

PIL No. 2 of 2022 with
PIL No. 8 of 2022
PIL No. 9 of 2022
PIL No. 14 of 2022

Date of order: 29.08.2023

In Re: (Suo motu): Illegal Mining
of coal in the State of Meghalaya

Champer M. Sangma vs State of Meghalaya & ors
Shailendra Kumar Sharma vs State of Meghalaya & ors
Monu Kumar vs State of Meghalaya & ors

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 in PIL No. 2 of 2022:

For the Petitioner : - सत्यमेव जयते
For the State : Mr A. Kumar, Advocate-General (VC)
Mr K. Khan, AAG with
Ms R. Colney, GA
Mr S. Sahay, GA (VC)
Ms S. Laloo, GA
Ms A. Thungwa, GA
For the Union : Dr N. Mozika, DSG with
Ms K. Gurung, Adv.
For Coal India Limited : Mr M.Z. Ahmed, Sr Adv. with
Mrs. B. Dutta, Sr Adv.

Appearance in PIL No. 8 of 2022:

For the Petitioner : Mr S. Deb, Adv.
For the Respondents : Mr A. Kumar, Advocate-General (VC)
Mr K. Khan, AAG with
Ms R. Colney, GA
Mr S. Sahay, GA (VC)

Ms S. Laloo, GA
Ms A. Thungwa, GA
Dr N. Mozika, DSG with
Ms K. Gurung, Adv.
Mr D. Nath, GA (VC) [For State of Assam]

Appearance in PIL No. 9 of 2022:

For the Petitioner : Mr A. Goyal, Adv.
Mr A. Choudhury, Adv.

For the Respondents : Mr A. Kumar, Advocate-General (VC)
Mr K. Khan, AAG with
Ms R. Colney, GA
Mr S. Sahay, GA (VC)
Ms S. Laloo, GA
Ms A. Thungwa, GA
Dr N. Mozika, DSG with
Ms K. Gurung, Adv.

Appearance in PIL No. 14 of 2022:

For the Petitioner : Mr M.A.I. Hussain, Adv. (VC)

For the Respondents : Mr A. Kumar, Advocate-General (VC)
Mr K. Khan, AAG with
Ms R. Colney, GA
Mr S. Sahay, GA (VC)
Ms S. Laloo, GA
Ms A. Thungwa, GA

Pursuant to the 16th report filed by Justice Katakey (retired) and the affidavit filed by the State, it is necessary to immediately ensure the adherence to the schedule so that the previously mined coal can be disposed of in terms of the earlier directions.

2. Certain conditions have been imposed by Justice Katakey for the process and certain requirements have been indicated. The State should extend its fullest cooperation to Justice Katakey to ensure that the schedule is adhered to and there is no disruption therein. In particular,

great care should be taken to ensure that purchasers of the previously mined coal do not pass off the subsequently illegally-mined coal as the previously mined coal in course of their transactions.

3. Let the matter appear three weeks hence for the State to report. A further interim report may also be filed by Justice Katakey.

4. Meanwhile, both the State of Meghalaya and the State of Assam should cooperate to ensure that the cross-State illegal activities are completely arrested. Since several persons allegedly involved in the illegal coke plant operations have been granted anticipatory bail earlier today, the State of Assam should assist the State of Meghalaya and the investigating agency here in monitoring the activities of such persons during the interregnum.

5. The petitioner in PIL No. 8 of 2022 seeks leave to file an affidavit to bring certain subsequent events on record. Such affidavit be filed within a week from date with copies forwarded to the State and the Union for both the State and the Union to respond thereto.

6. List on September 26, 2023.

(W. Diengdoh)
Judge

(H.S. Thangkhiew)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
29.08.2023
"Sylvana PS"