Meghalaya.	Wategre	T/88(a)/22/149-50 dt.25.03.2022.
16.	Shri. Sengot A Sangma.	Sonamite, P.O & P.S. Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/151-52 dt.25.03.2022.
17.	Shri. Bethuel Ch Marak.	Sonamite, P.O & P.S Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/153-54 dt.25.03.2022.
18.	Shri. Tamseng N Marak.	Sonamite, P.O & P.S. Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/155-56 dt.25.03.2022.
19.	Shri. Spart Ch. Marak	Sonamite, P.O. & P.S Garobadha.	Sonamite	T/88(a)/22/157-58 dt.25.03.2022.

20	Shri. Chegrak R Marak.	Sonamite, P.O & P.S. Garobadha, South- West Garo Hills, Meghalaya.	Sonamite	T/88(a)/22/159-60 dt.25.03.2022.
21	Shri. Monum G Sangma.	Rangsakona, P.O. Rangsakona P.S. Garobadha, South- West Garo Hills, Meghalaya.	Rangsakona	T/88(a)/22/161-62 dt.25.03.2022.
22	Shri. Utpal R Marak.	Rangatary, P.O. Garobadha, P.S. Ampati, South-West Garo Hills, Meghalaya.	Rangatary	T/88(a)/22/163-64 dt.25.03.2022.
23	Shri. Awal SK.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	HD/20(d)/2022/186 dt.20.04.2022.
24	Shri. Moksedul Alam.	Bangalkhata, P.O. Chibinang P.S. Phulbari, West Garo Hills, Meghalaya.	Bangalkhata	HD/20(d)/2022/187 dt.20.04.2022.
25	Shri. Shohidur Rahman.	Puskanipara, P.O. Chibinang P.S. Phulbari, West Garo Hills, Meghalaya.	Puskanipara	HD/20(d)/2022/188 dt.20.04.2022.
26	Shri. Rakesh Saha.	Phulbari, P.O & P.S. Phulbari,	Phulbari	HD/20(d)/2022/189 Dt. 20.4.2022.
27	Shri. Awal Sk.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	HD/28/2023/41-42 dt.18.03.2023.
28	Shri. Abdul Zafer.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	HD/28/2023/42-43 dt.18.03.2023.
29	Shri. Shahalom Sk.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	HD/28/2023/45-46 dt.18.03.2023.

30 ✓	Shri. Surut Zamal Sk.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	10	HD/28/2023/47-48 dt.18.03.2023.
31 ✓	Shri. Mahamod Ali.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	11	HD/28/2023/47-48 dt.18.03.2023.
32 ✓	Shri. Mashidur Islam.	Puskanipara, P.O. Chibinang P.S Phulbari, West Garo Hills, Meghalaya.	Puskanipara	12	HD/28/2023/51-52 dt.18.03.2023.


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

List of illegal sand mining sites detected in Chibinang, West Garo Hills District

S.No.	Name	Location	Lat Long
1.	(unknown)	Bholarbhita, Chibinang	25.870192°, 90.073655°
2.	(unknown)	Bholarbhita, Chibinang	25.870196°, 90.073672°
3.	(unknown)	Bholarbhita, Chibinang	25.869259°, 90.074337°
4.	(unknown)	Bholarbhita, Chibinang	25.86911°, 90.074676°
5.	(unknown)	Bholarbhita, Chibinang	25.869016°, 90.074851°
6.	(unknown)	Bholarbhita, Chibinang	25.868358°, 90.076581°
7.	(unknown)	Bholarbhita, Chibinang	25.868204°, 90.077526°
8.	(unknown)	Chibinang-Agia Road bridge	25.862879°, 90.084092°
9.	(unknown)	Bholarbhita, Chibinang	25.873100°, 90.078544°
10.	(unknown)	Bangalkhata, Chibinang	25.872771°, 90.079146°
11.	(unknown)	Bangalkhata, Chibinang	25.864997°, 90.084612°
12.	(unknown)	Bangalkhata, Chibinang	25.865135°, 90.084739°
13.	(unknown)	Bangalkhata, Chibinang	25.865351°, 90.084924°
14.	(unknown)	Bangalkhata, Chibinang	25.86566°, 90.085112°
15.	(unknown)	Bangalkhata, Chibinang	25.866083°, 90.085279°
16.	(unknown)	Bangalkhata, Chibinang	25.866678°, 90.085572°
17.	(unknown)	Bangalkhata, Chibinang	25.866744°, 90.085514°
18.	(unknown)	Bangalkhata, Chibinang	25.866931°, 90.085536°
19.	(unknown)	Bangalkhata, Chibinang	25.867198°, 90.085593°
20.	(unknown)	Near Rongai Valley Dam	25.858262°, 90.085617°

