

QUORUM

**HON'BLE MR. JUSTICE BROJENDRA PRASAD KATAKEY,
FORMER JUDGE, GAUHATI HIGH COURT, GUWAHATI**

**PROF. ASHOK K. SINGH, MEMBER
REPRESENTATIVE FROM INDIAN SCHOOL OF MINES, DHANBAD
IIT (ISM), DHANBAD (826004)
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**DR. SHANTANU KUMAR DUTTA, SCIENTIST 'D'
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

- :** **Prof. O. P. Singh,**
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- :** **Mr. A. Mawlong, IAS**
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- : **Mr. S. Kharlyngdoh, IAS**
Commissioner & Secretary to the Government of
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- : **Mr. H. Nongpluh, IPS**
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- : **Mr. H.C. Chaudhary, IFS,**
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- : **Mr. M. B. K. Reddy, IFS**
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- : **Mr. Manjunatha C, IFS**
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PROCEEDING NO. 14

**RECORD OF THE MINUTES OF FOURTEENTH SITTING OF THE COMMITTEE
CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL UNDER THE
CHAIRMANSHIP OF HON'BLE MR. JUSTICE B. P. KATAKEY, FORMER JUDGE,
GAUHATI HIGH COURT HELD ON 3RD JUNE, 2019 AT 10.00 A.M IN THE
CONFERENCE HALL, O/O PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HOFF,
SYLVAN HOUSE, SHILLONG, MEGHALAYA.**



Shri Aldous Mawlong, IAS Commissioner and Secretary to the Government of Meghalaya, Forests and environment Department welcomed the Hon'ble Chairman, Representatives, Members of the Committee, Special Invitees and other Senior Officials of the State Government and other officers present.

AGENDA ITEMS FOR DISCUSSION

1. Review of actions taken to comply with directions issued by the Committee in its twelfth and thirteenth sittings held on 25.04.2019 and 03.05.2019 respectively.
2. Presentation by Prof. A. K. Singh, Indian School of Mines (IIT – ISM) on High wall Mining System – Likely Solution to Rat Hole Mining in North Eastern (NE) India.
3. Consideration of a report dated 09.05.2019 on a news report titled: Meghalaya Police personnel attacked by goons for stopping illegal coal trucks at Sohshrieh (EJH)” received from the Superintendent of Police, East Jaintia Hills District.
4. Hon'ble Supreme Court's Judgement dated 10.05.2019 in the I.A Nos. 5051 & 5055 of 2019 in Civil Appeal Diary No. 3067 of 2018 in the matter of Lber Laloo *versus* All Dimasa Student Union Hasao District Committee and others and similar connected matters.
5. Consideration of draft guidelines prepared by the Principal Chief Conservator of Forests & HoFF, Meghalaya for utilisation of Meghalaya Environment Protection and Restoration Fund (MEPRF).
6. Consideration of a proposal received from M/s Trinity Impex International for implementation of a Pilot Project on treatment of an acidic stream at Rymbai by using Phycoremediation.
7. Consideration of a request received from M/s Growdiesel Ventures Limited to make a presentation before the Committee on a proposal to undertake pilot project on neutralization of Acid Mine Drain (AMD) by using algae.
8. Consideration of a proposal received from Rain Forest Research Institute, Jorhat on restoration of coal mine land of Meghalaya through soil amendment and microbial technology for accelerated succession.
9. Any other matter (s) to be raised with permission of the Chairman.

Agenda Item No. 1

1. The Director, Mineral Resources, Government of Meghalaya informed the Committee that due to non-receipt of approval from the Mining and Geology Department it has not been possible for him to release an amount of Rs. 96.59



lakh in favour of the Deputy Commissioner, East Jaintia Hills District from the Meghalaya Environment Protection and Restoration Fund (MEPRF) for purchase of six vehicles, mounted with water tankers as has been approved by the Hon'ble National Green Tribunal by its order dated 11.04.2019. Dr. Manjunath C, Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that the requisite approval will be issued during the course of the day.

The Committee therefore directs that the said amount shall be released in favour of the Deputy Commissioner, East Jaintia Hills District at the earliest and a report on purchase of vehicles as above, by following the required norms of the Govt., shall be submitted to it within a month.

