

Q U O R U M

**HON'BLE MR. JUSTICE BROJENDRA PRASAD KATAKEY,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI
(e-mail id – katakeybp@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, SCIENTIST 'D'
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(e-mail id – shantanucpcb@gmail.com)**

IN THE MATTER OF

Threat to Life Arising Out of Coal Mining in
South Garo Hills District

-Vs-

The State of Meghalaya & Ors.

And other connected matters

P R E S E N T

: Mr. T. Dkhar, IAS, Commissioner & Secretary,
Mining & Geology Department, Government of
Meghalaya.

**e-mail id - ttdkhar.2007@rediffmail
tadkhar.2013@gmail.com**

: Mr. C.P. Marak, IFS, Principal Chief Conservator of
Forests
(PCCF & HoFF), Government of Meghalaya.

e-mail id - pccfmegh@gmail.com

: Smti. P.L. Lawai, MCS, Joint Secretary,
Mining & Geology Department, Government of
Meghalaya.

e-mail id - paleilawai@gmail.com

: Mr. Manjunatha C., IFS, Planning Officer (Forests),
Government of Meghalaya.

: Mr. M.S. Lyngdoh, Director of Mineral Resources,

Government of Meghalaya

e-mail id - msanlyngdoh@gmail.com

: Mr. P.C. Marak, Mining Engineer,
Directorate of Mineral Resources, Government of
Meghalaya

ORDER No.2

**RECORD OF THE MINUTES OF THE PROCEEDING HELD ON 19TH SEPTEMBER,
2018 AT 10:30 AM IN STATE GUEST HOUSE, SHILLONG, MEGHALAYA**

The Committee, pursuant to the order No.1, held its meeting today at the venue and time mentioned herein above. In the order No.1 dated 11th September, 2018, the place of sitting of the Committee was wrongly mentioned as "Pinewood Hotel" instead of "State Guest House", which accordingly stands corrected.

2. The Chief Secretary to the Government of Meghalaya has nominated Smti. P.L. Lawai, MCS, Joint Secretary, Mining & Geology, Government of Meghalaya to be designated as Secretary of the Committee and accordingly, Smti. Lawai is designated as Secretary of the Committee, who shall receive and issue all communications on behalf of the Committee.

3. Shri T. Dkhar, IAS, Commissioner & Secretary, Mining & Geology, Government of Meghalaya has informed the Committee that despite issuance of the communication to the Director of Indian School of Mines, Dhanbad, in the e-mail id and the telephonic contact, the Director is yet to nominate any competent officer as Member of the Committee as constituted by the Hon'ble National Green Tribunal.

4. The Committee has also been informed by Shri T. Dkhar, IAS, that the process for setting up of the website of the Committee is on, which is expected to be set up within a week. The Committee has also

been informed that an e-mail id of the Committee shall also be generated within the aforesaid time.

5. Shri T. Dkhar, IAS, has also apprised the Committee that the direction issued vide Paragraph 6(c), (d) & (e) of the Order No.1 dated 11th September, 2018 would be fully complied with by the next date fixed.

6. It has been informed by Shri T. Dkhar, IAS, that an amount of Rs.433 Crores has so far been credited in Meghalaya Environment Protection & Restoration Fund (MEPRF) constituted pursuant to the order passed by the Hon'ble National Green Tribunal and the said amount has been deposited in a current account of State Bank of India, Shillong. Shri Dkhar has also apprised the Committee that no amount has so far been spent from the said fund.

7. The Committee, having regard to all the attending facts and circumstances, issues the following directions:-

- (i) The Commissioner & Secretary, Mining & Geology, Government of Meghalaya and the Secretary of the Committee shall again take up the matter with the Director of Indian School of Mines, Dhanbad, immediately for nominating a competent person to be a Member of the Committee and to make all necessary arrangements for presence of such nominated person in the Committee's next meeting.
- (ii) To complete the process for setting up of the website of the Committee and also to generate its e-mail id within a week from today;
- (iii) To provide suitable accommodation for the sitting of the Committee in Shillong and all other infrastructure requirements including an efficient Grade-I Stenographer, computer with

internet connectivity etc., for smooth functioning of the Committee;

- (iv) To produce all relevant records relating to the issues before the Committee, available with the Government of Meghalaya, on the next date fixed;
- (v) The Commissioners & Secretaries to the Government of Meghalaya, Mining & Geology; and Forest & Environment Departments, shall, on the next date fixed, apprise the Committee, in writing, about the compliance of the directions issued in Paragraphs 7(a) to (n) of the order No.1 dated 11th September, 2018. They shall also get the necessary feedback from the concerned Deputy Commissioners relating to the direction Nos.7(f), (g), (i) & (j) of the aforesaid order.
- (vi) The Commissioner & Secretary, Mining and Geology, Government of Meghalaya, on the next date fixed, apprise the Committee, in writing, the details of the bank account and the amount deposited in the said account, which was opened for making the deposit of MEPRF.
- (vii) The Commissioners & Secretaries, Mining & Geology; and Forest & Environment Departments and also the Principal Chief Conservator of Forests (PCCF & HoFF), Government of Meghalaya, shall, before the next date fixed, submit their draft action plans with time limit required for dealing with the issues involved and also for their implementation, keeping in mind the order dated 31st August, 2018 passed by the Hon'ble National Green Tribunal, which shall be sent to Justice B.P. Katakey and Dr. Shantanu Kumar Dutta, in their respective e-mail ids.
- (viii) Smti. P.L. Lawai, MCS, Secretary of the Committee, shall, within a week from now sent the draft press release/advertisement to be issued, in terms of direction Nos.6(e) & 7(n) of the order No.1

dated 11th September, 2018, to Justice B.P. Katakey and Dr. Shantanu Kumar Dutta in their respective e-mail ids.

- (ix) The Secretary of the Committee shall also make necessary arrangement for the Projector for screening the presentation to be made by Dr. Shantanu Kumar Dutta, a Member of the Committee, on the issues involved, during its next meeting.
- (x) The Regional Directorate, North East, Central Pollution Control Board and the Meghalaya State Pollution Control Board shall compile the datas available with them on water pollution and water quality as well as the air pollution and its quality in the concerned areas where rat-hole mining operated, on the next date fixed.

8. The next sitting of the Committee shall be held on **1st November, 2018** at **10:30 AM** in **State Guest House, Shillong, Meghalaya**. All necessary arrangements in this regard shall be made by the Secretary of the Committee.

[Dr. Shantanu Kumar Dutta]
Katakey]

[Justice (Retd.) Brojendra P.