

**DISTRICT: EAST JAINTIA HILLS**

**IN THE HIGH COURT OF MEGHALAYA**

**AT SHILLONG**

**P.I.L. NO. 9 OF 2022**

**IN THE MATTER OF:**

Shailendra Kumar Sharma

**...Petitioner**

**-VS-**

The State of Meghalaya and Ors.

**...Respondents**

**-AND-**

**IN THE MATTER OF:**

An Affidavit being filed in compliance

to the Hon'ble High Court order

dated 09.05.2023 on behalf of

Respondents – State of Meghalaya.

**AFFIDAVIT ON BEHALF OF THE RESPONDENT – STATE OF  
MEGHALAYA BEING FILED BY THE DIRECTOR GENERAL OF POLICE,  
GOVERNMENT OF MEGHALAYA IN COMPLIANCE WITH THE ORDER  
PASSED BY THIS HON'BLE COURT DATED 09.05.2023:**

I, Dr. L.R. Bishnoi, IPS, son of Shri Ram Gopal Bishnoi, aged about 60 years, resident of DGP Bungalow, Beauchamp Cottage, Bivar Road, Shillong-793001, East Khasi Hills District, Meghalaya do hereby solemnly affirm and declare on oath as follows:-

1. That I am presently the Director General of Police, Government of Meghalaya, having office at Secretariat, Secretariat Hills, Shillong-793001, East Khasi Hills District, Meghalaya and is aware and conversant of the facts and records of the case in his official capacity and is competent and authorised to swear this affidavit in behalf of the Respondent – State of Meghalaya in compliance with the order passed by this Hon'ble Court on 09.05.2023 in the instant case.
2. That in order dated 09.05.2023 this Hon'ble Court has directed the State Government to put on record the action taken against the persons behind the illegal coke oven plants in the Shallang Area of West Khasi Hills Districts, which have been closed by the State Government.
3. That it is most respectfully submitted that after the 57 illegal coke oven plants were shut down in the Shallang area in West Khasi Hills District an FIR was already registered at Shallang P.S. on 17.12.2022 itself against unknown persons on complaint of the ADC-cum-SDO (Civil), Mawshynrut Civil sub-division and a case was registered vide Shallang P.S. Case No.39(12)2022 u/s 188/34 IPC read with Sec. 21(1)

of MMDR Act and investigation commenced to ascertain identity of the real owners of the illegal coke plants.

4. That subsequently, the Forest and Environment Department addressed a letter bearing No. FOR/CC/1/2023/286 dated 03.02.2023 requesting the Deputy Commissioner and Superintendent of Police of the West Khasi Hills District to add sections 379 and 120B of IPC; section 3(1) r/w 21 of MMDR Act, 1957; Section 15 of the Environment (Protection) Act, 1986 and section 3 of Explosives Substance Act, 1908 in the FIR and identify and arrest the persons responsible for committing the aforesaid offences.

A copy of letter issued by the Environment and Forest Department Government of Meghalaya bearing No. FOR/CC/1/2023/286 dated 03.02.2023 is annexed herewith and marked as **ANNEXURE-1**.

5. That in pursuance of the orders passed by this Hon'ble Court, on the directions of the Chief Secretary Government of Meghalaya to the Deputy Commissioner and Superintendent of Police of the West Khasi Hills District, Nongstoin to submit the action taken report as directed by this Hon'ble Court. Vide letters bearing No. FOR/CC/1/2023/Pt/251

dated 16.05.2023 and No. FOR/38/2018/362 dated 23.05.2023 were issued by the same department on directions of the Chief Secretary to furnish the action taken report as directed above. Further, the Chief Secretary vide DO. No. FOR/CC/1/2012/Pt/361 Dated 18<sup>th</sup> May 2023 directed the Deputy Commissioner to trace Nongstoin to trace out the original operator of illegal Coke plant and arrest forthwith in accordance with date and also directed to take action against the landowners of the illegal coke plant.

Copies of the Letters No. FOR/CC/1/2023/Pt/251 dated 16.05.2023, No. FOR/38/2018/362 dated 23.05.2023 and Chief Secretary DO No. FOR/CC/1/2012/Pt/361 Dated 18.05.2023 are annexed herewith and marked as **ANNEXURE-2**, **ANNEXURE-3** and **ANNEXURE-4** respectively.

6. That consequently, a direction was issued by the Asst. Inspector General of Police (Law and Order) on 21.03.2023 to the Superintendent of Police, West Khasi Hills District for adding the aforesaid provision of law in the FIR which were accordingly added after obtaining permission from the competent court.

A copy of letter of Asst. Inspector General of Police (Law and Order) dated 21.03.2023 is annexed herewith and marked as **ANNEXURE-5**.

7. That in order to conduct effective and impartial investigation in the aforesaid cases and Special Investigation Team (SIT) was constituted on 10.02.2023, which have later been reconstituted on the ground of transfer of one officer on 04.05.2023.

