

**Serial No. 01**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

PIL No. 2 of 2022

Date of order: 09.11.2022

In Re suo motu illegal mining of coal in the State of Meghalaya vs State of Meghalaya

**Coram:**

**Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice**  
**Hon'ble Mr. Justice H. S. Thangkhiew, Judge**  
**Hon'ble Mr. Justice W. Diengdoh, Judge**

**Appearance:**

For the Petitioner : -

For the Respondent : Mr A. Kumar, AG with  
Mr K. Khan, Sr GA  
Ms R. Colney, GA  
Dr N. Mozika, DSGI with  
Ms A. Pradhan, Adv.  
Mr S.P. Mahanta, Sr Adv. with  
Mr M. Lyngdoh, Adv.  
Mr M.Z. Ahmed, Sr Adv. with  
Ms B. Dutta, Sr. Adv.  
Mr N. Syngkon, Adv.

The eighth interim report has been filed by Justice B.P. Katakey (retired) who has been appointed by this Court to oversee the implementation of the directions issued by the Supreme Court and the National Green Tribunal and the auction of previously illegally mined coal in accordance therewith.

The said report makes out a summary of the directions issued by the Supreme Court and the NGT, the status of implementation of such

directions, including orders passed in respect thereof in the present proceedings, and the action taken by the State in such regard. The third part of the report deals with coke oven plants and ferro alloy plants where coal is used as an ingredient.

Let a copy of the eighth interim report of Justice Katakey dated November 7, 2022 be made over to the State. Others represented in the present proceedings may obtain copies of the report from the State.

Learned Advocate-General submits that several steps have been taken pursuant to the previous directions in the present matter, particularly relating to the auction of coal and to ensure that there is no mining of coal in the State at all or any transportation of coal otherwise than for auction of the previously mined coal. The State has apparently forwarded the applications made by several parties seeking license to undertake coal-mining activities to the Centre. The State reports that the Central government has referred the applications to an expert body.

What is undeniable is that at the moment the State confirms that there is no license issued for mining of coal in the State in any form whatsoever. The State has also apparently warned truck owners' associations that firm action would be taken against the individual truckers and the parent association if any fresh illegally mined coal is attempted to be transported.

As far as the auction of the previously mined coal is concerned, the State says that substantial progress has been made in terms of the timelines indicated in previous affidavits filed by the State and noticed in the orders passed by this Court.

Let the matter come up on December 7, 2022.

In the meantime, a further ad hoc remuneration of Rs. 2 lakh be paid to Justice Katakey.

**(W. Diengdoh)**  
**Judge**

**(H. S. Thangkhiew)**  
**Judge**

**(Sanjib Banerjee)**  
**Chief Justice**

Meghalaya  
09.11.2022  
"Sylvana PS"

