

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 2 of 2022

Date of order: 25.05.2023

In Re: (Suo motu): Illegal Mining
of coal in the 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 State	: Mr K. Khan, AAG with Ms R. Colney, GA
For the Union	: Dr N. Mozika, DSGI with Ms A. Pradhan, Adv.
For Coal India Limited	: None

Affidavits have been filed by the Chief Secretary and the Director-General of Police pursuant to the order dated May 15, 2023.

However, such order referred to the 13th interim report filed by Justice Katakey (retired) and the innumerable instances of flagrant breach of subsisting orders indicated in such report. Neither the Chief Secretary nor the Director-General of Police has dealt with such aspect of the matter.

Indeed, the affidavit filed by the DGP is more of what has been done after the horse has bolted. What the Court required was for the horse to be kept safe and to close the stable door. It does not appear that either the administration or the police has made any endeavour in such regard as the stable doors have been left wide open with both the administration and the police looking the other way.

The instances referred to in Justice Katakey's 13th interim report must be individually dealt with and both the Chief Secretary and the DGP will file further affidavits indicating measures taken to ensure that there is no breach of the subsisting orders in future.

Such further affidavits should be filed within four weeks. The matter will appear five weeks hence.

In the meantime, the State should also ensure that the previous coal is disposed of as per the original schedule as set by Justice Katakey.

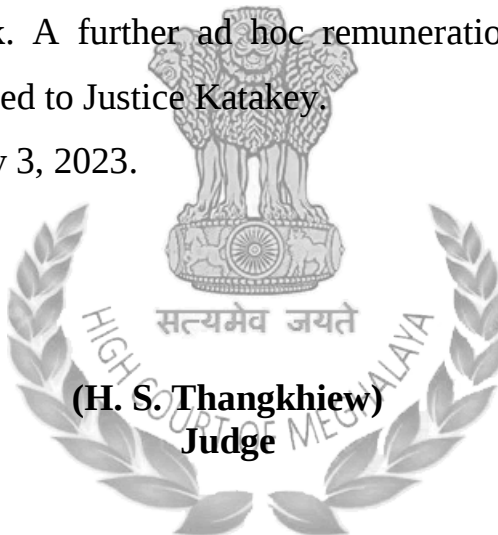
Justice Katakey will keep on monitoring the situation and keep up the good work. A further ad hoc remuneration of Rs 5 lakh be immediately released to Justice Katakey.

List on July 3, 2023.

(W. Diengdoh)
Judge

(H. S. Thangkhiew)
Judge

(Sanjib Banerjee)
Chief Justice



Meghalaya
25.05.2023
"Sylvana PS"