By Registered Post

No.MSPCB/TB-98/2024/2025-26/ 24

Dated Shillong, the 15 April, 2025

To,

Shri. Saha Zamal Sheikh,
s/o Khalek Sk,
Vill: Bholarbhita, P.O. Chibinang & P.S. Phulbari,
West Garo Hills District

Sub: **Direction under Section 33 (A) of the Water (Prevention and Control of Pollution) Act 1974 and- Section 31 (A) of the Air (Prevention & Control of Pollution Act), 1981: ENVIRONMENTAL COMPENSATION**

1. Whereas, **PROHIBITORY ORDER** under the Water (Prevention and Control) Act, 1974 and the Air (Prevention and Control) Act, 1981 vide No.MSPCB/TB-98/2024/2024-25/2 dated 16th August 2024 was issued by Meghalaya State Pollution Control Board on the use of stream or well for disposal of polluting matter along the Rongai River;
2. Whereas, Closure Notice was issued against Shri. Saha Zamal Sk for operating illegal sand mine at Chibinang, West Garo Hills District vide No.MSPCB/TB-7(C)/2024(Pt-II)/2024-25/47 dated 30th August 2024;
3. Whereas, based on the observations during inspection on 5th September 2024 by the Board's Officials, illegal river sand extraction by use of water pump was evident along the Rongai River at Bangal Kata, Bholarbhitta and Kaimbatpara areas at Chibinang, West Garo Hills District;
4. Whereas, during inspection on 9th December 2024 at Chibinang, West Garo Hills District by the Board's Officials, it was observed that the sand mines owned by Shri. Saha Zamal Sheikh at two locations with GPS co-ordinates 25°52'11.98"N 90° 4'29.65"E and 25°52'1.91"N 90° 5'8.25"E were still in operation in Chibinang, thereby violating the above order and the provisions of the relevant acts;
5. Whereas, the Hon'ble National Green Tribunal, Eastern Zone Bench in its order dated 28/11/2024 in OA No.170/2024/EZ on News Item titled "Barricade illegal sand mining pose threat to West Garo Hills riverbank" appearing in the Shillong Times dated 29/06/2024, directed the Board for computation and recovery of Environmental Compensation;

Now, therefore, in view of the above, the Meghalaya State Pollution Control Board in exercise of the powers conferred upon it under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 do hereby impose an Environmental Compensation of **₹ 5,05,000.00 (Rupees Five Lakhs Five Thousand only)**, calculated on the basis of methodology developed by Central Pollution Control-Board for assessing Environmental Compensation and adopted by the Meghalaya State Pollution Control Board.

The Environmental Compensation is to be paid within a period of 15(fifteen) days from the date of receipt of the direction in the form of Demand Draft or Banker's Cheque to be drawn in favor of Member Secretary, Meghalaya State Pollution Control Board, Shillong.

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpynggad, Shillong - 793014

Website : <http://megspcb.gov.in>



In-case the unit fails to comply with the above directions, the Meghalaya State Pollution Control Board will be constrained to initiate proceedings against you as deemed fit under the relevant Acts and Rules.

(R. Namamalai, IFS)

CHAIRMAN

Meghalaya State Pollution Control Board
Shillong

Memo No.MSPCB/TB-98/2024/2025-26/ 24-A

Dated Shillong, the 15th April, 2025

Copy to:-

1. The Deputy Commissioner, West Garo Hills District, Tura for kind information and necessary action.
2. The Divisional Forest Officer, West & South West Garo Hills (T), Tura for kind information and necessary action.

