

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 110(T_{HC})/2012
And
Original Application No. 73/2014
And
Original Application No. 13/2014
And
Original Application No.186/2014
And
Original Application No. 287/2017**

IN THE MATTERS OF:

**Threat to Life Arising Out of Coal Mining in South Garo Hills District
Vs.
State of Meghalaya &Ors.
And
All Dimasa Students Union DimaHasao Dist. Committee
Vs.
State of Meghalaya &Ors.
And
Impulse NGO Network Vs. State of Meghalaya &Ors.
And
Thomas Nongtdu&Anr.Vs.State of Meghalaya &Ors.
And
R.K. MominVs. State of Meghalaya &Ors.**

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Original Application No. 110(T_{HC})/2012:

**Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv, Mr.Aagney Sail, Adv.
Respondent No. 1: Ms.Aprajita Mukherjee, Mr.Upendra Mishra and
Ms.RekhaBakshi and Mr.Atul Kumar, Adv.**

Original Application No. 73/2014:

**Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv, Mr.Aagney Sail, Adv.
MoEF&CC: Mr. Rahul Pratap, Adv.
Respondent No. 1: Ms.Aprajita Mukherjee, Mr.Upendra Mishra and
Ms.RekhaBakshi and Mr.Atul Kumar, Adv.
Mr.Vinayak Gupta, Adv. for State of Assam
Ms.ShawryaSahay, Adv.**

Original Application No. 13/2014:

**Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv, Mr.Aagney Sail, Adv.
Respondent No. 1: Ms.Aprajita Mukherjee, Mr.Upendra Mishra and
Ms.RekhaBakshi and Mr.Atul Kumar, Adv.**

Original Application No.186/2014:

**Present: Applicant:
Respondent No. 1: Ms.Aprajita Mukherjee, Mr.Upendra Mishra
andMs.RekhaBakshi and Mr.Atul Kumar,
Adv.**

Original Application No. 287/2017:

**Present: Applicant:
Respondent No. 1: Ms.Aprajita Mukherjee, Mr.Upendra Mishra
andMs.RekhaBakshi and Mr.Atul Kumar,
Adv**

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 11 to 15</p> <p>October 22, 2018</p> <p>A</p>	<p>1. We have perused the minutes of the proceedings dated 01.10.2018 of the Committee constituted in terms of the order of this Tribunal dated 31.08.2018 to suggest measures for restoration to the environment and rehabilitation of the victims as a result of illegal mining in the State of Meghalaya.</p> <p>2. The Committee has sought clarification on the following:-</p> <p><i>“Whether the Government of Meghalaya, Ministries of Mining & Geology as well as Forest & Environment, as minuted above, should be allowed to utilize the amount deposited in MEPR Fund towards the expenditure to be incurred in connection with holding of various meetings etc. of this Committee and also all the expenditures to be incurred towards the various site visits, surveys, mapping and other expenditure to be incurred to find out the extent of environmental damage caused and to remedy the same, from out of the aforesaid fund, which has been created by the order passed by the Hon’ble National Green Tribunal and kept in deposit in the State Bank of India.”</i></p> <p>3. We are of the view that there is no justification to permit the MEPR fund to be used to meet the expenditure to be incurred for the meetings, visits, surveys etc. It is the responsibility of the State of Meghalaya to undertake all such steps as not only the violators are covered by the principle of “Polluter pays” but also the State of Meghalaya which has responsibility of oversee protection of environment and the State has failed in its duty.</p>

	<p>Item Nos. 11 to 15</p> <p>October 22, 2018</p> <p>A</p>	<p>Accordingly, position clarified as above.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>....., JM (Dr.Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr.Nagin Nanda)</p> <p>22.10.2018</p>
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