2. Dr. Manjunath C, Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that on 13.05.2019 Chief Secretary to the Government of Meghalaya held a high level meeting to implement directions issued by the Committee for enforcement of ban imposed by the Hon'ble National Green Tribunal on mining and transportation of coal in the State. He further informed that following decisions were taken in the meeting:
 - (a) The Transport Department and the Director of Mineral Resources shall share a list of CCTV cameras installed in various check gates, indicating whether they are working or not.
 - (b) The Transport Department and Director of Mineral Resources shall take steps to repair and upgrade existing CCTV cameras installed in check gates in all probable routes likely to be used for illegal transportation of coal so as to meet the requirement of video recording of consignment of each truck and vehicle registration number and retain the footage for a period of at least one year.
 - (c) The Director General of Police shall with assistance from the Transport Department ensure that all trucks passes through check gates for video recording of the consignment and truck number, by providing sufficient police force to such check gates.
 - (d) The Commissioner and Secretary, IT & C Department shall provide status of implementation of integrated Challans and Check-Gate Management System.
 - (e) The Director General of Police shall immediately take steps to set up a centralised Toll Free Helpline to be manned round the clock, temper proof automatic call recording, maintenance of call record and develop the SoP for follow up action on information received on the helpline.

- (f) The Director General of Police shall consider with the existing scheme within a month to reward the informers suitably in case information provided is found to be true.
- (g) The Committee constituted for implementation of integrated Challan and Check-Gate Management system shall study the feasibility of incorporating the procedure stipulated in Appendix-XII of the EIA Notification, 2006 inserted vide Notification bearing No. SO 141 (E) dated 15.01.2016 for the proposed regulatory transportation of coal.
- (h) The Information and Public Relations Department shall provide technical support to the Mining and Geology Department to install Digital Display Boards.
- (i) The Mining and Geology Department shall write to the Coal India Limited for disposal of seized coal through e-auction.
- (j) The Planning Department shall take up the matter with NESAC to put in place a Coal Mine Surveillance System in the State in collaboration with the Mining and Geology Department.

The Committee further noted that except for Centralised Help Line Number, which has been made operational, none of these decisions have been carried out so far. The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department to submit a monthly report on progress made in implementation of each of these decisions till all such decisions are implemented to the satisfaction of this Committee.

3. Dr. Manjunath C, Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that in compliance of submissions made by the Learned Counsel for State before the Hon'ble National Green Tribunal on 11.04.2019, the Directorate of Information and Public Relations, Meghalaya has installed two (2) Digital Display Boards in Shillong. The data of the water quality of rivers and streams in East Khasi Hills has been furnished to the Director of Information and Public Relations for displaying in these Boards. He further informed that Notice Inviting Quotations have been published in newspapers for supply and installation of Digital Display Board in other Districts and Sub-Divisions.

The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department shall ensure that latest data (especially the pH) on quality of water in ten worst polluted streams in the State shall be displayed on these Boards installed at Shillong. In case of Digital Display Board to be installed at other Districts and Sub-Divisions, apart from the latest data on quality of water in ten worst polluted streams in the State, data on



ten worst polluted rivers and streams in the concerned District or Sub-Division shall also be displayed.

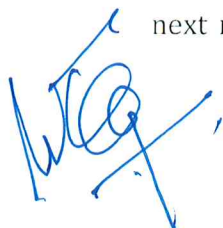
4. Representative of the Central Pollution Control Board (CPCB) informed the Committee that information in respect of resource (coal) audit of cement factories and power plants in the State to be undertaken by them in compliance of directions issued by the Hon'ble National Green Tribunal by order dated 11.04.2019 has been received from only two such units. Information received from these units also does not appears to be correct.

Reluctance of these cement factories and Power Plants to provide requisite information not only amounts to total disregard and disrespect to the National Green Tribunal and to the CPCB but also creates a suspicion about use of illegally mined coal by these plants. The continuous defiance of these units is highly unacceptable and cannot be tolerated any further. In case any of these units continues to wilfully disobey the requests made by the CPCB to provide the data/information required by them to conduct the resource (coal) audit, the CPCB shall initiate appropriate punitive action, as per law, against each such defaulting units.

The Committee also noted that year-wise details of coal purchased by each of these units since imposition of ban on mining of coal in the State by the Hon'ble National Green Tribunal are already available in the first report prepared by the CPCB. The Committee further noted that other information such as annual production of coal/ power by these units are available in the Annual Reports and Detailed Project Report (DPR) of these units, a copy of which are either available in the public domain or are already available with the CPCB. The Committee therefore directs that CPCB shall complete resource (coal) audit of each cement/power plant in the State and submit a report to the Committee within a month, without fail.