CHAIRMAN

By Registered Post

No.MSPCB/TB-98/2024/2025-26/ 25 - 28

Dated Shillong, the 21st April, 2025

To,

(Not Enclosed)

Sub: **Direction under Section 33 (A) of the Water (Prevention and Control of Pollution) Act 1974 and- Section 31 (A) of the Air (Prevention & Control of Pollution Act), 1981: CLOSURE NOTICE & ENVIRONMENTAL COMPENSATION**

1. Whereas, **PROHIBITORY ORDER** under the Water (Prevention and Control) Act, 1974 and the Air (Prevention and Control) Act, 1981 vide No.MSPCB/TB-98/2024/2024-25/2 dated 16th August 2024 was issued by Meghalaya State Pollution Control Board on the use of stream or well for disposal of polluting matter along the Rongai River;
2. Whereas, during inspection on 9th December 2024 by the Board's Officials at Chibinang, West Garo Hills District, it was observed that illegal sand mining from Rongai River was in operation in Chibinang area;
3. Whereas, during inspection on 14th February 2025 by the Block Level Task Force on illegal sand mining in Chibinang, West Garo Hills District, it was observed that illegal sand extraction from Rongai River using water pumps was evident thereby violating the above order and the provisions of the relevant acts;
4. Whereas, the Hon'ble National Green Tribunal, Eastern Zone Bench in its order dated 28/11/2024 in OA No.170/2024/EZ on News Item titled "Barricade illegal sand mining pose threat to West Garo Hills riverbank" appearing in the Shillong Times dated 29/06/2024, directed the Board for computation and recovery of Environmental Compensation;

Now, therefore, in view of the above, the Meghalaya State Pollution Control Board in exercise of the powers conferred upon it under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 hereby direct your unit to stop operation forthwith and Environmental Compensation of **₹ 1,70,000.00 (Rupees One Lakh Seventy Thousand only)**, calculated on the basis of methodology developed by Central Pollution Control Board for assessing Environmental Compensation and adopted by the Meghalaya State Pollution Control Board is hereby imposed on your unit for violation of the above order.

The Environmental Compensation is to be paid within a period of 15(fifteen) days from the date of receipt of the direction in the form of Demand Draft or Banker's Cheque to be drawn in favor of Member Secretary, Meghalaya State Pollution Control Board, Shillong.

In case the unit fails to comply with the above directions, the Meghalaya State Pollution Control Board will be constrained to initiate proceedings against you as deemed fit under the relevant Acts and Rules.

(Signature)
(R. Nainamalai, IFS)

CHAIRMAN

Meghalaya State Pollution Control Board
Shillong

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpynggad, Shillong - 793014

Website : <http://megspcb.gov.in>



Memo No.MSPCB/TB-98/2024/2025-26/25-A

Dated Shillong, the 21st April, 2025

Copy to:-

1. The Deputy Commissioner, West Garo Hills District, Tura for favour of information and necessary action.
2. The Divisional Forest Officer, West & South West Garo Hills (T), Tura for kind information and necessary action.


CHAIRMAN

List of operators of illegal sand mine in Chibinang area

1. Shri. Aminur Islam, s/o Shri. Obejudin Sheikh, Vill: Pushkanipara, P.O. Chibinang, P.S. Phulbari, West Garo Hills District
2. Shri. Abul Hussain, s/o Shri. Kosar Ali, Vill: Bangalkhatta, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District
3. Shri. Abdul Rakhif Sarkar, s/o Lt. Abdul Bari Sarkar, Vill: Bholarbhita, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District
4. Shri. Abdul Kalam, c/o Shri. Rohman Ali, Vill: Kaibatapara, P.O. Bholarbhita, P.S. Phulbari, West Garo Hills District

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpynggad, Shillong - 793014

Website : <http://megspcb.gov.in>

(20/12)



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mspcb

By Registered Post

No.MSPCB/TB-98/2024/2025-26/ 29-42

Dated Shillong, the 21 April, 2025

To,

(Not enclosed)

Sub: Direction under Section 33 (A) of the Water (Prevention and Control of Pollution) Act 1974 and- Section 31 (A) of the Air (Prevention & Control of Pollution Act), 1981: CLOSURE NOTICE & ENVIRONMENTAL COMPENSATION

1. Whereas, **PROHIBITORY ORDER** under the Water (Prevention and Control) Act, 1974 and the Air (Prevention and Control) Act, 1981 vide No.MSPCB/TB-98/2024/2024-25/2 dated 16th August 2024 was issued by Meghalaya State Pollution Control Board on the use of stream or well for disposal of polluting matter along the Rongai River;
2. Whereas, based on the observations during inspection on 5th September 2024 by the Board's Officials, illegal river sand extraction by use of water pump was evident along the Rongai River at Bangal Kata, Bholarbhatta and Kaimbatpara areas at Chibinang, West Garo Hills District;
3. Whereas, during re-inspection on 9th December 2024 at Chibinang, West Garo Hills District by the Board's Officials, it was observed that the sand mining was still in operation in Chibinang, thereby violating the above order and the provisions of the relevant acts;
4. Whereas, the Hon'ble National Green Tribunal, Eastern Zone Bench in its order dated 28/11/2024 in OA No.170/2024/EZ on News Item titled "Barricade illegal sand mining pose threat to West Garo Hills riverbank" appearing in the Shillong Times dated 29/06/2024, directed the Board for computation and recovery of Environmental Compensation;

