

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

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

PIL No. 2 of 2022

Date of Order: 03.11.2025

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In Re: (Sou Motu): Illegal Mining of Vs. State of Meghalaya & Ors.  
coal in the State of Meghalaya

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**Coram:**

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

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**Appearance:**

For the Petitioner(s) :

For the Respondent(s) : Mr. A. Kumar, AG  
Ms. R. Colney, GA (For R 1)  
Mr. M.Z. Ahmed, Sr. Adv. with  
Ms. B. Dutta, Sr. Adv.  
Mr. A.M. Dutta, Adv. (For R 2)

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**Per. H.S. Thangkhiew, Judge:**

1. The learned Advocate General assisted by Ms. R. Colney, learned GA for the respondent No. 1, has fairly submitted on the basis of the Status Report that there has been no headway or any substantial development in the auction of coal still lying in the CIL designated depots. The report has indicated that even the possibility of coal being sold to bulk consumers at a reduced rate, has not borne any fruit.

2. It is also submitted by Mr. M.Z. Ahmed, Sr. Adv. assisted by Mr. A.M. Dutta, learned counsel appearing on behalf of the respondent Coal India Limited that the auction of coal lying in the CIL designated depots has come to a halt since 17.04.2025, though there are no orders suspending the same. The amount of coal it is stated to be in the region is 2,10,000 MT, which is still lying un-auctioned. It is also reported that the issuance of amendment notifications relating to the time limit for payment of bid value and lifting of the purchased coal as well as consequence of non-compliance thereof, as approved by the Oversight Committee is yet to be notified. This Court notes its displeasure and expects that the notifications be issued at the earliest, as also intimation to successful bidders who have not deposited the bid value and/or not lifted the coal, to comply with the requirement or face action as per the Revised Comprehensive Plan 2022.

3. The Status Report also shows that there has been no demolition as yet of illegal Coke Oven Plants, though in the 32<sup>nd</sup> Report the Committee had recommended the demolition of 16 Coke Plants, the reason given that the request for approval and sanction of the expenditure for demolition/dismantling has not been received nor any updated report furnished to the Committee. The Report has however, indicated that the Meghalaya State Pollution Control Board is monitoring all the consented

and non-consented Coke Plants, and that the Inspection conducted in West Khasi Hills, all 9(nine) non-consented Coke Plants with 17(seventeen) number of Chimneys are not in operation. In East Jaintia Hills no Coke Plants are in operation and in West Jaintia Hills it has been stated that 2(two) Coke Plants i.e. M/s Special Coke is ready to operate, and M/s Ri Khasi Coke Plant is not in operation. Therefore, as per the Report, it would reflect that no non-consented Coke Plants are in operation. It is further mentioned in the Report that the legally established Coke Plants have been informed to participate in the auction of seized coal are available in 3(three) or 4(four) Districts, which is to be auctioned by respective District Administration.

4. With regard to the completion of audit of source of coal of Captive Power Plants of Cement Companies, Coke Oven Plants and Ferro Alloy Plants, even though this requirement has been flagged on many earlier occasions, it appears that the same is yet to be concluded, and as per the Report 20(twenty) Show Cause Notices have been issued, 13(thirteen) for illegal procurement and 7(seven) for NOC requirement for purchase from outside the State. It is therefore expected that the audit is fastracked and completed as expeditiously as possible. In respect of preparation of Action Plan for segregation of the areas having the illegally mined coal dumps on the basis of difficult terrain, accessibility etc., the Report states

that tentative plans for carrying out physical volumetric assessment of the coal stocks/dumps, has been submitted in East Jaintia Hills. Though it is stated in the Report that a Fortnightly Report on the progress is to be prepared for the remaining Districts i.e. South Garo Hills, West Khasi Hills, East Jaintia Hills, it is expected that the State respondents put in place a definite plan with a definite time frame or time line, for the said enquiry to be completed. The Report also touches upon the completion of the enquiry in respect of the coal found in South West Khasi Hills, as also the steps taken to identify the names and the respective coordinates on the claims of certain applicants about the availability of coal. Overall, this Court as observed earlier, there has been no substantial progress and unless effective steps are taken immediately with regard to re-starting the auction process actively, the disposal of more than 2,10,000 MT of coal seems to have arrived at a stalemate. Unless the said plan is put in place, the problem that is present will persist, leading to more illegal mining.

5. The Thirty Third Interim Report has also been placed which had been noted in the earlier order dated 27.10.2025, this Court again reiterates the necessity of notifications to incorporate amendments of the Revised Comprehensive Plan, which have been approved and its amendments, and to ensure more effective inspections by the Meghalaya State Pollution Control Board to ensure that no illegal Coke Plant is

established. The Thirty Third Interim Report has also flagged the need for immediate commencement of the process of reaching out to all the coal dump locations found out by the Drone survey since according to the Deputy Commissioners themselves that such process could be initiated from the month of October, and to complete the same by 31<sup>st</sup> December in respect of East Jaintia Hills District, and by 30<sup>th</sup> November in respect of South West Khasi Hills District and West Khasi Hills District and also to take appropriate action as per the MMDR Act, including the shifting of illegally mined coal to a centralized place in respective Districts. It is also noted that pursuant to the order of this Court dated 24.07.2025, an enquiry had been conducted into the missing coal in South West Khasi Hills District i.e. Rajaju and Diengngan Villages and there appears to be 920.73 MT of illegally mined coal missing out of the 3960.65 MT, which was detected by drone survey. Status on this aspect and progress in the case registered, is to be furnished in the next report. The Report has also flagged especially at point 7, regarding the change in the specific gravity of coal in calculating the Volumetric Assessment of coal made by M/s Garuda UAV, inasmuch as, it appears that attempts have been made to reduce the quantity of illegally mined coal in such aerial survey conducted, which may allow for illegal mining activities. With regard to the other recommendations of

the Report, it is expected that the State respondents will come up with a concrete up to date information as to what steps that have since been taken.

6. Without further elaborating it is re-emphasized that there should be an immediate initiation of the auction process of re-assessed/re-verified inventoried coal still lying the in the CIL designated depots, in compliance of the Revised Comprehensive Plan, 2022, after amendments as per approval granted by the Oversight Committee, and also in strict compliance with the requirements of clauses 8(i) and 10 (p) of the said Revised Comprehensive Plan, 2022, pending finalization the process of finding a more efficacious and reliable methods disposal of the coal.

7. Before parting with the records for the day, this Court notes that in the public domain, it has been reported in October of this year, there has been blatant illegal mining being carried out at a location known as Kremlangshait under Lumbangla Village in East Jaintia Hills District. This Court has taken note of this matter, inasmuch as, as per the News Report in May, 2023 itself, 3000 MT of illegally mined coal has been seized from this location, and that in September, 2025 complaints have been lodged with regard to illegal mining activities, which the authorities it appears did not take any steps or action on the same.

8. A copy of the Thirty Third Interim Report be furnished to all the parties, and the State respondents to file a status report before the next date.

9. Accordingly, list this matter on 27.11.2025.

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

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

Meghalaya  
03.11.2025  
*"V. Lyndem PS"*