5. Shri M. Somorjit Singh, Scientist, North Eastern Space Application Centre (NESAC), Umiam informed the Committee that analysis of the high resolution satellite imageries of areas affected by coal mining in the East and West Jaintia Hills Districts has been completed. The same are being shared with the Meghalaya State Pollution Control Board and the Mining and Geology Department, Government of Meghalaya for their comments. The final report of the study assigned to NESAC in respect of the East and West Jaintia Hills Districts will be ready within three weeks.

The Committee therefore directs the NESAC to make a presentation on studies assigned to them in respect of East and West Jaintia Hills Districts during next meeting of the Committee to be held on **28.06.2019**. The Committee also



directs that study in respect of remaining coal mining affected districts shall also be expedited.

6. In compliance of a decision taken by the Committee in its twelfth Sitting held on 25.04.2019, Dr. S. Bhat from the CMPDI, attended meeting of the Committee. He informed that work on preparation of Geological Report & Feasibility Report (including the Environment Report) for Khliehriat-Sutnga area in East Jaintia Hills District started on 20.01.2019. THE CMPDI team conducted field survey and identification of proposed borehole sites on the ground in the first week of February, 2019. Survey team fixed 3 nos. control points or primary points from DGPS and 19 fly stations or secondary points by using Total Station. Topographic maps for the 1 sq.km study area has been prepared at 2.50 m contour interval. The Director of Mineral Resources, Meghalaya started drilling of three bore holes. All three holes have however got jammed at 21 m and above. In spite of best efforts the same could not be continued beyond 21 m.

The Director of Mineral Resources informed the Committee that they have entered into agreement with the Mineral Exploration Corporation Limited (MECL) to restart the drilling by using high capacity drills.

The Committee directs the Director of Mineral Resources, Meghalaya and Dr. S. Bhat from the CMPDI to complete the preparation of Geological Report & Feasibility Report (including the Environment Report) for 1 sq. km area in Khliehriat-Sutnga area in East Jaintia Hills District within three months.

7. Prof. O.P. Singh of the Department of Environmental Studies informed the Committee that work for Neutralization of Acid Mine Drainage (AMD) contaminated water of some selected streams in a coal mining areas of Meghalaya by constructing Open Limestone Channel (OLC) using locally available limestone and intermittent wetlands using locally aquatic plants being undertaken under his supervision at Narwan village is slightly hampered due to heavy rain.

The Committee advised the Prof. O.P. Singh to submit a report on progress made in implementation of the said project within a month.

8. Prof. O.P. Singh of the Department of Environmental Studies, NEHU informed the Committee that as desired by the Committee in its twelfth Sitting held on 25.04.2019, Model Presentation and other display/IEC (Information, Communication and Education) materials for use in the awareness camps to be organised by the Education Department have been prepared and provided to the Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters), Meghalaya.

The Committee therefore directs the Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters), Meghalaya to provide a copy of the said presentation and other display/IEC materials may be provided to the Director, Directorate of School Education and Literacy, Government of Meghalaya for use in the awareness programme to be organised by them.

9. Shri Aldous Mawlong, Commissioner and Secretary to the Government of Meghalaya, Forests and Environment Department informed the Committee that a proposal submitted by the Principal Chief Conservator of Forests & HoFF for payment of sitting fee to official members of the Committee and various experts invited to attend meetings of the Committee is presently under consideration of the Finance Department.

The Committee directs the Commissioner and Secretary to the Government of Meghalaya, Forests and Environment Department to take necessary actions to expedite decision on the said proposal.

10. Shri B. Hajong, Director, Directorate of Employment and Craftsmen Training Labour Department, Government of Meghalaya informed the Committee that an extensive community mobilisation drive covering 12 villages (6 villages in each of the East Jaintia Hills District and West Jaintia Hills District), has been conducted to encourage the persons affected by the ban on coal mining to register and join the skill training programme of the Meghalaya State Skills Development Society (MSSDS) and the Labour Department (ITIs) under the Asian Development Bank (ADB) assisted Supporting Human Capital Development in Meghalaya (SHCDM) Project.

He further informed the Committee that during the drive involving 1,606 house visits and interactions total 3,396 households were reached. The drive culminated in registration of 145 persons for skill training on integrated farming involving mushroom cultivation, poultry, piggery etc. at three residential training centres located in West Jaintia Hill District at Bosco Pnar Jowai, Saphai and Moosakhia each having capacity to accommodate 30 trainees at a time.

