

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
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**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

- :** **Mr. C. P. Marak, IFS,**
Principal Chief Conservator of Forests & HoFF
Government of Meghalaya,
Principal Secretary to the Government of Meghalaya
& Chairman, Meghalaya State Pollution Control Board
Email id: cpmarak@gmail.com, pccfmegh@gmail.com,
megspcb@rediffmail.com
- :** **Mr. T. Dkhar, IAS,**
Commissioner & Secretary to the Government of
Meghalaya, Mining & Geology Department, Government
of Meghalaya,
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- :** **Mr. S. K. Aggarwal, IFS**
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- :** **Mr. L. Salkia, IRTS**
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- : **Mr. H.C. Chaudhary, IFS,**
Additional Principal Chief Conservator of Forests,
(Planning, Development and Legal Matters), Government
of Meghalaya.
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- : **Mr. Manjunatha C, IFS**
Secretary to the Government of Meghalaya, Mining &
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- : **Mr. I. W. Ingty, IAS**
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- : **Mr. M. K. Dkhar, IPS**
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- : **Mr. J. K. Bora, General Manager,**
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- : **Mr. C. Syrti, MPS**
Superintendent of Police, Ri Bhoi
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- : **Mr. G. Mathew**
Chief Manager (M & S)
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- : **Mr. P. Ch Marak**
Mining Engineer,
Directorate of Mineral Resources
Government of Meghalaya
- : **Mr. Shaurya Sahay**
Learned Advocate
State of Meghalaya
Email id: shaurya@shauryasahay.com

: **Mr. B. Shangdiar, IFS**
 Conservator of Forests (Headquarter)
 Meghalaya State Forest & Environment Department
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ORDER NO.: S-2

**RECORD OF THE MINUTES OF THE SECOND SPECIAL 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 7TH SEPTEMBER, 2019 AT 11.00 A.M IN THE CONFERENCE HALL IN THE
 NORTH EASTERN COALFIELDS COAL INDIA LIMITED GUEST HOUSE, BLACK DIAMOND
 TOWERS, GS ROAD, ABC, POST OFFICE, CHRISTIAN BASTI, GUWAHATI, ASSAM 781005**

At the outset, Mr. C. P. Marak, IFS, Principal Secretary to the Government of Meghalaya, Forest & Environment Department who is also holding charge of the posts of the Principal Chief Conservator of Forests & HoFF, Meghalaya and the Chairman, Meghalaya State Pollution Control Board welcomed the Hon'ble Chairman & Members of the Committee, Senior Officials of the Ministry of Railways, the Coal India Limited and the State of Meghalaya. After a self-introduction by all officers present in the meeting, detailed discussions were held in the meeting as per the following meeting.

AGENDA ITEMS FOR DISCUSSION

1. Finalisation of the draft mechanism/ policy formulated by the State of Meghalaya for handing over of the coal assessed by the State of Meghalaya to the Coal India Limited for disposal through e - auction as directed by the Hon'ble Supreme Court by Judgment dated 03.07.2019 in Civil Appeal No.10720 of 2018 in the matter of State of Meghalaya *versus* All Dimasa Student Union, Dima - Hasao District Committee and Ors. and other connected matters including setting up of time - lines for each of the major steps involved in the above process.
2. Any other matter (s) to be raised with permission of the Chair.

AGENDA ITEM NO. 1

1. The Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department places before the Committee a document titled "draft comprehensive plan for transportation and handing of the extracted coal to Coal India Ltd for eAuction ("draft policy" for short). The Committee takes the same on record.

The Committee after preliminary examination of the said documents and interaction with officials of the Coal India Limited observed that the said document does



not contain any specific detail, even of the depots/dumps where coal to be auctioned is presently lying and of the depots proposed to be established by the State of Meghalaya for e-auction. Even after a specific request, Annexure-I to the said document stated to contain district-wise breakup of the 32,56,715 MT assessed coal stated to be available at various depots in four districts in the State has also not been provided to the Committee. Majority of the provisions of the said document are not acceptable to the Coal India Limited. Some of the provisions of the said document are even contrary to the directions issued by the Hon'ble Supreme Court by Judgment dated 03.07.2019 in Civil Appeal No.10720 of 2018 in the matter of State of Meghalaya *versus* All Dimasa Student Union, Dima - Hasao District Committee and Ors. and other connected matters.