A copy of order issued by the office of Superintendent of Police, West Khasi Hills District dated 04.05.2023 is annexed herewith and marked as **ANNEXURE-6**.

**PROGRESS OF INVESTIGATION:**

8. That preliminary investigation revealed that the lands on which the illegal coke plants were operating belong to clan kurSohbar and accordingly a notice under Section 91 CrPC was issued to the manager/agent of the said clan seeking details of individual owners of the land and the name of owners of the coke oven plants. Sh. BillingtonSohbar (Agent/manager of the clan) provided information stating names of 68 persons who are owners of the lands in question and his statement u/s 161 CrPC has also been recorded.
9. That further investigation regarding these 68 names revealed that the land in question on which the illegal coke oven plants were operating belongs to 32 persons, all of whom were females and mostly aged

women. Hence, in accordance with the judgment of the Hon'ble Supreme Court passed in the case of *Satender Kumar Antil v. Central Bureau of Investigation &Anr.* (2022) 10 SCC 51 had issued notices under Section 41A of the CrPC to them and their statements are being taken and they are cooperating with the investigation.

10. That insofar as the actual owners/operators of the illegal coke plants are concerned, the investigation from owners of the land has revealed that they are mostly based in Assam and have been running the illegal business in Meghalaya and several benami transactions have also come to light in the investigation for which request had already been made to the competent court to add section 53(1) of Benami (Prohibition) Act, 2016 in the pending case.
11. That subsequently to ascertain the identity of the persons who were actually running the illegal coke plants, the Investigating Officer had issued notices under Section 91 CrPC to following authorities requesting documents pertaining to various permission that may be sought by the persons to operate a coke oven plant.
  - i. District Forest Officer, West Khasi Hills District.
  - ii. Director, Commerce and Industries, Shillong.

- iii. Meghalaya State Pollution Control Board.
- iv. Registrar of Companies, Shillong office
- v. Additional Commissioner, State Goods and Service Tax
- vi. Registrar of Companies, Kamrup, Gauhati
- vii.

12. That till date information available with the following authorities have been received by the Investigating Officer:

- i. Registrar of Companies, Kamrup, Gauhati
- ii. Divisional Forest Officer, Nongstoin
- iii. Director, Commerce and Industries, Shillong
- iv. Meghalaya State Pollution Control Board

13. That from the documents received from the above authorities names of 28 (twenty eight) persons have been revealed, most of whom are based in the State of Assam and few in the State of Meghalaya.

14. That accordingly, teams were constituted to make raids and arrested of these persons with assistance of local police in Assam and accordingly movement orders were issued by the Superintendent of Police, West Khasi Hills Districts on 22.05.2023 to make arrests of the 28 persons whose names have been revealed in the investigation.

Copies of movement orders issued by the Superintendent of Police, West Khasi Hills Districts on 22.05.2023 are annexed herewith and marked as **ANNEXURE-7**.

15. That raids were conducted in Assam and Meghalaya to arrest these 28 persons but they have been found to be absconding from there available addresses and till date no arrests have been made. Efforts are being made to locate and arrest the 28 persons whose identities have been revealed in the investigation and further investigation to identify other unknown accused persons is also underway.
16. That it is most respectfully submitted that if the identified accused persons are not traced soon, appropriate applications under Sections 82 and 83 of the CrPC will be moved before the competent court to declare them proclaimed offenders and taken consequent actions against them.

**OTHER ACTIONS TAKEN:**

17. That it is most respectfully submitted that to completely quell any illegal extraction or transportation of coal in the concerned District, the Deputy Commissioner, West Khasi Hills District has issued orders dated 17.05.2023 to all four coke oven plants, who have all the requisite legal permission to operate their plant to temporarily suspend their operations till their source coal audit is completed by the Hon'ble



Justice (Retd.) Katakey Committee appointed by this Hon'ble Court.

Copies of orders passed by the Deputy Commissioner, West Khasi Hills District to four coke oven plants dated 17.05.2023 are annexed herewith and marked as **ANNEXURE-8.**

18. That further, to ensure that the aforesaid orders were being complied with and also that no other illegal coke plant is operating in the District, a surprise inspection was conducted by a joint team of officers of District Administration, Police and Meghalaya State Pollution Control Board on 22.05.2023 and a report was accordingly submitted by Deputy Commissioner, West Khasi Hills District on 23.05.2023.

A copy of the inspection report submitted by the Deputy Commissioner, West Khasi Hills District dated 23.05.2023 is annexed herewith and marked as **ANNEXURE-9.**

19. That in light of the above facts, it is most respectfully submitted that the present action taken report till date may please be taken on record and appropriate orders may be passed by this Hon'ble Court.

It is prayed accordingly.

