

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO. 73 OF 2014
(M.A. No. 655 of 2016)**

And

Original Application No. 13 of 2014

AND

Original Application No.186 of 2014

IN THE MATTER OF :

**All Dimasa Students Union Dima Hasao Dist. Committee
Vs.**

State of Meghalaya & Ors.

And

Impulse NGO Network Vs. State of Meghalaya & Ors.

And

Thomas Nongtdu & Anr. Vs. State of Meghalaya & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

Original Application No. 73 of 2014

**Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv. with MR. Aagney
Sail for Applicant.**

**Respondent No. 1: Mr. Ranjan Mukherjee, Ms. Aprajita
Mukherjee and Mr. Upendra
Mishra, Advs.**

Respondent No. 5: Mr. Rahul Pratap, Adv. for MoEF

**Respondent No. 8 : Mr. Ardhendumauli Kumar Prasad, Adv.
and Mr. Pancshul Chandra, Advs.
Mr. Saurabh Sharma. Adv.**

Original Application No. 13 of 2014

Present: Amicus Curie:

**Respondent No. 1: Mr. Ranjan Mukherjee, Ms. Aprajita
Mukherjee and Mr. Upendra
Mishra, Advs.**

Respondent No. 2: Mr. Tayenjam Momo Singh, Adv. for Meg. SPCB

Respondent No. 5: Mr. Rahul Pratap, Adv. for MoEF

Original Application No.186 of 2014

Present: Applicant : Mr. Vijay Panjwani, Adv.

**Respondent No. 1: Ms. Aprajita Mukherjee and Mr. Upendra
Mishra, Advs.**

**Respondent No. 3: Mr. Tayenjam Momo Singh, Adv. for Meg.
SPCB Mr. Subhro Sanyal, Adv.**

	Date and Remarks	Orders of the Tribunal
	Item Nos. 01 to 03 July 21, 2016 HA	<p style="text-align: center;"><u>M.A. No. 655 of 2016 and all the main matters</u></p> <p>We have heard the Learned Counsel appearing for the parties. Learned Counsel appearing for the State of</p>

**Item Nos.
01 to 03**

**July 21,
2016**

Meghalaya has filed a Status Report on Record. According to the Status Report there is 30,12,309 metric ton of coal lying in open for which the royalty has not been obtained. In view of what we have discussed in the various orders this is the illegally extracted coal and therefore nobody is interested in paying the royalty and transporting the coal in accordance with the Policy of the State and orders of the Tribunal.

The Learned Counsel appearing for the State of Meghalaya is directed to file an affidavit placing the complete methodology on record as to how they propose to deal with the disposal of the coal vested in the State.

Such directions would be needed at the earliest in order to ensure that there is no pollution caused by the coal lying in the open. Let the affidavit be filed within 2 weeks from today.

Learned Counsel appearing for the Ministry of Environment, Forests and Climate Change submits that they have appointed NEERI as an expert and the NEERI has submitted its report. Now, they have to take a final view on the entire mining policy. As far as the mining plan is concerned this had been sent to the Ministry of Coal which in turn has called upon the State of Meghalaya to clarify certain issues as the plan suffers certain deficiencies. Be that as it may, we direct Ministry of Environment Forests and Climate Change, Ministry of Coal and the State of Meghalaya to hold a meeting presided over by the concerned officer of the Ministry of Environment, Forest and Climate Change to finalize the mining plan and mining policy including the scheme for

	<p>Item Nos. 01 to 03</p> <p>July 21, 2016</p>	<p>the restoration of the environment and ecology. This should be done within a period of 2 weeks from today. And the report shall be placed before the Tribunal.</p> <p>We make it clear that we would not grant any further time as this matter has been pending for submission of the requisite report from the Ministry for a considerable time now. The entire mining activity in the State has been on a standstill and causing serious environmental degradation and economic disadvantage to the people and the State both.</p> <p>M.A. 655 of 2016 has been filed by the applicant for a direction to be heard by the Ministry of Environment Forests and Climate Change before it declares the plan. We do not consider it necessary to pass any order in this regard. It is for the Ministry if it wishes to hear the applicant it may do so. We grant liberty to the applicant to submit his suggestion within 1 week from today.</p> <p>List this matter for hearing on 30th August, 2016.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (M.S. Nambiar)</p> <p>.....,EM (Prof. A. R. Yousuf)</p>
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