

THE HIGH COURT OF MEGHALAYA

PIL. No. 3 of 2010

1. Sri. Sawang Lamurong, S/o Late Khmor Dkhar, General Secretary of Durbar Shnong Diemshalalu Village, P.O. & P.S. Khliehriat, District- Jaintia Hills, Meghalaya.
2. Sri. Job Rymbai, S/o Sri. Ri Ksih, Rangbah Shnong, Diemshalalu Village, P.O. & P.S. Khliehriat, District- Jaintia Hills, Meghalaya.
3. Sri. Kel Ksih, S/o Late Jowel Dkhar, Tymmen Basan (Church Elder) of Diemshalalu Village, P.O. & P.S. Khliehriat, District- Jaintia Hills, Meghalaya.
4. Sri. Jamroy Rymbai, S/o Sri. Kel Ksih, Member, Executive Durbar of Durbar Shnong, Diemshalalu Village, P.O. & P.S. Khliehriat, District- Jaintia Hills, Meghalaya.

..... Petitioners.

-VERSUS-

1. Union of India, represented by the Secretary to the Department of Mines, Government of India, New Delhi.
2. Chief Inspector & Controller, Indian Bureau of Mines, New Delhi.
3. State of Meghalaya, represented by the Secretary to the Mines & Minerals Department, Shillong – 1.
4. Director of Mineral Resources, Government of Meghalaya, Shillong.
5. District Magistrate & Deputy Commissioner, Jaintia Hills District, Jowai.
6. Additional Deputy Commissioner, Incharge, Khliehriat Civil Sub-Division, Khliehriat.
7. Superintendent of Police, Jaintia Hills District, Jowai.
8. Officer-in-Charge, Lad Rymbai Police Out Post, Lad Rymbai, Jaintia Hills District, Meghalaya.
9. Smti. Diwin Lyngdoh, D/o Late Kein Dkhar, Village-Rymbai, P.O. & P.S. – Khliehriat, District – Jaintia Hills, Meghalaya.
10. Smti Beautiful Dkhar, D/o Late Ram Bareh, Village – Rymbai, P.O. & P.S. Khliehriat, District – Jaintia Hills, Meghalaya.
11. Sri. Job Shingshai.
12. Sri. Pormi Pohtam.

13. Meghalaya Pollution Control Board, represented by its Secretary
at Lumpyngad, Shillong, Meghalaya.

.... Respondents.

None present for the petitioner.
Mr. ND Chullai, Sr. Govt. Advocate, present for the respondents.

Date of Hearing 28th April, 2014.
Date of Judgment & Order 28th April, 2014.

HON'BLE THE CHIEF JUSTICE,
and HON'BLE MR. JUSTICE T Nandakumar Singh.

JUDGMENT AND ORDER

(ORAL: Hon'ble Prafulla. C. Pant, Chief Justice)

1. This Public Interest Litigation (for short PIL) was entertained in respect of alleged illegal coal mining in village Diemshalalu in Jaintia Hills of State of Meghalaya.
2. After hearing the concerned parties, the Division Bench of Gauhati High Court consisting of Hon'ble the Chief Justice Mr. A.K.Goel and Hon'ble Mr. Justice N. Kotiswar Singh, passed a detailed order on 1-10-2012 in this petition relying on the judgments of ***M.C.Mehta vrs Union of India (2009) 6 SCC 142, Lafarge Umiam Mining Private Limited vrs Union of India, (2011) 7 SCC 338, Deepak Kumar vrs. State of Haryana, (2012) 4 SCC 629, Samaj Parivartan Samudaya vrs State of Karnataka, (2012) 7 SCC 407, Indian Council for Enviro-Legal Action vrs Union of India, (1996) 5 SCC 281, Essar Oil Ltd. Vrs Halar Utkarsh Samiti, (2004) 2 SCC 392 and Vellore Citizens' Welfare Forum vrs Union of India, (1996) 5 SCC 647.***
3. In compliance of said detailed order passed by the Gauhati High Court in this PIL, affidavit on behalf of State of Meghalaya was

filed by C.K.Marak, Under Secretary with the Mining and Geology Department, Govt. of Meghalaya on 15-11-2012, and another affidavit was filed by L.M.Sangma, Law Secretary to the State Government regarding steps taken in the matter.

4. Apart from the above, since at present the matter pertaining to coal mining in the State of Meghalaya is pending before the Green Tribunal constituted after the order dated 1-10-2012, was passed, therefore, we are of the view that this PIL deserves to be closed now.
5. Accordingly, this PIL is closed without further orders.

(Hon'ble Mr Justice TNK Singh)

JUDGE

(Prafulla C.Pant)

CHIEF JUSTICE

S.Rynjah