20. That the statements made in paragraphs 1 to 18 of this instant Affidavit are true to the best of my knowledge and belief derived from

records and the rest are my humble submissions before this Hon'ble Court.

And I swear this affidavit on this the 7<sup>th</sup> day of June 2023 at Shillong.

**Identified by:**

**DEPONENT**

(Miss R. Colney)  
Advocate, Shillong

**VERIFICATION:**

Verified at Shillong on this 07<sup>th</sup> day of June 2023 that the contents of the above affidavit in paragraphs 1 to 18 are true and correct to the best of knowledge and belief of the deponent based on official records of Respondent - State of Meghalaya and paragraph 19 is the submission made by the deponent. That nothing is false and nothing material has been concealed therefrom.

**DEPONENT**

GOVERNMENT OF MEGHALAYA  
FORESTS AND ENVIRONMENT DEPARTMENT

No. FOR/CC/1/2023/286

Dated Shillong the 23 February, 2023



- To: 1. The Deputy Commissioner  
West Khasi Hills District, Nongstoin
- 2. The Superintendent of Police  
West Khasi Hills District, Nongstoin

**Sub: Registering FIR against persons responsible for operating illegal coke plants in West Khasi Hills**

**Ref: Order dated 01.02.2023 passed by the Hon'ble High Court of Meghalaya in PIL No. 14 of 2022 in the matter of Monu Kumar Vs. State of Meghalaya and Ors.**

Sir,

With reference to above cited subject, I am directed to inform that legal opinion has been obtained from the Learned Advocate General on registering FIR against persons responsible for operation of illegal coke plants in West Khasi Hills.

As per the opinion of the Learned Advocate General, I am directed to request you to add Sections 379 (theft), and 120B (criminal conspiracy) of I.P.C., Read with Sections 3(1) and 21 of MMDR Act and Section 15 of Environment (Protection) Act, 1986 and Section 3 of Explosive Substance Act, 1908 in the FIRs filed against the persons responsible for operating illegal coke plants and since an offence under Section 379 of IPC read with Section 120 B of IPC is a cognizable offence, the accused persons including the original owner must be arrested forthwith in accordance with law.

This has the approval of the Chief Secretary.

Yours faithfully,

*Handwritten signature: sulo*  
*Handwritten signature: Indira S/Secy for file*

(Dr. Manjunatha C, IFS)  
Secretary to the Government of Meghalaya  
Forests and Environment Department  
Dated Shillong the 3<sup>rd</sup> February, 2023

No. FOR/CC/1/2023/286

Copy to:

1. The Director General of Police, Meghalaya Shillong for kind information.
2. P.S to the Principal Secretary to Govt. of Meghalaya, Home (Police) Department for kind information of the Principal Secretary.
3. P.S to the Secretary to Govt. of Meghalaya, Home (Political) Department for kind information of the Secretary.
4. P.S to the Secretary to Govt. of Meghalaya, Law Department for kind information of the Secretary.

Yours faithfully,

(Dr. Manjunatha C, IFS)  
Secretary to the Government of Meghalaya  
Forests and Environment Department

1367  
13/12/23

*Handwritten: ASL to P/Secy*

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GOVERNMENT OF MEGHALAYA  
FOREST & ENVIRONMENT DEPARTMENT  
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No. FOR/CC/1/2023/Pt/251

Dated Shillong, the 16<sup>th</sup> May, 2023.

From:

Shri S. S. Syiemlieh, M.C.S.,  
Joint Secretary to the Govt. of Meghalaya,  
Forest & Environment Department.

To

1. The Deputy Commissioner  
West Khasi Hills District  
Nongstoin.
2. The Superintendent of Police  
West Khasi Hills District  
Nongstoin.

Subject:

*Action Taken Report against the persons who were operating illegal coke plants  
in West Khasi Hills District.*

Reference:

1. FOR/CC/1/2023/286, dated: 3<sup>rd</sup> February, 2023.
2. FOR/CC/1/2023/Pt/249, dated: 11<sup>th</sup> May, 2023.
3. Order dated: 1<sup>st</sup> February, 2023 passed by the Hon'ble High Court of  
Meghalaya in PIL No. 14 of 2022 in the matter of Monu Kumar Versus State of  
Meghalaya & Others.

Sir,

With reference to the subject cited above, I am directed to refer to the letter and court order under reference and to request you to take immediate necessary action against the persons who were operating illegal coke plants in West Khasi Hills District and to submit the Action Taken Report on and before 17<sup>th</sup> May, 2023 positively.

This has the Orders of the Chief Secretary.

Yours faithfully,



Joint Secretary to the Govt. of Meghalaya,  
Forest and Environment Department  
Meghalaya.