11. The Chief Engineer, Public Works Department (PHE), informed that in compliance of the directions issued by the Committee in its thirteenth Sitting held on 03.05.2019 cost of POL used in supplying water through tankers to villages affected by the acid mining drain (AMD) in East Jaintia Hill district is now borne by the District Administration.
12. The Committee noted with concern that initiation of work on two important research studies on development of protocol for treatment of acid mine drain originating from coal mines and closure of abandoned rat hole coal mines by controlled blasting to be undertaken by CSIR-CIMFR, for which requisite funds

have already been placed at the disposal of the Meghalaya State Pollution Control Board (MSPCB) long ago, is pending for last several months due to non-agreement between the MSPCB and the CSIR-CIMFR on certain conditions to be incorporated in the Memorandum of Understanding (MoU) to be executed between them.

The Committee directs the MSPCB to finalise and execute the MoU without any further delay and submit a report to the Committee within a month. To resolve the deadlock, the MSPCB may explore to execute the MoU in the same format as has been used for a study assigned to the North Eastern Space Application Centre (NESAC).

13. Dr. Manjunath C, Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that necessary directions have been issued to the Authorised Officers to enforce the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act). He further informed that total 25 cases have been registered under Section 21 (1) of the MMDR Act.

The Committee after examination of the list of these cases observed that all these cases have been registered by the Police. No such case, as per the said report, has been registered by any other Authorised Officer. It was informed by Dr. Manjunatha C that the officers authorised under section 22 of the MMDR Act will make written complaint to competent Courts on completion of investigation. Details of such cases where investigation has been initiated by the Authorised Officers was however not placed before the Committee.

The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department to submit details of all such cases where investigation has been initiated by the Authorised Officers along with the latest status of each such case to the Committee within a month.

14. Dr. Manjunath C, Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that verification of coal stocks reported to be existing at various depots in the State has commenced after completion of the transportation of the balance quantity of coal, allowed under the orders of the Hon'ble Supreme Court dated 10.05.2019 on 31.05.2019.

The Chairman of the one of the Technical Committees present in the meeting however informed the Committee that most of such coal is available in the depots located in inaccessible areas. It will therefore be not possible for the Technical Committee to give a clear timeline for completion of the process for verification of coal available at each such depot. The Committee found the same unacceptable, as coal reported to be available at all such depots has already been stated to be inspected and verified by the Deputy Commissioners of the respective districts.

The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department that verification of the coal stated to be available at various depots shall be completed and a report in the format already provided by this Committee should be submitted within two months.

The Committee also directs that pending receipt of reports from the Technical Committees, the Central Pollution Control Board and the Indian School of Mines, Dhanbad should formulate parameters/ methodology to be adopted by them to ascertain and confirm correctness of the quantity of coal stated to be present at each depot as per the reports to be submitted by the Technical Committees and also to verify and confirm that all such coal was actually existing at these depots prior to imposition of ban on the coal mining in the State by the Hon'ble NGT. These methodologies may include, among others, use of high resolution satellite imageries for different time-intervals since the imposition of ban on coal mining by the Hon'ble NGT to ascertain continuous existence of all such coal dumps since imposition of ban on coal mining by the Hon'ble NGT.

15. Shri H. Nongpluh, IPS, Addl. Director General of Police (L & O/TAP/SB/Borders), Meghalaya informed the Committee that out of the three cases viz. Nangal Bibra PS case No. 16 (7) of 2012, 10 (03) of 2013 and 43 (1) of 2013, investigation in two cases viz. 16 (7) of 2012 and 43 (1) of 2013 has already been completed and charge sheets have been filed before the concerned Courts. Investigation in the Nangal Bibra PS case No. 10 (03) of 2013 is still pending due to non-receipt of post-mortem (PM) report. The office of the Director General of Police vide letter No. CRB/IV-10/42-2018/692 dated 09.05.2019 has already requested the District Medical and Health Officer (DMHO), East Garo Hills District, Williamnagar to expedite submission of the PM report. The investigating officer (IO) of the case has also visited the office of the DMHO to request him to expedite submission of the PM report.

The Committee directs the Secretary in-charge Health and Family Welfare Department to direct the DMHO, East Garo Hills District, Williamnagar to submit the PM report without any further delay.

