

QUORUM

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

**MR. S. C. BHOWMIK, PROFESSOR
REPRESENTATIVE FROM INDIAN SCHOOL OF MINES,
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(Email id: bhowmik44@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

- :** **Mr. C. P. Marak, IFS,**
Chairman, Meghalaya State Pollution Control Board
Government of Meghalaya
Email id: megspcb@rediffmail.com, cpmarak1@gmail.com
- :** **Prof. O. P. Singh,**
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- :** **Mr. Manjunatha C, IFS**
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- :** **Smti. P. L. Lawai, MCS**
Joint Secretary to the Government of Meghalaya
Mining & Geology Department,
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- : **Mr. S. M. Sahai, IFS**
Additional Principal Chief Conservator of Forests
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- : **Mr. K. D. Talukdar**
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- : **Mr. R. P. Gurung**
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- : **Dr. H. Tynsong**, Scientist 'D',
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MINUTES OF THE TWENTY FIRST SITTING OF THE COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL UNDER THE CHAIRMANSHIP OF HON'BLE MR. JUSTICE B. D. AGARWAL, FORMER JUDGE, GAUHATI HIGH COURT HELD ON **14TH FEBRUARY, 2020** AT 11.00 A.M IN THE CONFERENCE HALL, AT RI KYNJAI RESORT, UCC ROAD RI – BHOI UMIAM KHWAN, SHILLONG - 793103.

AGENDA

1. Review the Action Plan prepared by the NGT Committee for restoration of environment in coal mine affected areas in Meghalaya.
2. Review the status of implementation of the Action Plan prepared by the NGT Committee.

PROCEEDINGS

The Committee perused various clauses of the Action Plan for restoration of environment of coal mine affected areas of Meghalaya which was prepared by the Committee on an earlier date. The Action Plan was prepared for implementation of the orders of the National Green Tribunal dated 31.08.2018 in O.A No. 110(THC)/2012. The progress made in respect of various clauses of the Action Plan was reviewed and appropriate decisions were made as follows:

1. Clause A of the Action Plan, which relates to prevention of human and animal deaths by accidental falling in coal mine shafts, comprises various sub-components. With respect to clause A.1 - identification and delineation of coal fields as well as each coal mine, coal shaft, coal dump etc- in continuation with the earlier similar exercise initiated by NESAC they are requested to furnish a detailed cost estimate for preparation of such maps for the remaining districts viz., West Khasi Hills, South Garo Hills and South West Khasi Hills and submit a report to this Committee before the date of next sitting of the Committee.
2. Education Department may furnish a status report on the progress of implementation of A2 of the action plan which relates to creation of awareness

about ill effects of illegal coal mining and also furnish information on the status of submission of APOs to the Committee notified in the guidelines for utilization of MEPR fund for their further processing of the same.

3. A.3 of the Action Plan which relates to installation of sign boards in areas having presence of coal mines was reported to have been implemented by the Mining & Geology Department. The Secretary to Mining and Geology Department should submit a detailed report in this regard to the Committee.
4. With respect to A4 of the action plan- Erection of physical barriers at periphery of shafts of mines where coal reserve has not been exhausted-the Deputy Commissioners of all Districts shall submit reports on progress on erection of physical barriers at periphery of shafts of mines where coal reserves have not been exhausted by the mine owners and steps taken by the District Administration to obtain such proposals from the mine owners who have not embarked on any such activity.
5. With respect to A5 of the Action Plan – Closure of shafts of mines where coal reserve has already been exhausted -Mining & Geology Department shall submit through an appropriate APO the further fund requirement for the purpose of installation of sign boards in areas having presence of coal mines to the concerned Committee notified in the guidelines for utilisation of MEPR fund. The Department shall also submit APOs incorporating other requirements to the Committee notified in the guidelines for utilisation of MEPRF. The Deputy Commissioners shall take steps to create awareness on erection of physical barriers around the coal shafts where the reserves are exhausted.
6. In respect of item A.5.1 of the Action Plan- Controlled blast to secure closure of shafts of mines where coal reserve has already been exhausted- the Member Secretary of Meghalaya State Pollution Control Board (MSPCB) is requested to intimate CIMFR –CSIR to give a power-point presentation on the matter to the Committee on the next date of its sitting. The Deputy Commissioners of the districts affected by coal mining shall furnish an appropriate report to the Committee on this matter before actually proceeding with controlled blasting. The Member Secretary, Meghalaya State Pollution Control Board is requested to submit a status report on development of safe and cost effective controlled blasting techniques in Meghalaya and the

progress made by CIMGR-CSIR in this regard. The presentation of the CIMFR- CSIR during the next sitting of the Committee as referred above shall cover the techniques which could be applied in Meghalaya to secure controlled blasting. The Director DMR is requested to identify at least one abandoned coal mine where a pilot project can be undertaken by CIMFR-CSIR in respect of the safe and cost effective technique of controlled blasting and intimate the Committee on its next date of sitting.