High Court Matter  
Reminder

GOVERNMENT OF MEGHALAYA  
FORESTS AND ENVIRONMENT DEPARTMENT

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No. FOR/38/2018/362

Dated Shillong the 23<sup>rd</sup> May, 2023

From: Dr. Manjunatha C, IFS  
Secretary to the Govt. of Meghalaya.  
Forests and Environment Department

To: 1. The Deputy Commissioners  
West Khasi Hills District  
Nongstoin  
2. The Superintendent of Police  
West Khasi Hills District  
Nongstoin

Sub: PIL No. 14/2022 in the matter of Monu Kumar Vs. State of Meghalaya & Ors.

Ref: FOR/CC/1/2023/286 dated 3<sup>rd</sup> February, 2023.  
DO letter from Chief Secretary No. FOR/CC/1/2023/Pt/361 dated 18<sup>th</sup> May, 2023

Sir

With reference to above cited subject and letter, I am directed to request you to immediately takes steps to trace out, arrest and prosecute the original operators of illegal coke plants in West Khasi Hills District. You are also requested to take action against land owners for allowing to set up illegal coke plants on their land. A Report on action taken against original operator of illegal coke plants and land owners of illegal coke plants shall be submitted **on or before 31<sup>st</sup> May, 2023** for filing affidavit in the matter.

**This has the approval of the Chief Secretary.**

Yours faithfully,

(Dr. Manjunatha C, IFS)

Secretary to the Government of Meghalaya  
Forests and Environment Department

03/5/23

**ANNEXURE-4**  
 Shri D. P. Wahlang, IAS  
 Chief Secretary  
 Government of Meghalaya



Meghalaya Secretariat, Shillong-793001  
 Tel.: +91364-2224801, Fax: 2225978  
 Email: cso-meg@nic.in (O)  
 dwahlang@yahoo.com (P)

**D.O. No. FOR/CC/1/2023/Pt/361**  
**Dated Shillong, the 18<sup>th</sup> May, 2023**

Dear Bah Garod ,

This pertains to operation of illegal coke plants in West Khasi Hills District. You have been directed to identify and initiate action against the individuals responsible for setting up and operating illegal coke plants vide Forest and Environment Department's letter No. FOR/CC/1/2023/286 dated 3<sup>rd</sup> February, 2023. The Hon'ble High Court of Meghalaya has also issued directions to this effect. However, I am constrained to note that the perpetrators of this illegality are yet to be identified and consequently no action has been initiated against them subsequent to filing of FIRs.

You are well aware of the seriousness of the issue and it is of utmost importance that individuals responsible are to be identified and prosecuted without delay. You are hereby directed to make all efforts in coordination with concerned departments to trace out the original operator of illegal coke plants and the persons behind the illegal operations must be arrested forthwith in accordance with Law. Action must also be taken against the land owners for allowing to set up illegal coke plants on their land. A report on action taken against persons operating illegal coke plants and land owners shall be submitted to me under your signature positively **on or before 31<sup>st</sup> May, 2023** lest it attracts Contempt of Court.

With Regards

Yours Sincerely ,

(D. P. Wahlang)

**Shri. Garod L.S.N. Dykes, I.A.S**  
**Deputy Commissioner**  
**West Khasi Hills District**  
**Nongstoin**

18-793001  
-078

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE ADDL. DIRECTOR GENERAL OF POLICE (L&O)  
MEGHALAYA :: SHILLONG  
Email Id : adgplo.mlp-meg@gov.in

Letter No. ADG/L&O/M-19/Pt.I/2023/264

Dated Shillong, the 21<sup>st</sup> March, 2023

From : Shri. Vivek Syiem, IPS,  
Asstt. Inspector General of Police, (L&O),  
Meghalaya, Shillong.

To : The Superintendent of Police,  
West Khasi Hills, Nongstoin.


Sub : **Registering FIR against persons responsible for operating illegal  
coke plants in West Khasi Hills**

Sir,

With reference to the above, as directed, please find enclose herewith a copy of Letter No. FOR/CC/1/2023/286 dated 03.02.2023 received from the Secretary to the Government of Meghalaya, Forests and Environment Department regarding the aforesaid subject which is self explanatory for your kind information and necessary action.

Encl : As stated.

Yours faithfully,


  
Asstt. Inspector General of Police, (L&O)  
Meghalaya, Shillong.

Memo No ADG/L&O/M-19/Pt.I/2023/264-A

Dated Shillong, the 21<sup>st</sup> March, 2023

Copy to :-

1. The Asstt. Inspector General of Police (A), Meghalaya, Shillong for favour of kind information of DGP.
2. The Dy. Inspector General of Police (ER), Meghalaya, Shillong for favour of kind information.

  
Asstt. Inspector General of Police, (L&O)  
Meghalaya, Shillong.