16. The Joint Secretary to the Government of Meghalaya, Revenue and Disaster Management Department informed that the information sought by the State Disaster Management Authority on a comprehensive disaster management plan both "on site" and "off site" has already been received from the Deputy Commissioner, East Jaintia Hills District. The same will be placed before the State Disaster Management Authority for finalisation of the Disaster Management Plan.

The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Revenue and Disaster Management Department to

obtain approval of the competent authority to comprehensive disaster management plan both “on site” and “off site” and place a copy thereof before this Committee within a month.

17. The representative of the Meghalaya State Pollution Control Board, the Central Pollution Control Board and North Eastern Regional Office of the Ministry of Environment, Forest and Climate Change, Government of India confirmed the receipt of details of persons involved in coal mining in the State of Meghalaya from the Directorate of Mineral Resources, Meghalaya. They also informed that so far no action has been initiated by any of these authorities against any such person for violation of environmental norms.

The committee therefore directs all these authorities to initiate appropriate action as per law against all such persons for violation of environmental norms without any further delay and submit a report to the Committee within a month.

18. Dr. H. Tynsong, Scientist ‘D’, North Eastern Regional Office of the Ministry of environment, Forest and Climate Change, Government of India informed the Committee that a communication has been received from the State Environment Impact Assessment Authority (SEIAA), Meghalaya that decision on imposition on additional condition in the Environmental Clearance granted to thermal power plants in Meghalaya to prohibit use of local coal will be taken after jointing of the new incumbent to the post of Member-Secretary to the SEIAA.

He further informed that the Ministry of Environment, Forest and Climate Change, Government of India by an e-mail communication dated 30.05.2019 has informed the Regional Office that direction issued by the Committee to impose a similar additional condition in the EC granted by the MoEFCC to the thermal power plants and the matter of show cause notice issued to Meghalaya Power Limited is presently under evaluation of the concerned impact Assessment Division in the Ministry dealing with environmental clearance to thermal power plants. Decision on both these matters will be communicated to the Regional Office shortly.

The Committee directs that decision on these matters shall be expedited and report be submitted to the Committee by the North Eastern Regional Office of the Ministry of environment, Forest and Climate Change, Government of India within a month.

19. The Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters), Meghalaya informed the Committee that report on implementation of action plan prepared by the Committee for restoration of environment in areas affected by coal mining in Meghalaya has been received only from the Deputy Commissioners of four (4) Districts namely- East Jaintia Hills District, South West

Khasi Hills District, East Khasi Hills District and West Garo Hills District. A copy of the same is taken on record. He further informed that Shri G.K. langrai, MFS, assistant Inspector General of police (A) by a communication dated 30.05.2019 has submitted a consolidated report on implementation of action plan by Superintendent of Police of different districts in the State. The same is also taken on record.

The Committee directs that Commissioner and Secretary to the Government of Meghalaya, Home (Police) Department shall ensure submission of the Action taken report by all defaulting Deputy Commissioners within two weeks.

20. The Chief Engineer, Public Health Engineering (PHE) Department informed the Committee that three villages in the East Jaintia Hills District namely- Lad Rymbai Khliehdupon, Khliehriat East and Wapung Shnong where water samples analysed by the Health Department were found to be acidic have been included in the revised list of villages where water is supplied through water tankers.
21. Shri M.B.K. Reddy, Chief Executive Officer of the Meghalaya State Compensatory Afforestation Fund Planning and Management Authority (CAMPA) informed the Committee that preparation of a plan for utilisation of the CAMPA funds is presently under progress and the same will be completed during the current month. He also informed the Committee that subject to provisions of the Compensatory Afforestation Fund Act, 2016 and the Compensatory Afforestation Fund Rules, 2018, the plan will include afforestation/restoration of some of the areas affected by coal mining in the State.

The Committee directs that a copy of the said Plan shall be submitted to the Committee by the Chief Executive Officer of the Meghalaya CAMPA within a month.

22. Shri H. Nongpluh, IPS, Addl. Director General of Police (L & O/TAP/SB/Borders), Meghalaya informed the Committee that investigation in the Mawlai PS case No. 47 (4) 2019 U/S 21 (1) Mines and Minerals (Development and Regulation) Act, 1957 & Sec 188/34 IPC has been completed and a charge sheet has already been filed before the competent Court of Law.
23. Shri H. Nongpluh, IPS, Addl. Director General of Police (L & O/TAP/SB/Borders), Meghalaya informed the Committee that in compliance of direction issued by the Committee in its thirteenth Sitting held on 03.05.2019, the Addl. Chief Secretary to the Government of Meghalaya, Home (Police) Department by a communication dated 14.05.2015 requested the Ministry of Home Affairs, Government of India to deploy Central Armed Police Forces (CAPFs) to assist the State Police in checking the illegal transportation of coal by truckers and illegal coal mining in the State. In response, the Ministry of Home Affairs by a communication dated 21.05.2019 informed that "Police" and "Public order" are state subjects under seventh

Schedule to the Constitution of India and therefore the State Governments are primarily responsible for maintenance of law and order in the State. As per the said communications CAFs are made available to the state on their specific requests to assist them in maintaining the public order.