Now, therefore, in view of the above, the Meghalaya State Pollution Control Board in exercise of the powers conferred upon it under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 hereby direct your unit to stop operation forthwith and Environmental Compensation of **₹ 2,40,000.00 (Rupees Two Lakhs Forty Thousand only)**, calculated on the basis of methodology developed by Central Pollution Control Board for assessing Environmental Compensation and adopted by the Meghalaya State Pollution Control Board is hereby imposed on your unit for violation of the above order.

The Environmental Compensation is to be paid within a period of 15(fifteen) days from the date of receipt of the direction in the form of Demand Draft or Banker's Cheque to be drawn in favor of Member Secretary, Meghalaya State Pollution Control Board, Shillong.

In case the unit fails to comply with the above directions, the Meghalaya State Pollution Control Board will be constrained to initiate proceedings against you as deemed fit under the relevant Acts and Rules.

(R. Nainamalai, IFS)

CHAIRMAN

Meghalaya State Pollution Control Board
Shillong

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpynggad, Shillong - 793014

Website : <http://megspcb.gov.in>



590

30

Memo No.MSPCB/TB-98/2024/2025-26/26-A

Dated Shillong, the 21st April, 2025

Copy to:-

1. The Deputy Commissioner, West Garo Hills District, Tura for favour of information and necessary action.
2. The Divisional Forest Officer, West & South West Garo Hills (T), Tura for kind information and necessary action.


CHAIRMAN

List of operators of illegal sand mine in Chibinang area

1. Lt. Mettik Sheik, S/O. Lt. Akbar Ali Village: Puskanipara P.O Chibinang P.S: Phulbari Dist: West Garo Hills Meghalaya
2. Shri. Abdul Baten, S/O Lt. Somed Mollah Village: Puskanipara P.O Chibinang P.S: Phulbari Dist: West Garo Hills Meghalaya
3. Shri. Biju Mondal, C/O Bala Boax Village: Puskanipara P.O Chibinang P.S: Phulbari Dist: West Garo Hills Meghalaya
4. Shri: Alomgir Ahmed, S/O Shri. Johirul Hoque Village: Puskanipara P.O Chibinang P.S: Phulbari Dist: West Garo Hills Meghalaya
5. MD. Monirul Islam, S/O MD. Abul Hussain Village: Puskanipara P.O Chibinang P.S: Phulbari Dist: West Garo Hills Meghalaya
6. Shri. Rashidul Rahman, S/O Shri:Fojor Rahman P.O: Bholarbhita, P.S: Phulbari Dist: West Garo Hills Meghalaya
7. Shri: Nazir Hussain, S/O Shri:Moyjuddin Sk Vill: Bholarbhita, P.O, Bholarbhita P.S: Phulbari Dist: West Garo hills Meghalaya
8. Shri: Rakibul Islam, S/O Shri Atowar Ali Vill: Charbatapara P.O: Moulakandi, P.S. Phulbari Dist: West Garo Hill Meghalaya
9. Shri: Rakibul Islam, S/O Shri Atowar Ali Vill: Charbatapara P.O: Moulakandi, P.S. Phulbari Dist: West Garo Hill Meghalaya
10. Shri: Zaidul Islam, S/O: Misparuddin Vill: Bangalkhata P.O: Bholarbhita, P.s: Phulbari Dist: West Garo Hills Meghalaya
11. Unknown Vill: Bangalkhata, P.O: Bholarbhita P.s: Phulbari Dist: West Garo Hills Meghalaya
12. Shri: Sopiql Islam Mullah, S/O, Shri: Ajit Mollah Vill: Bangalkhata, P.O: Bholarbhita P.s: Phulbari Dist: West Garo Hills Meghalaya
13. Shri: Sopiql Islam Mullah, S/O, Shri: Ajit Mollah Vill: Bangalkhata, P.O: Bholarbhita P.s: Phulbari Dist: West Garo Hills Meghalaya
14. Shri: Ohedur Sk, S/O Shri: Abdul Samed Vill: Bangalkhata, P.O: Bholarbhita P.s: Phulbari Dist: West Garo Hills Meghalaya