O/c

## ANNEXURE-6



GOVERNMENT OF MEGHALAYA  
OFFICE OF THE SUPERINTENDENT OF POLICE :: WEST KHASI HILLS DISTRICT ::  
NONGSTOIN

## ORDER

In partial modification to Memo No. CB/V/IV-19/12-2023/235 - A dated Nongstoin the 10<sup>th</sup> February 2023 and in order to conduct a free and fair investigation and to bring the culprits to justice, the undersigned do hereby reconstituted a **Special Investigation Team (SIT)** to investigate the case in connection with the operation of 57 (Fifty seven) illegal coke factories under Shallang Police Station jurisdiction which was registered vide Shallang PS Case No. 39(12)2022 U/S 188/34/379/120(B) IPC R/w Sec. 3(1)21 MMDR Act, Sec. 15 Environment (Protection) Act and Sec. 3 Explosive Substance Act. The **Special Investigation Team (SIT)** shall launch immediate investigation into the case and to take quick action against the culprits as per law.

The Special Investigation Team (SIT) shall consist of the following members.

SL No.	Name & Rank	Designation	Contact No.
1.	Shri. H.P Kharkongor (MPS)	Addl. S.P WKHD, Nongstoin.	9774068220
2.	Shri Isaac S Marak (MPS)	SDPO Mawshynrut	9612491911
3.	Shri. G.K Sangma (Inspector)	C.I(W), Nongstoin.	8974012243
4.	Shri. K.Poudel (SI)	O/C Shallang PS	7005218447
5.	Md. Rizwaan (SI)	Shallang PS	9862812796

Sd/-


Shri. B.D Marak, MPS,  
Superintendent of Police,  
West Khasi Hills, Nongstoin.

Dated Nongstoin the 4<sup>th</sup> May, 2023

Letter No. CB/V/IV-19/12-2023/631 - A

Copy to:

1. The Asstt. Inspector General of Police (A), Meghalaya, Shillong for favour of information of the Hon'ble DGP of Meghalaya, Sghillong.
2. The Inspector General of Police (L&O), Meghalaya, Shillong for favour of kind information.
3. The Dy. Inspector General of Police (E/R), Meghalaya, Shillong for favour of kind information.
4. The Addl. Superintendent of Police, West Khasi Hills, Nongstoin for information and necessary action.
5. The Dy. Superintendent of Police (HQ), West Khasi Hills, Nongstoin for information.
6. Shri. Isaac S Marak (MPS), SDPO Mawshynrut for information and necessary action.
7. Inspector G.K Sangma Circle Inspector, Nongstoin for information and necessary action.
8. SI. K. Poudel O/C Shallang PS for information and necessary action.
9. SI. Md. Rizwaan (I/O) for information and necessary action.

  
Superintendent of Police,  
West Khasi Hills, Nongstoin.





**GOVERNMENT OF MEGHALAYA**

OFFICE OF THE SUPERINTENDENT OF POLICE : WEST KHASI HILLS :  
::NONGSTOIN::

**MOVEMENT ORDER**


D.O. NO. 753

DATE. 22.05.2023

Reference Shallang PS Case No. 39(12)2022 U/S 188/34/379/120 B IPC R/W Sec. 3(1)/21(1) MMDR Act Section 15 Environment Protection Act and Section 3 Explosive Substances Act. The Following Officers and Personnel of West Khasi Hills, Nongstoin are hereby detailed to proceed to Guwahati on 23<sup>rd</sup> May, 2023 for investigation and arresting of accused persons in connection with the above referred case.


SL. No.	Name of Officers	Force
1.	Shri D. Molsha, MPS, Dy. Superintendent of police (Hqr), West Khasi Hills, Nongstoin	½ Section of AB Personnel to be detailed by R.I Police Reserve.
2.	Insp. G.K Sangma, C.I, Nongstoin	½ Section of AB Personnel to be detailed by R.I Police Reserve.
3.	SI Md. Rizwaan	½ Section of AB Personnel to be detailed by R.I Police Reserve.
4.	SI E. Sungoh	½ Section of AB Personnel to be detailed by R.I Police Reserve.

They have been provided arms and ammunitons as per scale.

  
 (Shri B.D Marak, MPS)  
 Superintendent of Police,  
 West Khasi Hills, Meghalaya.  
 Dated Nongstoin, the 22<sup>nd</sup> May, 2023

Memo No. RO/N/84/2023/1174-80  
Copy to:-

1. The Asstt. Inspector General of Police (A), Meghalaya, Shillong for favour of kind information of the Hon'ble Director General of Police, Meghalaya, Shillong.
2. The Inspector General of Police (L&O), Meghalaya, Shillong for favour of kind information.
3. The Dy. Inspector General of Police (E/R), Meghalaya, Shillong for favour of kind information.
4. The Superintendent of Police, Kamrup, Assam, for favour of kind information and necessary action.
5. The Addl. Superintendent of Police, West Khasi Hills, Nongstoin for information.
6. The Dy. Superintendent of Police (Hqr), West Khasi Hills, Nongstoin for information and necessary action.
7. The Officer In-Charge, Basista Police Station, Kamrup, Assam for information with a request to kindly provide assistance to the above Officers in the investigation and arrest of the accused persons.
8. Officers concerned for information and necessary action.