It has also been stated in the said communication that due to overstretched deployment of CAFs in various parts of the country due to General Parliamentary Election -2019 related duties and L&O/IS/CI/ANO it has not been found feasible to provide any company of CAPFs to Government of Meghalaya at this stage.

The Committee noted that protection of environment and enforcement of orders passed by the Hon'ble National Green Tribunal to prevent illegal transportation and mining of coal in flagrant violation of all existing Central and State Statutes is a shared responsibility of both the State as well as the Central Governments.

The Committee therefore proposes to place before the Hon'ble National Green Tribunal the request made by the State of Meghalaya for deployment of CAPFs to assist the State Police in checking the illegal transportation and mining of coal in the State for its kind consideration to issue appropriate direction to appropriate authorities in the Central Government to ensure enforcement of directions issued by it from time to time to ban mining and transportation of coal in the State of Meghalaya.

24. The Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters), Meghalaya informed the Committee that orders of the Hon'ble National Green Tribunal on the recommendation of the Committee that Hon'ble National Green Tribunal may consider a proposal for releasing an amount of Rs. 40,36,500/- for afforestation and reclamation of coal mining affected land and organisation of plantation festival-cum-mass awareness programme by the office of the PCCF (Climate Change, Research & Training), Meghalaya and North Eastern Regional Office of the Central Pollution Control Board is still awaited.

The Committee proposes to reiterate its earlier recommendation and proposes to place the said recommendation before the Hon'ble National Green Tribunal once again for its kind consideration.

Agenda Item No. 2

25. Prof. A.K. Singh, a member of the Committee, made a presentation on Highwall Mining Technology, a possible safe and reliable solution to illegal rate hole mining in Meghalaya. During the course of presentation Smt. P. L. Lawai, Joint Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that to explore feasibility of adoption of said mining technology in the State, the State Government in the year 2007 had constituted a Joint Venture (JV)



in the name of Meghalaya Mahacoal Mines Private Limited. The said JV between the Meghalaya Mines and Minerals Development Corporation (MMDC) and Mahacoal Trexin Private Ltd., with equal share, has already undertaken a study to undertake coal mining in about 500 hectare area in West Khasi Hills District by using Highwall mining technology. Due to resistance from the land owners and ban on coal mining in the Hon'ble NGT no mining could however be undertaken by the said JV in the State.

The Committee directs that the Managing Director of the said JV may be invited to attend next sitting of the Committee to be held on **28.06.2019** and make a presentation on efforts made by said JV to undertake coal mining in the State by using Highwall technology.

The Committee also directs that Mr. B.N. Pan, an expert in Highwall technology, who is also a one of the Directors of the Mahacoal Trexin Private Ltd., may also be invited to attend next Sitting of the Committee to be held on **28.06.2019** to apprise the Committee about the coal mining being undertaken at various places in the country by using Highwall technology.

The Member-Secretary of the Committee may inform Managing Director of the said JV and Mr. B.N. Pan to attend the meeting.

Agenda Item No. 3

26. The Committee noted with concern that in a report dated 09.05.2019 on a news report titled "Meghalaya Police personnel attacked by goons for stopping illegal coal trucks at Sohshrieh (EJH)" received from the Superintendent of Police, East Jaintia Hills District, a copy of which was taken on record, it has been stated that inspite of repeated call, SMS as well as Whatsapp communication by the Superintendent of Police to the Deputy Commissioner East Jaintia Hills District no Magistrate turned up for duty to assist the police in controlling a mob which attacked the police personnel posted at the NGT Check Point at Tuber Shohshrieh on 1st May 2019 and managed to forcefully allow the trucks loaded with illegal coal to cross the check gate.

The Committee also noted that inspite of such unfortunate and unacceptable incidence, the Political Department has merely requested the Deputy Commissioner, East Jaintia Hills District to look into and ascertain whether there was any lapse on the part of the Magistrate.

