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

M. A. NO. 92 of 2015, M. A. NO. 95 of 2015, M. A. NO. 96 of 2015, M. A. NO. 112 of 2015, M. A. NO. 116 of 2015, M. A. NO. 152 of 2015, M. A. NO. 153 of 2015, M. A. NO. 184 of 2015 & M. A. NO. 185 of 2015

In

Original Application No. 73 of 2014

And

M. A. NO. 154 OF 2015

IN

Original Application No. 13 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.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER

HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

## Original Application No. 73 of 2014

Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail,

Advs.

Respondent No. 1: Mr. Ranjan Mukherjee, Advocate

Respondent No. 2: Mr. Tayenjam Momo Singh, Adv. for MSPCB
Respondent No. 5: Ms. Panchajanya Batra Singh, Adv. MoEF & CC

Mr. Vijay Panjwani, Mr. Th<mark>om</mark>as and Mr. S.K.

Rai, Advs.

Mr. Ardhendumauli Kumar Prasad, Adv. for

Ministry of Coal

Respondent No. 10 Mr. H.S. Thangkhiew, Sr. Adv. along with Mr.

Philemon Nongbri, Adv. in M.A. No. 92/15

Respondent No. 11: Dr. O.D.V. Ladia, Sr. Adv. with Philemon

Nongbri, Adv.

Mr. Rituraj Biswas, Adv. - Appliction No. 95

## Original Application No. 13 of 2014

Present: Amicus Curie: Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail,

Advs.

Respondent No. 1: Mr. Ranjan Mukherjee, Advocate

Respondent No.2: Mr. Tayenjam Momo Singh, Adv. for MSPCB
Respondent No. 5: Ms. Panchajanya Batra Singh, Adv. MoEF & CC

Date and Remarks	Orders of the Tribunal
Item No. 02 & 03	
March 16, 2015	We have perused the report filed by the three learned
	local commissioners in furtherance to our order dated 29th
	January, 2015. It shows that upon physical inspection, the
	commissioners have found that all directions of the Tribunal

are being violated. They have annexed photographs, record of the weigh bridges to the report and have also referred to the statements of parties who were found to be involved in illegal mining and transportation.

Learned counsel appearing for State submits that he has not received copy of the report as it was filed in the sealed cover before the Tribunal. Let the inspection of the report be permitted by the Registry forthwith and even copy be provided to the Learned counsel appearing for the parties. we direct issuance of Notice to the Secretary Mining and Geology, Director Mining Corporation, Addl. Director General of Police, Deputy Commissioner, SSP of East Jantia of Hills and owner of the Mines from which the illegal mining has been carried out - Mr. Sarkia Pawa and Prakash Pawa. Let all these people be present before the Tribunal and show cause why in exercise of jurisdiction vested in this Tribunal the following directions be not passed:-

- 1. Attachment of properties and Bank accounts of the State
- 2. Why for intentional default to comply with the directions and orders which shall be executable like decree of the Civil Court, they would not be detained in the civil prison.
- Why they not be directed to pay compensation for restoration of the environment resulting from illegal and unauthorised mining.
- 4. The SP of the concerned District shall ensure presence of all the parties before the Tribunal on the next date hearing.

List this matter on 20th March, 2013.

We further direct that till our further order there shall be no transportation of coal in the State of Meghalaya.

All of these Officers shall be present and the original records of the concerned weigh bridges be placed before the Tribunal on the next date of hearing.

However, the Learned counsel appearing for the State submits that the operation of the above order be deferred upto two days to enable them to do the needful and also ensure the presence of all these Officers on the next date of hearing.

We, therefore, defer the implementation of this order till the next date of hearing.

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