

**HIGH COURT OF MEGHALAYA
AT SHILLONG**

PIL No. 2/2022 with
PIL No.9/2022
PIL No.14/2022
PIL No.1/2023

Date of order: 11.12.2023

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

Shailendra Kumar Sharma	vs.	State of Meghalaya & ors
Monu Kumar	vs.	State of Meghalaya & ors
Sri Krishan	vs.	State of Meghalaya & ors

Coram:

Hon'ble Mr. H.S. Thangkhiew, Chief Justice (Acting)
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance in PIL No.2 of 2022

For the Petitioner	: -
For the State	: Mr. A. Kumar, Advocate General with Mr. K. Khan, AAG Mr. S. Sengupta, Addl.Sr.GA Ms. R. Colney, GA
For the Union	: Dr. N. Mozika, DSGI with Ms. S. Rumthao, Adv
For Coal India Limited	: Mr. M.Z. Ahmed, Sr.Adv with Mrs. B. Dutta, Sr.Adv Mr. A. M. Dutta, Adv

Appearance in PIL No.9 of 2022

For the Petitioner	: Mr. A. Goyal, Adv
For the Respondents	: Mr. A. Kumar, Advocate General with Mr. K. Khan, AAG Mr. S. Sengupta, Addl.Sr.GA Dr. N. Mozika, DSGI with Ms. S. Rumthao, Adv

Appearance in PIL No.14 of 2022

For the Petitioner : None

For the Respondents : Mr. A. Kumar, Advocate General with
Mr. K. Khan, AAG
Mr. S. Sengupta, Addl.Sr.GA
Ms. R. Colney, GA

Appearance in PIL No.1 of 2023

For the Petitioner : None

For the Respondents : Mr. A. Kumar, Advocate General with
Mr. K. Khan, AAG
Mr. S. Sengupta, Addl.Sr.GA
Ms. R. Colney, GA
Dr. N. Mozika, DSGI with
Ms. S. Rumthao, Adv
Mr. A.R. Passah, Adv

The Superintendent of Police, East Jaintia Hills is present in person today and submits that adequate steps have been taken to address the issue and that the coal that has been noted in the site as mentioned in the 18th interim report amounting to 4800 MT has been seized.

The learned Advocate General also submits that the entire process with regard to the instant proceedings as mentioned in the 18th interim report is still before Justice B.P. Katakey (retired), who is yet to file the next report. The Court notes that without the latest report, no conclusive order can be passed at this stage.

Accordingly, list this matter on 19.12.2023 to await the report of Justice Katakey on the report that had been called for from the Deputy Commissioner and other authorities with regard to the coal mentioned in the 18th interim report.

It has also been submitted that of the inventorized coal, 5,50,000 MT remains to be transported and auctioned by Coal India and that as per the directives of the Single Member Committee of Justice Katakey, the same should be completed within December, 2023. It is expected that the schedule is adhered to and the remaining inventorized coal is finally disposed of by the end of the year.

The personal appearance of the Superintendent of Police, East Jaintia Hills for the time being is dispensed with, to await further developments in the matter.

Later

At the conclusion of the proceedings today, the Court Master has informed that the 19th interim report has just been received from the Single Member Committee of Justice B.P. Katakey (retired).

In view of the impending vacations and the limited Court days available, let a copy of the report be circulated which may be obtained by the parties from the Registry in the course of the day. It is expected that on the next date, clarification will be available as to the findings, if any, in the said report.

(W. Diengdoh)
Judge

(H.S. Thangkhiew)
Chief Justice (Acting)

Meghalaya
11.12.2023
"Lam DR-PS"