The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Political Department that the matter shall be enquired by a Senior Officer, preferably, Divisional Commissioner of the concerned Division and a report be submitted to the Committee within one month.

Agenda Item No. 4

27. Hon'ble Supreme Court's vide order dated 10.05.2019 passed in the I.A Nos. 5051 & 5055 of 2019 in Civil Appeal Diary No. 3067 of 2018, in the matter of Lber Laloo versus All Dimasa Student Union Hasao District Committte and others and similar connected matters, permitted transportation of 75,050 MT coal in the State of Meghalaya. The said order is placed on record.

Agenda Item No. 5

28. The Committte after examination of the draft guidelines prepared by the Principal Chief Conservator of Forests & HoFF, Meghalaya for utilisation of Meghalaya Environment Protection and Restoration Fund (MEPRF) observed that list of activities, which are proposed to be undertaken from the MEPRF, is highly restrictive. It also includes, several activities such as purchase of vehicles and equipment etc., which ideally should not be undertaken from the MEPRF. The Committee noted that amounts available in the MEPRF shall be utilised exclusively for implementation of the Action Plan prepared by the Committee for restoration of environment in the areas affected by the coal mining and to provide relief to victims of illegal coal mining, including payment of *ex-gratia* to the next of kin of the persons died due to coal mining in the State.

To ensure utilisation of amounts available in the MEPRF in an efficient, effective and transparent manner in conformity with various rules and regulations governing use of public funds, the Committee recommended that the institutional mechanism to plan, execute and monitor various activities to be undertaken from the MEPRF may consists of a Technical Committee, a Steering Committee and a Monitoring Group.

The Technical Committee to be headed by a senior officer of a Technical Department in the State Government may consist of domain experts in various fields covering activities envisaged in the Action Plan. The function of the Technical Committee will be to examine and certify technical feasibility and reasonability of rates/estimated costs and to suggest best possible technology/technical solution for each activity proposed to be undertaken from the MEPRF.

The Steering Committee to be headed by the Chief Secretary to the Government of Meghalaya may consist of senior officers from various Departments/Agencies to be involved in planning and execution of activities envisaged in the Action Plan and few reputed non-government organisations and independent experts. Functions of the Steering Committee may include



assessment of administrative feasibility and prioritisation of various activities to be undertaken from the MEPRF and also to ensure inter-departmental and inter-agency coordination.

The Monitoring Group consisting of independent experts in the fields of Mining, Environment, Forest, Engineering, Social Science, Health, Education, Remote Sensing & GIS *etc.* will monitor the quantitative and qualitative progress of activities undertaken from MEPRF and will submit periodic reports to this Committee and to the Hon'ble NGT. The administrative support to these Committees may be provided by a small administrative support group to be constituted in the Forests and Environment Department.

The Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department informed the Committee that the Mining and Geology Department has also prepared a draft guideline for utilisation of the MEPRF. The same is likely to be placed before the Cabinet shortly.

The Committee directs Commissioner and Secretary to the Government of Meghalaya, Mining and Geology Department that the draft guidelines to be placed before the Cabinet should be in conformity with the afore-mentioned broad parameters.

A report in that regard shall be submitted by the Commissioner and Secretary, Mining and Geology Dept, after one month.

Agenda Item No. 6

29. The Committee noted that M/s Trinity Impex International after undertaking field inspection of three acid mine drain (AMD) affected streams in East Jaintia Hills District has prepared a proposal for implementation of a Pilot Project on treatment of one of these three streams by using Phycoremediation. A copy of the report on the proposed pilot project received from M/s Trinity Impex International through email by Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters), Meghalaya was taken on record.

The Committee noted that the said proposal envisages treatment of a stream at Rymbai having current pH of 3.5 and estimated flow of about 100-120 MLD at an estimated cost of Rs. 17.45 lakhs (plus 10% contingencies).

The Committee directs that representative of the M/s Trinity Impex International may be invited to attend next sitting of the Committee to be held on **28.06.2019** at Shillong to make a presentation on salient features of the proposed pilot project.

Agenda Item No. 7

30. The Committee noted that the Secretary to the Government of Meghalaya, Mining and Geology Department by communication dated 17.05.2019 addressed to the Addl. Principal Chief Conservator of Forests (Planning, Development and Legal Matters) sent a proposal for undertaking pilot project on neutralisation of acid mine drain (AMD) using algae by M/s. GROWDIESEL VENTURES LIMITED with a request that the same may be placed before the Committee.