The Committee further notes that inspite of clear directions issued by the Hon'ble NGT by order dated 22.08.2019, the document does not contain time-lines for various activities envisaged therein. The directions issued by the Committee regarding video-recording of existing dumps, use of mineral transportation challans with security features, establishment of centralised servers to upload transport challans and use of GPS and RFID tags to monitor movement of coal loaded trucks to prevent counterfeiting and multiple use of mineral transportation challans have also not been incorporated in the said document. None of the information/documents relating to handing over of the coal to the Coal India Limited for disposal through e-auction sought by the Committee in its first Special Sitting held on 12.07.2019 and subsequent regular Sittings held on 22-23.07.2019 and 14.07.2019 has been provided to the Committee.

Keeping in view the above, the Committee is of the view that it will not be feasible for the Committee to finalise any such Policy governing mode and manner of handing over of the coal to the Coal India Limited till all the information/documents sought by the Committee are provided to the Committee and all relevant directions of the Committee are duly incorporated in such Policy.

The Committee therefore notes and places on records with great concern that though more than two months have already been elapsed since the directions issued by the Hon'ble Supreme Court by the said Judgment dated 03.07.2019, no tangible action has been taken by the State of Meghalaya to formulate a draft policy/guidelines containing mode and manner of handing over of the assessed coal to the Coal India Limited for disposal through e-auction.

The Committee, also notes and places on records with great concern that inspite of repeated requests, information/documents relating to assessed coal stated to be available at various depots/dumps in the State have not been provided



to the Committee. In the absence of these information/documents, it is not feasible for the Committee to appraise a draft policy/guidelines formulated by the State of Meghalaya or to frame any such policy/guidelines on its own.

The Committee further notes and places on records with great concern that no action appears to have been initiated by the State to carry out directions issued by the Committee to ensure disposal of the assessed coal stated to be available at depots/dumps in a fair and transparent manner.

2. On insistence of the Committee that the State of Meghalaya shall provide all information/documents sought by it in its First Special Sitting held on 12.07.2019, Shri Shaurya Sahai, learned Advocate appears before the Committee on behalf of the State of Meghalaya and places before the Committee an application raising objections on jurisdiction of the Committee. Among others, the following has been stated in the said Application:

- (i) This Committee came to be constituted by the order of Hon'ble National Green Tribunals, Principal Bench, New Delhi vide order dated 31.08.2018 in original Application No. 110(THC) of 2012 and connected matters. A bare perusal of the order shows that the Hon'ble Committee was constituted for the purpose to prepare time bound action plan and to deal with the issue of restoration and ensure its implementation.
- (ii) The order of the Hon'ble National Green Tribunal dated 31.08.2018 in paragraph 25 is unequivocally clear in as much as the Hon'ble NGT in the said paragraph has categorically stated that the committee is required to frame its action plan for implementation of the same as far as possible within a period of one month from 31.08.2018. The Hon'ble NGT also directed that the implementation of the action plan may be completed within months as far as possible. The Hon'ble NGT also directed for laying down a fixed timeline by this Committee for the said purpose.
- (iii) The direction of the NGT contained on paragraph 25 has not been complied till today and Rs. 342 crores still lying in the bank account and hardly any progress has been made in relation to the restoration of environment in the State of Meghalaya. In the last one year 18 Sittings of the Committee have taken place and huge amount of money has been spent by the State Government in holding these meetings and valuable time of the officers has been spent before this Committee and no progress whatsoever has been made in the restoration of the environment in Meghalaya. Every meeting almost all Senior Officers of the State of Meghalaya are called and

they remain present for the entire day and no worthwhile purpose is served by calling all senior officers to remain in attendance before the Committee.