  
 Superintendent of Police,  
 West Khasi Hills, Nongstoin.



**GOVERNMENT OF MEGHALAYA**  
**OFFICE OF THE SUPERINTENDENT OF POLICE : WEST KHASI HILLS :**  
**::NONGSTOIN::**

**MOVEMENT ORDER**

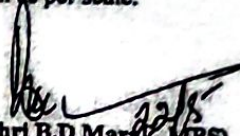
**D.O. NO. 754**

**DATE. 22.05.2023**

Reference Shallang PS Case No. 39(12)2022 U/S 188/34 IPC R/W Sec. 21(1) MMDR Act the Following Officer and Personnel of West Khasi Hills, Nongstoin are hereby detailed to proceed to Shillong on 23<sup>rd</sup> May. 2023 for investigation and arresting of accused persons in connection with the above referred case.

SL. No.	Name of Officers	Force
1.	SI H. Kurbah	½ Section of AB Personnel to be detailed by R.I Police Reserve.

They have been provided with arms and ammunition as per scale.

  
(Shri B.D. Marak, IPS)  
Superintendent of Police,  
West Khasi Hills, Meghalaya.

Memo No. RO/N/84/2023/1168-73  
Copy to:-

Dated Nongstoin, the 22<sup>nd</sup> May, 2023

1. The Asstt. Inspector General of Police (A), Meghalaya, Shillong for favour of kind information of the Hon'ble Director General of Police, Meghalaya, Shillong.
2. The Inspector General of Police (L&O), Meghalaya, Shillong for favour of kind information.
3. The Dy. Inspector General of Police (E/R), Meghalaya, Shillong for favour of kind information.
4. The Superintendent of Police, East Khasi Hills, for favour of kind information and necessary action.
5. The Addl. Superintendent of Police, West Khasi Hills, Nongstoin for information.
6. Officers concerned for information and necessary action.

  
Superintendent of Police,  
West Khasi Hills, Nongstoin

Annexure - 2

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER, WEST KHASI HILLS DISTRICT  
NONGSTOIN.

No.NDG.323/2023/57.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.OFFICE ORDER

Whereas, the Government of Meghalaya in Mining and Geology Department has constituted an Audit Committee of Source of Coal of Coke oven plants; and

Whereas, the coke oven plants operating in West Khasi Hills District must have been consuming illegally mined coal unless contrary is proved; and

Whereas, the Undersigned is not satisfied that the coke plants in West Khasi Hills District are using legal source of coal; and

Whereas, to ensure a complete ban on illegal mining and prevent possible consumption of illegally mined coal, it is considered necessary to temporarily suspend operation of all coke plants in West Khasi Hills District.

Now therefore, the Undersigned does hereby issue directions for temporary shutdown of M/s Shemphang Riangshiang, Pyndeng Jalong, Dorangri, Shallang, West Khasi Hills District with immediate effect and till the source of coal is fully audited.

The aforesaid task of shutdown shall be undertaken by a team under supervision of Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division and action taken report along with photos in that behalf shall be submitted to the Office of the Undersigned within 7(seven) days from the date of issue this Order.

(Shri. Garod L.S.N. Dykes, IAS)  
Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

Memo.No.NDG.323/2023/57-A,  
Copy to:

- (1) The P.S. to the Chief Secretary Government of Meghalaya, Shillong for favour of kind information of Secretary.
- (2) The Secretary to the Government of Meghalaya, Forest and Environment Department, Shillong for kind information.
- (3) The Secretary to the Government of Meghalaya, Mining and Geology Department, Shillong for kind information.
- (4) The Member Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- (5) The Superintendent of Police, West Khasi Hills District, Nongstoin for information with direction to nominate Gazetted Police Officer to ensure shut down.
- (6) The I/c SDO, Mawshynrut (Civil) Sub-Division for information and necessary action.
- (7) Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division for information and compliance.
- (8) M/s Shemphang Riangshiang, Pyndeng Jalong, Dorangri, Shallang, West Khasi Hills District for information and strict compliance.

523-530  
19/5/2023

o/c  
17/5/23

Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

o/c

Annexure - 2

**GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER, WEST KHASI HILLS DISTRICT  
NONGSTOIN.**

No.NDG.322/2023/31.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

**OFFICE ORDER**

Whereas, the Government of Meghalaya in Mining and Geology Department has constituted an Audit Committee of Source of Coal of Coke oven plants; and

Whereas, the coke oven plants operating in West Khasi Hills District must have been consuming illegally mined coal unless contrary is proved; and

Whereas, the Undersigned is not satisfied that the coke plants in West Khasi Hills District are using legal source of coal; and

Whereas, to ensure a complete ban on illegal mining and prevent possible consumption of illegally mined coal, it is considered necessary to temporarily suspend operation of all coke plants in West Khasi Hills District.

