

Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 14 of 2022

Date of order: 27.06.2023

Monu Kumar

vs

State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr M.A.I. Hussain, Adv. (VC)

For the Respondents : Mr K. Khan, AAG with
Mr S. Sengupta, Addl Sr GA
Ms R. Colney, GA

The petitioner seeks some time since the petitioner's inquiries reveal that there are several coke oven plants which are being allowed to function, particularly in the West Khasi Hills District without any license or permission.

2. Several other aspects need to be looked into. Since the petitioner has instituted the present proceedings pertaining to the illegally-mined coal reaching coke oven and similar plants which are being operated illegally, the petitioner may ascertain the role of some of the police officials, particularly in Shillong and whether trucks carrying the

illegally-mined coal are being led into illegal coke oven plants against illegal gratification.

3. In particular, the petitioner will seek to discover the key players behind the operations.

4. The State says that this matter should appear when another matter pertaining to illegal transportation of coal is due to appear next week before this Bench. The State's consistent practice has been to ward off these matters and hope for something better. However, when it comes to cracking down on illegal operations, very little appears to have been done.

5. Since in the suo motu proceedings for the implementation of the orders passed by the National Green Tribunal as affirmed by the Supreme Court, Justice B.P. Katakey (retired) has already been appointed to ensure the sale of the previously mined coal and the implementation of the orders, Justice Katakey's brief may be extended for him to inquire into the persons behind the illegal operations of mining and transportation of coal and the illegal operation of coke plants, including the receipt of illegally-mined coal at such plants. In course of such exercise, the acts of omission and commission by persons in the administration, particularly police officials, including,

possibly, the officer-in-charge of Shillong, may also be directed to be looked into.

6. Let this matter appear next week immediately after the matter pertaining to illegal transportation of coal.

7. List on July 3, 2023.

(W. Diengdoh)
Judge

(H. S. Thangkhiew)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
27.06.2023
"Sylvana PS"