Computation of Environmental Compensation of illegal sand mines in Chibinang, West Garo Hills

Environmental Compensation is calculated based on the methodology developed by CPCB

Formula:

$$\text{Environmental Compensation (EC)} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

Where,

PI = Pollution Index of industrial sector

N = Number of days of violation took place

R = A factor in Rupees (₹) for EC

S = Factor for scale of operation

LF = Location factor

Average Pollution Index (PI) of 80, 50 and 30 is taken for calculating EC for Red, Orange and Green categories of industries, respectively. Since sand mining is orange category, therefore, PI of sand mining = **50**

No. of days of violation (N) is the period between the day of violation observed/due date of direction's compliance and the day of compliance verified and is calculated as per the detection dates in Tables 1, 2 and 3.

Factor in rupees (R) of minimum of 100 and maximum of 500, therefore, minimum R=**100** is taken.

Factor for scale of operation (S) is 0.5 for micro or small, 1.0 for medium, 1.5 for large industry categorization. Since sand mining is small scale industry, therefore, S = **0.5**

Location factor (LF) is based on population of the city/town and location of the industrial unit as below:

Criteria	Location Factor (LF)
< 1 million population	1.0
>10 km from municipal boundary	1.0
1 to <5 million population	1.25
5 to <10 million population	1.5
10 million and above population	2.0
Notified Ecologically Sensitive areas	2.0

Therefore, LF is taken as **1**

Table 1: EC Computation for detection dates on **05/09/2024 - 09/12/2024** (N=96 days)

S.No.	Names	PI	N	R	S	LF	No. of illegal sand mining sites	EC (₹)
1.	Lt. Mettik Sheik	50	96	100	0.5	1	1	2,40,000
2.	Abdul Baten	50	96	100	0.5	1	1	2,40,000
3.	Biju Mondal	50	96	100	0.5	1	1	2,40,000
4.	Alomgir Ahmed	50	96	100	0.5	1	1	2,40,000
5.	MD. Monirul Islam	50	96	100	0.5	1	1	2,40,000
6.	Rashidul Rahman	50	96	100	0.5	1	1	2,40,000
7.	Nazir Hussain	50	96	100	0.5	1	1	2,40,000
8.	Rakibul Islam	50	96	100	0.5	1	2	4,80,000
9.	Zaidul Islam	50	96	100	0.5	1	1	2,40,000
10.	Unknown	50	96	100	0.5	1	1	2,40,000
11.	Sopiqul Islam Mullah	50	96	100	0.5	1	1	2,40,000
12.	Sopiqul Islam Mullah	50	96	100	0.5	1	1	2,40,000
13.	Ohedur Sk	50	96	100	0.5	1	1	2,40,000

Table 2: EC Computation for detection dates on **09/12/2024 - 14/02/2025** (N=68 days)

S.No.	Names	PI	N	R	S	LF	No. of illegal sand mining sites	EC (₹)
1.	Aminur Islam	50	68	100	0.5	1	1	1,70,000
2.	Abul Hussain	50	68	100	0.5	1	1	1,70,000
3.	Abdul Rakhif Sarkar	50	68	100	0.5	1	1	1,70,000
4.	Abdul Kalam	50	68	100	0.5	1	1	1,70,000

Table 2: EC Computation for Shri. Saha Zamal Sk, detection dates **30/08/2024-09/12/2024** (N=101 days)

S.No.	Names	PI	N	R	S	LF	No. of illegal sand mining sites	EC (₹)
1.	Saha Zamal Sheikh	50	101	100	0.5	1	2	5,05,000



Original Application No. 170/2024/EZ (Earlier O. A. No. 919/2024/PB) News Item titled "Barricade illegal sand mining pose threat to WGH riverbank" appearing in The Shillong Times dated 29.06.2024

1 message

amit singh <semasingh.office@gmail.com>

Thu, Jul 3, 2025 at 6:17 PM

To: memsecy.spcb-meg@gov.in, moefro.shillong@gov.in, dc-wgh@nic.in, ngtjudicial-kolkata@gov.in, Avijit Mani Tripathi <avijitmani@gmail.com>

Dear Sir, /Madam

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

Thanking you.
Best Regards,
Ms.K.Enatoli Sema

(Clerk)
Rahul Mo. 7503630697

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

 **Additional Affidavit.pdf**
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