Now therefore, the Undersigned does hereby issue directions for temporary shutdown of M/s Rilyngam Coke Industries, Kyllon Mathei, Shallang, West Khasi Hills District with immediate effect and till the source of coal is fully audited.

The aforesaid task of shutdown shall be undertaken by a team under supervision of Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division and action taken report along with photos in that behalf shall be submitted to the Office of the Undersigned within 7(seven) days from the date of issue this Order.

(Shri. Gopod L.S.N. Dykes, IAS)  
Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

Memo.No.NDG.322/2023/31-A,  
Copy to:

- (1) The P.S. to the Chief Secretary Government of Meghalaya, Shillong for favour of kind information of Secretary.
- (2) The Secretary to the Government of Meghalaya, Forest and Environment Department, Shillong for kind information.
- (3) The Secretary to the Government of Meghalaya, Mining and Geology Department, Shillong for kind information.
- (4) The Member Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- (5) The Superintendent of Police, West Khasi Hills District, Nongstoin for information with direction to nominate Gazetted Police Officer to ensure shut down.
- (6) The I/c SDO, Mawshynrut (Civil) Sub-Division for information and necessary action.
- (7) Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division for information and compliance.
- (8) M/s Rilyngam Coke Industries, Kyllon Mathei, Shallang, West Khasi Hills District for information and strict compliance.

515-522  
18/5/2023

17/5/23

Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

E/c

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER:: WEST KHASI HILLS DISTRICT  
NONGSTOIN.

No.NDG.327/2023/16.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

OFFICE ORDER

Whereas, the Government of Meghalaya in Mining and Geology Department has constituted an Audit Committee of Source of Coal of Coke oven plants; and

Whereas, the coke oven plants operating in West Khasi Hills District must have been consuming illegally mined coal unless contrary is proved; and

Whereas, the Undersigned is not satisfied that the coke plants in West Khasi Hills District are using legal source of coal; and

Whereas, to ensure a complete ban on illegal mining and prevent possible consumption of illegally mined coal, it is considered necessary to temporarily suspend operation of all coke plants in West Khasi Hills District.

Now therefore, the Undersigned does hereby issue directions for temporary shutdown of M/s Carbochem India, Nongdakong village, Shallang, West Khasi Hills District with immediate effect and till the source of coal is fully audited.

The aforesaid task of shutdown shall be undertaken by a team under supervision of Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division and action taken report along with photos in that behalf shall be submitted to the Office of the Undersigned within 7(seven) days from the date of issue this Order.

(Shri. ~~Ganod~~ L.S.N. Dykes, IAS)  
Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

Memo.No.NDG.327/2023/16-A,  
Copy to:

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

- (1) The P.S. to the Chief Secretary Government of Meghalaya, Shillong for favour of kind information of Secretary.
- (2) The Secretary to the Government of Meghalaya, Forest and Environment Department, Shillong for kind information.
- (3) The Secretary to the Government of Meghalaya, Mining and Geology Department, Shillong for kind information.
- (4) The Member Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- (5) The Superintendent of Police, West Khasi Hills District, Nongstoin for information with direction to nominate Gazetted Police Officer to ensure shut down.
- (6) The I/c SDO, Mawshynrut (Civil) Sub-Division for information and necessary action.
- (7) Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division for information and compliance.
- (8) M/s Carbochem India, Nongdakong village, Shallang, West Khasi Hills District for information and strict compliance.

507-514

15/5/2023

17/5/23

Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

A/C

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER, WEST KHASI HILLS DISTRICT  
NONGSTOIN.

No. NDG.326/2023/19.

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

OFFICE ORDER

Whereas, the Government of Meghalaya in Mining and Geology Department has constituted an Audit Committee of Source of Coal of Coke oven plants; and

Whereas, the coke oven plants operating in West Khasi Hills District must have been consuming illegally mined coal unless contrary is proved; and

Whereas, the Undersigned is not satisfied that the coke plants in West Khasi Hills District are using legal source of coal; and

Whereas, to ensure a complete ban on illegal mining and prevent possible consumption of illegally mined coal, it is considered necessary to temporarily suspend operation of all coke plants in West Khasi Hills District.

Now therefore, the Undersigned does hereby issue directions for temporary shutdown of M/s M.D. Coke Industries, Nongriangwar, Shallang, West Khasi Hills District with immediate effect and till the source of coal is fully audited.

The aforesaid task of shutdown shall be undertaken by a team under supervision of Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division and action taken report along with photos in that behalf shall be submitted to the Office of the Undersigned within 7(seven) days from the date of issue this Order.

(Shri. Garod L.S.N. Dykes, IAS)  
Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

Memo.No.NDG.326/2023/19-A,  
Copy to:

Dated: Nongstoin, the 17<sup>th</sup> May, 2023.

