

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

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

PIL No. 2 of 2022

Date of Order: 04.12.2025

Inre Suo Motu Illegal Mining of Coal in the State of Meghalaya Vs. State of Meghalaya

**Coram:**

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

**Hon'ble Mr. Justice W. Diengdoh, Judge**

**Appearance:**

For the Petitioner/Appellant(s) :

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

**Per H.S. Thangkhiew, (J):**

1. A status report dated 26.11.2025, has been filed by the State respondent, wherein, firstly, it is reported that the modified "Revised Comprehensive Plan, 2022" has been issued, the same has been annexed as Annexure-A to the notification dated 12.11.2025, wherein the modifications as suggested find place at para 8 (j) under the caption "Auction process". Further, it has also been reported that with regard to demolition of the illegal Coke Oven Plants which have not adhered to

siting norms of the Meghalaya State Pollution Control Board (MSPCB), two Coke Oven Plants have since been demolished and the remaining 15(fifteen) it has been submitted, will be demolished by 15.12.2025, for which the work has also been allotted to a certain party. It is also reported that in compliance with the directions of the Committee during the meeting held on 20.11.2025, there will be an inspection every 3(three) months by the MSPCB, and a report to be submitted thereto, to ensure compliance.

2. The status report has also indicated that as per the recommendation, orders for approval of shifting 3039.92 metric tons and auctioning of the coal at Nongjri is awaited, and further, the case of the missing coal of 920.73 metric tons, is still pending investigation with the police.

3. With regard to the process of reaching out to all coal dumps found during the aerial survey by Garuda in South West Khasi Hills District, a plan action has been drawn up, and it is reported that in the meeting dated 20.11.2025, out of 37(thirty-seven) locations of coal dumps, 28(twenty-eight) have been identified and the process of inspection is about to commence to be completed by 30.11.2025, as per the timeline suggested by the Committee.

4. With regard to East Jaintia Hills District, it is noted that the amount as per the UAV Survey by Garuda which had shown 81,776.92 metric tons at 660 dumps as per physical verification, quantity of only 58,321 metric tons has been found, and that an FIR has been registered for 8,766.37 metric tons of verified coal. Out of the total 58,321 metric tons, for which physical verification has been completed, 142.9664 metric tons has been shifted to the designated depot, as it was found that 19.508 metric tons of coal coincides with the petition filed by one Shri. Mathaios Byrloi on behalf of coal owners dated 19.07.2024. For the remaining 35,661 metric tons of coal, directions have been given for its seizure. It is also reported that the Committee has also noted in its meeting dated 20.11.2025 that an FIR has been filed for 8,766.37 metric tons of coal and directions have been issued to the Deputy Commissioner to file an FIR for the remaining coal excluding the 19,508 metric tons which coincides with the said petition of Shri. Mathaios Byrloi.

5. With regard to West Khasi Hills District, there has been a suggestion for shifting the seized coal to the designated depot located within the district with a proper demarcation and appropriate signboard, to eliminate the need for construction of another temporary depot. Insofar as, South Garo Hills District is concerned, it is reported that, only about 35 metric tons of coal was found lying outside the designated

depots during the aerial survey, and during inspection by the District Administration in South Garo Hills District, there was no coal found.

6. The status report has also touched upon the steps taken for recovery of the amount due from Ferro Alloy Plants, and the learned Advocate General submits that, the Committee has further directed the Coal Audit Committee to complete the exercise of audit of source of coal and submit a report within one month.

7. It is also reported that an FIR with regard to persons who wrongfully claimed existence of coal extracted prior to ban was lodged on 10.10.2025, copy of the said FIR has been annexed as Annexure-B.

8. With regard to the initiation of process for auction of reassessed and reverified coal, considering the fact that there is still around 2,10,000 metric tons of coal, it is reported that the State Government has written to the Metal Scrap Trade Corporation (MSTC) and Coal India Limited (CIL) to conduct the auction of the remaining coal by 10.12.2025, and the learned Advocate General has submitted that MSTC has intimated that the e-Auction will recommenced from 17.12.2025.

9. On the concern expressed by this Court with regard to the illegal mining that has been detected in a location known as

Kremlangshait Forest under Lumbangla Village, East Jaintia Hills District, it is reported that on the FIR being registered on 27.09.2025, and as per the order of the Deputy Commissioner, a joint inspection was carried out in the said location, wherein 22,112 metric tons of coal was detected and seized. However, in the status report itself, photographs have been attached to show mining equipment such as rigs and other implements used for extracting the coal, is still prominently visible along with the concreted sides of the box mine cutting done to extract the coal. It is therefore expected that immediate steps be taken to seize and destroy the said machinery which is being used for this illegal activity.

10. A 34<sup>th</sup> Interim Report has also been filed by the Justice B.P. Katakey Committee, wherein the Committee has noted that in a meeting dated 20.11.2025, with various government officials, CIL officials, etc., to address the pressing issues, neither the Superintendents of Police of any of the concerned districts, nor their representatives participated in the meeting either physically or virtually. This Court notes with concern, this attitude that has been adopted by the respondent authorities, and it is indicated that action will be taken against the concerned officers in case the same is repeated. The 34<sup>th</sup> Interim Report, has also highlighted with photographs, the illegal mining at Kremlangshait Forest under Lumbangla Village, and the report states that the Dorbar Shnong

Lumbangla had reported the incidents of illegal mining on 11.08.2025, and also on prior occasions to the State respondents, but it was only on 27.09.2025, when a public representative (MLA) visited the coal mine that a FIR was thereafter registered. The screenshots of the video clips taken are alarming, as it shows extraction of coal going on in an unabated and rampant manner with machinery, cranes and dampers being utilized for this illegal activity. It is expected that prompt investigation and decisive action be taken on the FIR filed in this connection, to identify the persons involved including the owners of the mine responsible for this activity, and also law enforcement and other officials under whose very watch this has been allowed to happen. The case status shall be reported to this Court in the next Status Report positively.

11. Another point that has been flagged is a report of the independent committee for auction of coal submitted on 13.11.2025, stating that in 6(six) CIL designated depots in East Jaintia Hills District, 1,52,715.65 metric tons re-assessed/re-verified inventoried coal, is available for auction after the last auction was conducted on 17.04.2025. The report states that there is a difference of 40,554.72 metric tons as per the aforesaid communication dated 21.04.2025 issued by DMR minus 1,52,715.65 as reported by the Divisional Mining Officer, Jowai. The

status report to be filed shall also address this issue on this marked discrepancy.

12. A copy of the 34<sup>th</sup> Interim Report shall also be made available to all the parties present, and the matter shall appear immediately after vacations on 29.01.2026, for a detailed status report to be filed.

13. List accordingly.

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

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

Meghalaya  
04.12.2025  
"D. Nary, PS"