- (iv) The State Government is committed to follow the orders of the committee for restoration of environment as directed by the Committee.
- (v) Instead of calling the Officers to attend each and every meeting either at Shillong or Guwahati it would be appropriate and feasible that an order may be passed in respect of restoration of the environment and compliance thereof may also be sought through e-mail or through official communication. The said arrangement would undoubtedly save the time and resources of the Committee and officials of the State Government.
- (vi) The order of the Hon'ble National Green Tribunal dated 31.08.2018 was challenged by the State of government by the way of Civil Appeal before the Hon'ble Supreme Court and the Hon'ble Supreme Court while examining the challenge of the State Government in paragraph 167 of the said Judgement and Order dated 03.07.2019 noted that the environment and ecology restoration plan has already been submitted before the Hon'ble NGT along with an affidavit dated 03.10.2018.
- (vii) A bare perusal of the order of the Hon'ble Supreme Court indicates that the Hon'ble Committee has to prepare a scheme for restoration of environment and ecology in the State of Meghalaya as per the restoration plan. As per the order of the Hon'ble Supreme Court in paragraph 167 the primary duty or the most important responsibility of this Committee is to supervise the on spot restoration of environment. In last one year there has hardly been any progress on the above front. The restoration of environment is yet to see the light of the day.
- (viii) The Hon'ble Supreme Court as well as NGT both have emphasised that priority should be attached to implementation and supervision of the action plan which is primary purpose for constituting the Committee.
- (ix) After the order of Hon'ble Supreme Court dated 03.07.2019 which is final order clearly and unequivocally laying down the scope and power of the Committee to work on restoration of environment. the Committee may not have power to issue directions which goes beyond the mandate laid down by the Hon'ble Supreme Court order and Judgment dated 03.07.2019. Even the directions of the Hon'ble NGT contained in its order dated 31.08.2019 stands merged with the order passed by the Hon'ble Supreme Court on 03.07.2019.



- (x) So far as direction of the Hon'ble Supreme Court regarding handing over of the coal to the Coal India Ltd. is concerned, the direction of the Hon'ble Supreme Court in paragraph 188 is crystal clear in as much as the Hon'ble Supreme Court directed the Commissioner and Secretary, Mining & Geology department along with the Officers of the Coal India Ltd. may deliberate with this Hon'ble Committee to finalise a comprehensive plan for transportation and handing over the coal to Coal India Ltd. for disposal/auction as per rules of the Coal India Ltd. Therefore, in terms of order of the Hon'ble Supreme Court the primary duty to prepare the scheme/plan is that of the Commissioner and Secretary, Mining Department, Government of Meghalaya along with the Officers of Coal India Ltd.
- (xi) The scope and power of the Committee is confined to the powers discussed in the foregoing paragraph. The Committee has no power to pass order contrary to the mandate of the Hon'ble Supreme Court contained in the Judgement and order dated 03.07.2019.
- (xii) The one more aspect needs to be placed before the Committee which is regarding the quantity of already extracted coal. The said issue was also raised and attached before the Hon'ble Supreme Court and Hon'ble Supreme court in paragraph 186 has accepted the report of the State Government regarding quantity and therefore the said issue is no longer res-integra and it binds all parties.
- (xiii) After the order of the Hon'ble Supreme Court dated 03.07.2019 the Committee held a special sitting on 12.07.2019 and minutes were circulated on 15.07.2019. In the minutes a series of direction to the State Government which were beyond the scope and jurisdiction of the Committee.
- (xiv) The State Government vide letter dated 22.07.2019 informed the committee that in terms of the order of the Hon'ble Supreme Court a proposal is being prepared by Commissioner and Secretary in the Department of Mining & Geology for handing over the coal and after preparation of the policy and after having held the consultation with the Coal India Ltd. the same will be submitted to the Committee for holding deliberation in terms of the paragraph 188 of the Judgement and order dated 03.07.2019. The said aspect was duly noted by the Committee vide its minute dated 23.07.2019. The Committee in view of the stand of the State Government and the order passed by the Hon'ble Supreme Court did not insist for compliance of the minutes sated 12.07.2019.



(xv) The Committee in its minutes dated 14.08.2019 which was circulated on 20.08.2019 by e-mail and received on 26.08.2019 in the office of the Mining & Geology Department wherein this Committee has recorded that Commissioner and Secretary has agreed to furnish the information in terms of its minutes contained in minutes dated 12.07.2019. No such order was passed in the presence of the Commissioner and Secretary to the Government of Meghalaya. The stand of the Government is clear that jurisdiction of the Committee is confined to only two issues *i.e.* implementation of action plan and deliberation for finalisation of handing over of already extracted coal to Coal India.

(xvi) The Government has already prepared a plan and shared the same with Coal India Ltd. vide its letter dated 27.08.2019 and response of Coal India Ltd. is awaited. After receipt of the response of Coal India Ltd. and having consultation with the officials of Coal India Ltd. a policy will be placed before this Committee deliberation and the said process may take some more time.

