

Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 2 of 2022

Date of Order: 05.02.2026

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

Coram:

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

Appearance:

For the Petitioner(s) :

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

Per. H.S. Thangkhiew, Judge:

1. A Status Report on behalf of the State respondents to the Thirty Fourth Interim Report of Hon'ble Mr. Justice B.P. Katakey Committee (Retd.), has been filed.

2. A salient feature of the Status Report is with regard to the initiation of process of auction of re-assessed/re-verified coal by Coal India Limited, and the variation in figures in this respect has been attributed to the

fact that the same has arisen on account of reliance on 2(two) separate auction reference dates, and not on account of any physical shortage. A letter of Directorate of Mineral Resources dated 09.01.2025, has been annexed to substantiate this fact.

3. With regard to the illegal mining site at Kremlangshait Forest, Lumbangla, East Jaintia Hills, the action taken has been detailed in the Report such as the dismantling of machinery, destruction of makeshift camps, barricading the mining site etc. and the seizure Memo has been annexed. Further, the Report has elaborated on the steps taken on the directions of the Committee, and pursuant to a meeting held on 11.12.2025, and a copy of the Minutes dated 11.12.2025, has been annexed in the Status Report, which amongst others, had directed for the deputation of Executive Magistrates Police Station wise, who are to coordinate with respective Officer-in-Charge, officials of Mining Department to conduct surprise checks/inspections on vulnerable pockets to detect any instance of illegal mining activity. Further directions are for the submission of a monthly reports, to undertake Drone base monitoring in hard and inaccessible areas, and the same to be attached with the said monthly report. It has also been stated that directions have been issued for monthly review meetings with all the concerned officials; for gathering actionable inputs from ground and to coordinate with local headmen for detection of illegal mining.

4. It has also been reported that in compliance with the recommendations of the Committee, steps are being taken for identification of vulnerable areas and preventive measures that are to be taken. The process of reaching out to coal dumps found during aerial survey by M/s Garuda, in South West Khasi Hills, has also been conducted, and it is reported that coal was found only in 1(one) location of around 5.6 MT, as compared to 6.38 MT, said to be detected, and that in the remaining 27 (twenty-seven) locations, no coal was found.

5. With regard to East Jaintia Hills, it is reported that physical verification in respect of 1572 dumps as reported by M/s Garuda, have been undertaken. It is reported that though the quantity of coal as per M/s Garuda is 1,80,299.48 MT, the quantity detected as per physical verification is 1,43,939 MT, and the discrepancy is sought to be attributed to mis-detection or mis-interpretation of digital data. A letter addressed to the Deputy Commissioner by the Divisional Mining Officer dated 09.01.2026, containing a summary of Physical Cross Verification on missing coal has been submitted, to this effect. The said letter also indicates the filing of FIRs on missing coal of various quantities.

6. As far as West Khasi Hills in concerned, it is reported that physical verification has been completed and the process of shifting of seized coal to the designated depots would soon commence.

7. In South West Khasi Hills, it is reported that the District Administration has sought permission for shifting of 3,039.92 MT of seized coal from Rajaju and Diengngan Villages to the demarcated CIL designated depots, and that investigation into the missing coal is being actively pursued. It is also reported in the inspection report that 17(seventeen) illegal coke chimneys have been demolished in West Khasi Hills and 11(eleven) in East Jaintia Hills. The learned AG has however prayed that he may be allowed to obtain specific information as to whether there is any other illegal coke plant that is yet to be demolished.

8. On the other matters, it is reported that recovery proceedings have been pursued against defaulting coke oven plants and industrial units, resulting in recovery of Rs. 1,50,18,857/-, and that enforcement action has been taken in accordance with the recommendations of the Committee. The Report also touches upon the mobilization of funds deposited with the Central Pollution Control Board for formulation of livelihood schemes, and the process for recovery of demurrage charges to be paid to the successful bidders. A Draft Report for mine closure and restoration of mining affected areas for pilot site in East Jaintia Hills and South Garo Hills, it is reported has been submitted for technical review by the Directorate of Mineral Resources. A perusal of the Report, it is seen that at Page-18 (Annexure-1) thereof, a summary of completion of coal transportation from pithead to depot with the

quantity sold and the quantity left to be auctioned, as also seized coal put up for auction in 1(one) depot, has been furnished.

9. This Court in spite of the steps taken, however, directs the State respondents to furnish a detailed report by obtaining the details from the CIL and from the District Administration with regard to the quantity of coal left to be auctioned which are lying in the depots, the quantity already sold/auctioned, the quantity of seized coal to be put up for auction, and as to whether the seized coal is in any way being stocked together with the re-assessed/re-inventoried and re-verified coal that has been transported to the CIL designated depots.

10. The Thirty Fifth Interim Report has also been filed by the Committee on 17.01.2026, and it has flagged the issue that East Jaintia Hills is the most affected District in the State of Meghalaya in terms of coal mining activities, which have been held to be illegal by the NGT and by the Hon'ble Supreme Court, as well as the largescale continuance of illegal mining activities, which has been reported from time to time in the said District. The Interim Report also notes the incident of an accident, whereby persons have lost their lives while engaged in illegal coal mining, such as the incident that occurred on 14.01.2026 in Thangkso under Khliehriat Police Station, wherein PS Case No. 11/2026, has been registered.

11. As the recommendations of the Thirty Fifth Interim Report is exhaustive, especially with regard to the pro-active steps to be taken to contain the continuance of the present state of affairs, especially illegal mining, which this Court finds distressing, the State respondents shall therefore file a detailed status report to the Thirty Fifth Interim Report with 4(four) weeks.

12. It is further directed that a remuneration of a sum of Rs. 3 Lakhs including other amounts for secretarial expenses, be paid to the Hon'ble Mr. Justice B.P. Katakey (Retd.).

13. This Court this evening itself, has come to learn from various electronic media reports, that there has been a mining tragedy again in Thangkso East Jaintia Hills, wherein, it is reported that there has been explosion in three illegal coal mines which has resulted in the loss of life and injuries to several persons. This Court is constrained to take judicial notice of these reports. It is not understood as to how illegal coal mining is continuing in this area inspite of the reported loss of life of one person in an incident that occurred on 14-01-2026.

14. It is therefore directed that the Deputy Commissioner, Superintendent of Police, East Jaintia Hills to take immediate action to identify and cause arrest of the mine owners, operators and to seize all incriminating materials. Immediate assistance and medical aid to the

affected/injured persons should be extended to the extent possible. It is further directed that the Deputy Commissioner and Superintendent of Police, East Jaintia Hills, shall appear in person on 09-02-2026 at 10.30 AM before this Court, with the details of the action taken and to furnish reasons as to why the situation has been allowed to continue. In the event there is no compliance, further orders will follow.

15. A copy of this order shall be communicated today itself to the Deputy Commissioner and Superintendent of Police, East Jaintia Hills by the Registry through email and hard copy. A copy of this order to also be furnished to the learned Advocate General by today itself.

16. List this matter on 09.02.2026.

(W. Diengdoh)
Judge

(H.S. Thangkhiew)
Judge

Meghalaya
05.02.2026
"V. Lyndem PS"