7. Component B of the action plan relates to prevention of Acid Mine Drainage (AMD) through various devices. B.1 refers to coal dumps of cement factories and their captive power plants. The components B.1.1 to B.1.3 are as follows:
- i. Covering of dumps by permanent sheds/ water proof tarpaulin.
 - ii. Construction of garland drains along with acid mine drain storage tanks.
 - iii. Treatment of acid mine drains collected in storage tanks.

The Deputy Commissioners of East Khliehriat and Ri Bhoi Districts, where cement factories and captive power plants are set up, shall direct the cement factories and captive power plant owners to develop such devices and obtain a road map from each of them in this regard and submit the same to the Committee within two months.

8. With respect to item B.1.4 relating to amendment of environmental clearance (EC) already granted to the above mentioned cement plants and captive power plants to stipulate additional conditions in such ECs to provide for above measures in case such measures have not been stipulated, a status report on the implementation in this regard shall be furnished by the Member Secretary SEIAA and the Regional Office for North East region of MoEF & CC, Shillong.
9. With respect to item B.1.5 – Revocation/withdrawal of EC and launch of prosecution in case of non-implementation of aforementioned measures- it was reported that action has already been concluded by the MPSCB. A report in this regard may be submitted by MSPCB to the Committee before the next date of sitting of the Committee.
10. With respect to item B 1.6 – Revocation/withdrawal of CTE and launch of prosecution in case of non-implementation of afore-mentioned measures - it was stated by the Member Secretary MSPCB that there was no instance of

withdrawal of CTE since all units which were directed by the MSPCB for compliance have complied.

11. Item B.2 relates to dumps of assessed coal. The sub-items are as follows:

- i. Covering of dumps by water-proof tarpaulin/ permanent sheds.
- ii. Construction of garland drains along with acid mine drain storage tanks.
- iii. Treatment of acid mine drain collected in storage tanks.
- iv. Promulgation of order under section 144 or any other relevant section(s) of IPC to prohibit open/uncovered dumping of assessed coal.

Sub items (i) to (iii) are to be implemented by the plant owners. The Deputy Commissioners of all Districts where occurrence of coal mining is noticed are requested to furnish status report within one month on the implementation of item B.2 to the Director of Mineral Resources who in turn shall submit a report to the Committee in this regard within two months.

12. With respect to item B.3 –Dumps of seized coal- the Director of Mineral Resources is requested to submit APOs within two weeks to the Committee notified under MEPR detailing the fund requirement to secure implementation of the sub-items listed under this item. The sub-items of B.3 are as below:

- i. Construction of permanent depots for seized coal.
- ii. Covering of dumps by tarpaulin/ permanent sheds.
- iii. Construction of garland drains along with acid mine drain storage tanks.
- iv. Treatment of acid mine drain collected in storage tanks.

13. B.5 relates to insulating coal while in transit. The sub-items are:

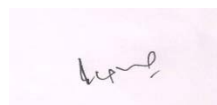
- i. Covering of coal by waterproof tarpaulin while its transportation by road.
- ii. Seizure of trucks carrying coal without covering it with waterproof tarpaulin.
- iii. Promulgation of order under section 144 or any other relevant section(s) of IPC to prohibit open/uncovered dumping of assessed coal.

The Deputy Commissioners of all coal mine affected districts are requested to furnish status report within one month on the implementation of item B.2 to

the Director of Mineral resources who in turn shall submit a consolidated report to the Committee in this regard.

14. With respect to item B.6- Rat hole coal mine openings- deliberation is postponed till CIMFR-CSIR give presentation in this regard to the Committee.
15. With respect to item B.7- Coal mine shafts located in river/ stream bed- deliberation is postponed till CIMFR-CSIR make presentation in this regard to the Committee
16. With respect to item C which deals with restoration of water quality in rivers/streams affected by Acid Mine Drains (AMD) the Chief Engineer, PHE is requested to submit status report on implementation of item C.1- Identification and prioritisation of rivers/streams to be restored- and a road map for full implementation of the same to the Committee before its next date of sitting.
17. With respect to item C.2- Development, refinement and transfer of AMD treatment technology- Professor O.P.Singh, NEHU is requested to give a presentation to the Committee on the day of its next sitting along with a report on the pilot project run by his team in this regard. The Mining & Geology Department suggested that an independent monitoring agency, in respect of which MSPCB is currently suitable, be requested to monitor the progress and success of the three pilot projects currently underway in respect of item C .2. and submit the same to the Committee within two months.
18. With respect to item C.3- Restoration of prioritised stretches of rivers/streams- deliberation is deferred till completion of items C.1 & C.2 .
19. Deliberation on Items D & E of the Action plan is deferred to the next date of sitting of the Committee.
20. Dr. O.P.Singh informed that on-site and off-site Disaster Management Plan which has been given to him by the Committee to be scrutinised has been found by him to be in order.

The Chairman thanked all present.



(Justice B.D. Agarwal)