The Committee in the said application was requested to:

- (a) Expedite the implementation of action plan.
 - (b) Pass the order pertaining to restoration of environment based on action plan.
 - (c) Dispense the personal presence of officials of various departments before the Committee and permit the State to be represented before the Committee through Nodal Officer.
3. Mr. Shaurya Sahay, Learned Counsel prays for withdrawal of the said application as the said application has been submitted without an affidavit. As such the Committee allows withdrawal of the same. The Committee dismisses the said Application as withdrawn. The Committee, in view of raising the said contentions, nonetheless, thought it fit and proper to deal with the same herein below.
 4. The Committee notes that as directed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi by order dated 31.08.2019, the Committee has formulated a detailed Action Plan for restoration of environment in areas affected by coal mining in the State of Meghalaya. A copy of the said Action Plan has already been placed before the Hon'ble NGT as a part of the First Interim Report of the Committee dated 31.12.2018. Apart from the estimated time-line, physical target, unit rate and estimated financial target, the said Action Plan clearly indicates agency(ies) responsible for planning, execution and monitoring of each activity envisaged in the Action Plan. It is for these agencies in the State of Meghalaya (*viz.* Mining & Geology Department, District Administration,



Meghalaya State Pollution Control Board (MSPCB), Public Health Engineering (PHE) Department, Forests and Environment Department, Meghalaya Basin Development Authority *etc.*), the Central Government (Central Pollution Control Board (CPCB), North Eastern Regional Office of the Ministry of Environment, Forest and Climate Change (MoEFCC), North Eastern Space Application Centre (NESAC), Council of Scientific and Industrial Research- Central Institute of Mining and Fuel Research CSIR-CIMFR) *etc.*) and the respective owners of the illegal mines to plan, execute and monitor activities envisaged in the Action Plan. A copy of the said Action Plan has already been circulated to all these agencies, including the Mining & Geology Department, Government of Meghalaya, for necessary actions for its implementation and to periodically apprise the Committee the progress made in implementation of the Action Plan.

Keeping in view the above, the Committee directs the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department to place before the Committee within fifteen (15) days the reasons for non-implementation of the Action Plan by various Authorities in the State and Central Governments and the respective mine/depot owners along with appropriate remedial measures to be taken by the Committee to ensure timely implementation of the Action Plan by all concerned authorities.

5. The Committee further notes that to ensure utilisation of amounts available in the MEPR Fund in an efficient, effective and transparent manner in conformity with various rules and regulations governing use of public funds, the Committee in its fourteenth Sitting held on 03.06.2019 directed the Mining & Geology Department, Government of Meghalaya to put in place an institutional mechanism to plan, execute and monitor various activities to be undertaken from the MEPR Fund. The Committee in the said Sitting also enumerated broad parameters for establishment of the said institutional mechanism. Even after continuous pursuance by the Committee in its subsequent Sittings, no action appears to have been taken by the State Government to put in place institutional mechanism for implementation of the said Action Plan from amounts available in the MEPR Fund.

The Committee keeping in view the above, directs the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department to place before the Committee within fifteen (15) days a copy of the guidelines duly approved by the State Cabinet for utilisation of amount available in the MEPR Fund along with reasons for delay in preparation of these guidelines.



6. The Committee also notes that environment in areas affected by illegal rat-hole coal mining in the State of Meghalaya cannot be restored unless illegal rat-hole coal mining is effectively controlled. Entire expenditure incurred on restoration of environment in these areas will be infructuous if the illegal rat-hole mining is allowed to continue in these areas. The Committee therefore is of the view that an effective and efficient mechanism to take preventive, mitigative and punitive measures to detect and prevent illegal mining of the coal and to punish the persons involved in such illegal mining shall be an integral component of the Action Plan for restoration of environment in areas affected by coal mining in the State of Meghalaya.

Keeping in view the above, this Committee in its various Sittings has issued several directions to prevent and detect illegal raising and transportation of coal in the State and to take appropriate punitive measures, as per existing laws, against the persons involved in illegal raising and transportation of coal in the State. Very little progress has however been made by the State to implement these directions.

It is on record that the Superintendent of Police, Ri Bhoi District, Meghalaya has in his communication dated 06.09.2019 sent to the Committee admitted registration of 49 cases for illegal transportation of coal since 01.01.2019, which amply proves that transportation of coal is going on in violation of the orders passed by the Hon'ble Supreme Court and the Hon'ble NGT.