The Committee took the said proposal on record and directs that the above firm may be requested to formulate a concrete proposal to treat any of the AMD affected streams in Meghalaya after undertaking field visit to such stream and make a brief presentation on salient features of the pilot project before the Committee in the next sitting to be held on **28.06.2019**.

Agenda Item No. 8

31. Dr. P. Hazarika, Sr. Technical Officer, Rain Forest Research Institute, Jorhat made a presentation on salient features of a proposal for restoration of degraded coal mined land of Meghalaya through soil amendments and microbial technology for accelerated succession. The proposal envisages raising of an experimental nursery and plantations of native species over 1 (one) hectare area affected by coal mining in the State. The proposal envisages use of soil amendments, arbuscular mycorrhizal fungi (AMF) and plant growth rhizobacteria (PGPR) to accelerate growth and succession.

The Committee after examination of the proposal observed that it will be more desirable if the experimental trials to be laid by the RFRI are incorporated in the plantations to be raised by the Forests and Environment Department in coal mining affected areas.

The Committee is also of the view that the role of the RFRI may be limited to formulation of a detailed technical design of the proposed research involving application of different dosages of AMF, PGPR and soil amendments; supply of the requisite quantity of AMF, PGPR and soil amendments; supervision of the application the pre-determined dosages of AMF, PGPR and soil amendments and recording/measurement of the data on growth and survival of the plants treated with different dosages of AMF, PGPR and soil amendments. All other activities relating to creation and maintenance of plantations and nurseries may be undertaken by the Forests and Environment Department.

The Committee therefore directs that the RFRI in consultation with the Principal Chief Conservator of Forests (Climate Change, Research & Training) may



revise the proposal keeping in view the above observations and submit the revised proposal to the Committee for its consideration.

Agenda Item No. 9

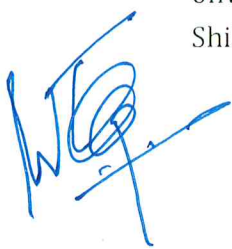
32. Prof. A. K. Singh, nominated by the Director, Indian School of Mines (IIT-ISM), Dhanbad as a member of the Committee informed that his engagement as a Chair Professor at the IIT-ISM is scheduled to end in July, 2019. The Committee having regard to vast knowledge and long practice experience of Prof. A.K. Singh on the matters relating to coal mining including the restoration of areas affected by the coal mining and also keeping in view that Prof. A.K. Singh is working as a member of the Committee since its inception and thus is well acquitted with all issues relating to its functioning, decided that the Director, Indian School of Mines (IIT-ISM) may be requested that even after expiry of his engagement as a Chair Professor at IIT-ISM, Prof. A.K. Singh may be allowed to continue as a member of the Committee as nominee of the Director, IIT-ISM, Dhanbad.

The Member-Secretary of the Committee may formally request the Director, IIT-ISM in this regard.

33. The Committee noted that raising of plants in nurseries takes minimum eight to ten months. For afforestation of coal mine affected areas during the planting/monsoon season in 2020, works for raising of plants in nurseries therefore needs to be initiated latest by the month of July 2019. To ensure availability of adequate number of good quality plants to undertaken bio-restoration of coal mining affected areas during the monsoon/planting season in 2020, the Committee directs that the Social Forestry and Environment Wing in the Forests and Environment Department may initiate necessary actions to raise atleast ten (10) lakh plants in the nurseries located at appropriate locations in the State.

To facilitate the Forests and Environment Department to raise these plants, the Committee decided to request the Hon'ble NGT to permit the Forest and Environment Department to utilise an amount of rupees one crore from the Meghalaya Environment Protection and Restoration Fund (MEPRF).

34. Next sitting of the Committee will be held on **28th June 2019 from 10.00 AM** onwards in the conference hall of the office of the PCCF & HoFF, Sylvan House, Shillong, Meghalaya. Agenda for the next sitting will be limited to presentation on



scientific coal mining and the proposed pilot projects on treatment of Acid Mine Drain (AMD) by using algae.

The Member Secretary may inform the all concerned including Prof. P. Ramanaujam from the Botany Department, NEHU to attend next Sitting of the Committee.

35. **Let this proceeding be sent to the Hon'ble National Green Tribunal for kind consideration of the proposal in para 23, 24 and 33.**

The meeting ended with a vote of thanks from the Chair.



(Justice Brojendra P. Katakey)
Chairman