

QUORUM

**HON'BLE MR. JUSTICE B.D.AGARWAL,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**SHRI S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE FROM INDIAN SCHOOL OF MINES,
(IIT – ISM), DHANBAD
(Email id: bhowmik44@gmail.com)**

**DR. SHANTANU KUMAR DUTTA, ADDITIONAL DIRECTOR
REPRESENTATIVE OF CENTRAL POLLUTION CONTROL BOARD
(Email id: shantanucpcb@gmail.com)**

IN THE MATTER OF

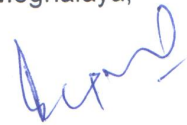
Threat to Life Arising Out of Coal Mining in South Garo Hills District

-Vs-

**The State of Meghalaya & Ors.
And other connected matters**

PRESENT

- :** **Hon'ble Mr. Justice B. D. Agarwal,**
(through VC)
Former Judge, Gauhati High Court, Guwahati
- :** **Dr. Shantanu Kumar Dutta,**
Member, NGT Committee, Meghalaya,
Addl. Director, Central Pollution Control Board,
Regional Directorate Shillong Nongthymmai,
Meghalaya, Shillong.
Email id: shantanucpcb@gmail.com
- :** **Prof. Shri S. C. Bhowmik,**
(through VC)
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- :** **Shri. B. Shangdiar, IFS**
Chief Conservator of Forests (Territorial),
Forest and Environment Department,
Meghalaya, Shillong.
- :** **Dr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya,



Mining & Geology Department
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- : **Deputy Commissioner,**
(through VC)
South West Khasi Hills,
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- : **Shri D. D. Sangma, MCS**
Director, Directorate of Mineral Resources
& Joint Secretary to the Government of Meghalaya,
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- : **Smti. I. Rynjah**
Project Assistant,
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- : **Shri R. Nongtdu**
Project Assistant,
Directorate of Mineral Resources,
Govt. of Meghalaya, Shillong.
Email id: riometre94@gmail.com
- : **Shri Vivek Singh, Advocate**
(through VC)
Counsel of Shri Khaimon Challam & Others

Record of Tenth Special Sitting of the Committee Constituted by the Hon'ble NGT under Chairmanship of Hon'ble Mr. Justice B.D. Agarwal, Former Judge, Gauhati High Court held at 11:00 A.M. on 08th January, 2021 in the Office of Principal Chief Conservator of Forest & HOFF, Conference Hall, Sylvan House, Lower Lachumiere, Meghalaya, Shillong-793001 through video conference

AGENDA

1. Application titled *Shri Khaimon Challam & others Vrs State of Meghalaya* filed by Shri Vivek Singh, Counsel for the applicants.
2. To consider the complaints received by the Chairman, National Green Tribunal Committee, Meghalaya in relation to seizure of incidentally extracted coal.
3. To consider the complaint with reference to quarrying of hills in Pringan, Meghalaya received by the Chairman, National Green Tribunal Committee, Meghalaya.



4. Any other item with permission of the Chairperson.

PROCEEDINGS

Agenda-1

Application titled *Shri Khaimon Challam & others Vrs State of Meghalaya* filed by Shri Vivek Singh, Counsel for the applicants.

This application has been filed by five individuals claiming that they had extracted certain quantity of coal prior to imposition of ban by the Hon'ble NGT in the month of April, 2014. However, their coal stocks were inadvertently not included in the list of coal owners submitted before the Hon'ble Supreme Court on 06.04.2019. Hence, the claimants are seeking a direction of this committee to the Government to include their coal for auction.

Let a copy of the application be furnished to the Secretary, Mining & Geology Department. The Government is directed to submit their reply within two weeks.

It is noticed that the applicants have not given their full particulars in their petition. Hence, the applicants are directed to submit their full particulars, viz full name, fathers/mothers name, age, complete address etc with a Declaration in support of their petition and also two photographs of each individual, photo copies of identity cards and photographs of their coal depots to the Secretary, NGT Committee, Sylvan House, Shillong within one week.

The Secretary, Mining & Geology Department, Meghalaya is also directed to depute a Divisional Mining Officer to visit the coal depots and coal coordinates of the applicants within one week from to-day and collect 3 (three) samples of one Kg from each dump and 3 (three) samples from coal coordinates of each applicant in presence of the applicants and seal the samples in presence of the applicants and witnesses with their signatures and deposit/submit the same to the Secretary, NGT Committee, Sylvan House, Shillong within one week.



List this agenda be listed for further consideration after four weeks. In the meanwhile, the Government is directed to expedite the process of auction of coal in Phase-I. Auction of 2 L MT of coal in Phase-I should be done with wide publicity and in a fair and transparent manner so that the coal owners can get fair and reasonable value of their product.

Agenda-2

To consider the complaints received by the Chairman, National Green Tribunal Committee, Meghalaya in relation to seizure of incidentally extracted coal.

This agenda relates to an allegation of United A'chik Youth Federation that the Govt. has auctioned non-existent coal of 53,224/- in South West khasi Hills. The complaint was taken-up for consideration in the 9th Special Sitting, held on 10.12.2020 and the Committee decided to hold an inquiry in the matter with the help of its Member Dr. Shantanu Dutta, Addl. Director, CPCB.

The Govt. version is that the coal was incidentally recovered during the process of widening of road from Ranikor to Borsora. The Govt. as well as the Dy. Commissioner, SW Khasi Hills have submitted their reply.

Pursuant to the decision taken in the 9th Special Sitting Dr. Dutta has visited the site and has submitted a report in this regard.

Let a copy of the Report be furnished to the Secretary, Mining & Geology Department for their comment, if any. At the same time, a copy of the report and also the reply of the Govt and the D.C., SW Khasi Hills should also be forwarded to the complainant/NGO for their comments.

The Secretary, Mining & Geology Department is also directed to furnish response of the Department to the complaint within a week.

List this agenda for further consideration after four weeks.



Agenda-3

To consider the environmental impact and legality of quarrying of hills at Pringan in Meghalaya.

The Committee has received an information that large-scale hill cutting is going on in Village-Pringan, causing a threat to ecological balance, besides environment pollution.

Accordingly, the Principal Chief Conservator of Forest & Head of Forest Force, Government of Meghalaya is directed to submit a report to this Committee within a period of two weeks. The Principal Chief Conservator of Forest & Head of Forest Force is further directed to take necessary steps to stop the hill cutting forthwith, unless the quarrying is done by a contractor having all requisite licenses and permissions.

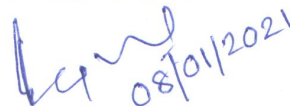
List this agenda for further consideration after four weeks.

Agenda-4

To consider the request of NESAC to use Cartosat-3 satellite imagery.

NGT Cell received a letter from NESAC, Shillong with respect to procurement of high resolution data for the project on 'Preparation of geo-spatial database inputs for planning and restoration of areas affected by coal mining'. NESAC has requested the Committee to allow them to procure high resolution data of Cartosat-3 Satellite with 0.28 m resolution instead of going for SPOT satellite data from foreign countries. Cartosat-3 satellite data is from Indian Satellite and therefore, procurement of these data will be easier and also cheaper than the SPOT data. Besides this, the Cartosat-3 data will be of higher resolution, as informed by the Agency. Moreover, no Govt permission shall be required for acquiring these data whereas special Govt permission is required for acquiring data from the satellites of foreign origin.

The Committee agreed to the proposals of the NESAC to use Cartosat-3 data for the project.

 08/01/2021

(Justice B.D. Agarwal)
Former Judge, Gauhati High Court
And Chairman, NGT Committee, Meghalaya