7. The Committee also notes that till constitution of the Committee by the Hon'ble NGT by order dated 31.08.2019 the entire amount available in the MEPR Fund running into several hundred crores of rupees was kept in non-interest bearing current accounts, resulting in recurring loss of several crores of rupees which could have accrued to the State as interest had these amounts were invested in Term Deposits. The Committee on knowing the same, directed the State of Meghalaya to invest surplus amounts available in the MEPR Fund in Term Deposits.

For better appreciation of the submissions made by the State Government regarding the expenditure incurred on organisation of meetings of this Committee, the Committee directs the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department to place following information before the Committee within fifteen (15) days:

- (i) Item-wise breakup of expenditure incurred in organising each Sitting of the Committee;

- (ii) Details of each item of expenditure, which in opinion of the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department is unnecessary or un-desirable or infructuous and the same could have been avoided;
- (iii) Item(s) of expenditure which should only be incurred while organising Sittings of the Committee in future;
- (iv) Amount of interest accrued to the State on account of surplus amounts available in the MEPR Fund in Term Deposit; and
- (v) Amount of additional interest which could have accrued to the State in case surplus amount available in the MEPR Fund was invested in Term Deposits since establishment of the said Fund.

8. The Committee notes that with a view to ensure decisions on matters relating to restoration of the environment in areas affected by coal mining in the State in a fair, transparent and expeditious manners the Committee invited officers of concerned Departments/Agencies to attend its Sittings so that best possible technically feasible decisions may be taken during these Sittings. Presence of Senior Officers from these Departments was felt necessary to ensure requisite decisions, which, in the opinion of the Committee, could not possible without direct involvement of the concerned senior officers of the all concerned Departments. Many a times repeated presence of such officers before the Committee has been necessitated due to non-compliance of directions issued by the Committee to such Officers including non-submission of information/documents sought by the Committee from such Officers. The Committee, many a times allowed the officers, including the Commissioner & Secretary, Mining & Geology Department, Government of Meghalaya, to leave the meeting of the Committee, after taking up the concerned issues for discussion first, whenever requested. None of the officers raised any objection at any point of time before requiring there presence.

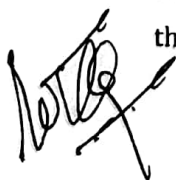
The Committee therefore directs the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department to identify a suitable nodal officer in the **Mining & Geology Department** who shall be responsible to obtain all requisite inputs, information/documents from all concerned Departments/Agencies and place the same before the Committee well in time. Name and designation of such officer shall be intimated to the Committee within fifteen (15) days. The Mining & Geology Department, Government of Meghalaya, shall ensure that all requisite information are placed before the Committee by the said Nodal Officer. The Commissioner & Secretary, Mining & Geology Department, Director, Mining of Government of Meghalaya; Member

Secretary of State Pollution Control Board and the officials of the Central Pollution Control Board shall, however, continued to be present in all the proceedings, except when their presence is exempted, as the presence of the aforementioned officers are very much necessary having regard to the issues involved. That apart, the officers of concerned Departments of the Government of India and its Agencies shall also attend the proceedings as and when directed.

9. The Committees notes that it has received a representation wherein it has been alleged that quantity of coal stated to lying at various depots in the State reported to the Hon'ble Supreme Court by the State of Meghalaya may be thousand times more than the actual quantity of coal lying at these depots. The Committee also notes that similar allegations have appeared in some of the newspaper reports. The Committee after careful examination of the Hon'ble Supreme Court's Judgment dated 03.07.2019 in Civil Appeal No.10720 of 2018 in the matter of State of Meghalaya *versus* All Dimasa Student Union, Dima – Hasao District Committee and Ors. and other connected matters notes that contrary to what has been claimed by the State of Meghalaya in the said Application, the said Judgment does not contain any direction to the effect that the State of Meghalaya may be allowed to hand over 32,56,715 MT of coal to the Coal India Limited for disposal through e-auction even if actual quantity of the coal which was extracted prior to imposition of ban on the illegal rat-hole coal mining in April 2014 and is presently available at various depots/dumps in the State is less than 32,56,715 MT. The Committee further notes that shortfall, if any, in the coal actually available in these depots can be met only by fresh illegal mining of the coal.

The Committee further notes that the Hon'ble Supreme Court in Paragraph 186 of the said Judgment dated 03.07.2019 in Civil Appeal No. 10720 /2018 has directed that the State having carried out the assessment of the coal in the four districts including the details of the owners available with it, it may ensure that the entire coal are handed over to the Coal India Limited as per the mode and manner formulated by this Committee, in consultation with the Coal India Limited and the State of Meghalaya.

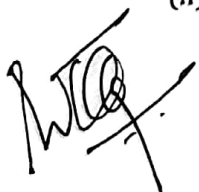
In the above-background, the Committee is of the view that it is a duty of this Committee to ensure that the mode and manner formulated for handing over of the coal to the Coal India Limited for disposal through e-auction shall contain adequate safeguards to ensure that no freshly mined coal is handed over to the Coal India Limited for disposal through e-auction.



The Committee, without going into the contention that the agreement of the Commissioner & Secretary, Mining & Geology Department, Government of Meghalaya was not recorded in his presence, during the proceeding dated 14.08.2019, the same being not necessary, observed that in its Seventeenth Sitting held on 14.08.2019, the Committee directed the Commissioner and Secretary to the Government of Meghalaya, Mining & Geology Department that to counter such allegations in an effective and transparent manner, video recording of all the coal depots where the coal to be handed over to the Coal India Limited is presently lying, to be recorded by joint teams consisting of a representative from the Mining & Geology Department, Meghalaya State Pollution Control Board and the Coal India Limited, as directed by the Committee in its First Special Sitting held at Shillong on 12.07.2019 and 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, shall be essential components of the Policy being formulated for handing over of the coal to the Coal India Limited for disposal through e-auction.

AGENDA ITEM NO. 2

1. The Committee proposes to have its Third Special Sitting at 10.00 AM onwards on 26.09.2019 in the Conference Hall at Sylvan House, Office of the Principal Chief Conservator of Forests & Head of Forest Force, Government of Meghalaya, Lower Lachumiere, Shillong 793 001 Meghalaya to discuss and finalise the draft Policy/Modalities to be formulated by the State of Meghalaya in consultation with the Coal India Limited for handing over of the coal assessed by the State of Meghalaya to the Coal India Limited for disposal through e-auction.
2. The Committee further directs as below:
 - (i) To have meaningful discussions during the meeting, the draft Policy/Modalities to be prepared in consultation with the Coal India Limited and duly approved by the State Cabinet shall be circulated to the Committee atleast three clear working days before the Sitting. In case it is not possible to obtain approval of the Cabinet atleast three clear working days before the said Sitting, the same along with the reasons thereof shall be intimated to the Committee well in time to reschedule the Special Sitting;
 - (ii) The draft Policy/Modalities shall stipulate, among others, clear and unambiguous time-lines and the agencies responsible for execution and monitoring of each activity envisaged therein;



- (iii) The draft Policy/Mechanism shall be in strict conformity with the directions issued by the Hon'ble Supreme Court by judgment dated 03.07.2019 in Civil Appeal No. 10720/2018;
- (iv) The draft Policy/Modalities shall endeavour to make use of railway for transportation of the Coal, especially the rake loading infrastructure available at the Mendipathar Railway Station;
- (v) All directions relating to formulation of the said Policy/Modalities by the Committee in its First Special Sitting held on 12.07.2019 and subsequent Regular Sittings held on 22-23.07.2019 and 14.08.2019 shall positively be incorporated in the draft Policy/Modalities;
- (vi) All information/documents sought by the Committee from the Mining & Geology Department, Government of Meghalaya in its First Special Sitting held on 12.07.2019 and subsequent Regular Sittings held on 22-23.07.2019 and 14.08.2019 shall positively be provided to Member-Secretary of the Committee within seven days. Apart from the above, details along with geo-coordinates (latitude, longitude) of each new depot proposed to be established by the Committee shall also be provided to Member-Secretary of the Committee; and
- (vii) Immediately on receipt of information from the Mining & Geology Department, the Member-Secretary of the Committee shall forward a copy thereof to the Director, NESAC for preparation of GIS layers in the manner stipulated by the Committee in its first special Sitting held on 12.07.2019. The Director, NESAC shall prepare these GIS layers and make a brief presentation thereon during the third Special Sitting to be held on 26.07.2019.

The Member Secretary of the Committee shall place a copy of this proceeding before the Chief Secretary, who in turn, shall ensure placing of the same before the Hon'ble Chief Minister and Hon'ble Minister, Mining & Geology, Government of Meghalaya, for their kind information.

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


(Justice Brojendra P. Katakey)
Chairman