- (1) The P.S. to the Chief Secretary Government of Meghalaya, Shillong for favour of kind information of Secretary.
- (2) The Secretary to the Government of Meghalaya, Forest and Environment Department, Shillong for kind information.
- (3) The Secretary to the Government of Meghalaya, Mining and Geology Department, Shillong for kind information.
- (4) The Member Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- (5) The Superintendent of Police, West Khasi Hills District, Nongstoin for information with direction to nominate Gazetted Police Officer to ensure shut down.
- (6) The I/c SDO, Mawshynrut (Civil) Sub-Division for information and necessary action.
- (7) Shri. G.H. Passah, MCS, Assistant Commissioner, Mawshynrut Civil Sub-Division for information and compliance.
- (8) M/s M.D. Coke Industries, Nongriangwar, Shallang, West Khasi Hills District for information and strict compliance.

1499-506  
18/5/23

19/5/23

Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

A/C

**GOVERNMENT OF MEGHALAYA**  
**OFFICE OF THE DEPUTY COMMISSIONER, WEST KHASI HILLS DISTRICT,**  
**NONGSTOIN.**

No.NDG.324/2023/71.

Dated: Nongstoin, the 23<sup>rd</sup> May, 2023.

Report of the inspection of Coke Oven Plants and Ferro Alloy Plants in West Khasi Hills District by Shri. Garod L.S.N. Dykes, IAS, Deputy Commissioner, West Khasi Hills District, Nongstoin.

- (1) Date of Inspection:- 22.05.2023.
- (2) Inspection Team:- Superintendent of Police, West Khasi Hills District, I/c Sub-Divisional Officer (Civil) Mawshynrut, I/c General Manager DC&IC Nongstoin, and representative of Secretary Meghalaya State Pollution Control Board, Shillong. Attendance sheet is enclosed at Annexure-1
- (3) Absence without intimation:- Director DMR/Representative.
- (4) Purpose of inspection:- The purpose of inspection is to ensure conduct of inspection of all the Coke Oven Plants in the State of Meghalaya by the Deputy Commissioner and to submit the authenticated reports about the status of operation of such plants and availability of coal in and around the areas having coke plants as directed by Rtd. Justice B.P. Katakey vide email dated. 16.05.2023.
- (5) Findings and Actions Taken:-
  - i. M/s Shemphang Riangshiang, Pyndeng Jalong, Dorangri, Shallang, West Khasi Hills District - The plant is found to be closed in pursuance to Order of the District Magistrate vide No.NDG.323/2023/57-A, Dt. 17.05.2023. Coal is available in and around the areas and it required huge manpower to guard the areas 24x7 (Annexure-2).
  - ii. M/s Rilyngam Coke Industries, Kyllon Mathei, Shallang, West Khasi Hills District - The plant is found to be closed in pursuance to Order of the District Magistrate vide No.NDG.322/2023/31-A, Dt. 17.05.2023. Coal is available in and around the areas and it required huge manpower to guard the areas 24x7 (Annexure-3).
  - iii. M/s Carbochem India, Nongdakong village, Shallang, West Khasi Hills District - The plant is found to be closed in pursuance to Order of the District Magistrate vide No.NDG.327/2023/16-A, Dt. 17.05.2023. Coal is available in and around the areas and it required huge manpower to guard the areas 24x7 (Annexure-4).
  - iv. M/s M.D. Coke Industries, Nongriangwar, Shallang, West Khasi Hills District - The plant is found to be closed in pursuance to Order of the District Magistrate vide No.NDG.326/2023/19-A, Dt. 17.05.2023. Coal is available in and around the areas and it required huge manpower to guard the areas 24x7 (Annexure-5).
  - v. M/s Shree Shakambari Ferro Alloys Pvt. Ltd., Riwiang, B.P.O. Seinduli, Near Riango, West Khasi Hills District - The Inspection Team has given 4(four) days time to M/s Shree Shakambari Ferro Alloys Pvt. Ltd. as requested to furnish the Source of Coal for the months of February, March and April, 2023. Decision for suspension of operations of the factory or otherwise shall be reviewed after the expiry of 4(four) days w.e.f 23.05.2023 and subject to furnishing information regarding legal Source of Coal.
  - vi. All the 57(fifty seven) Coke Plants shut down since 16.12.2022 are found to be closed on the date of inspection.
- (6) Observation and recommendation:-
  - i. The inspection team has taken a serious note of absence of the Director DMR/Representative as an important and responsible Technical Member of the inspection Team. In the absence of Director DMR/representative. the Inspection Team was not in position to take measurement and ascertain the

DEPUTY COMMISSIONER

No. 2142

Date 24/5/23

No. ✓

Branch

Remarks

25/5

quantity of raw coal and coke available in all the factories inspected. Hence, the Team recommended for immediate action by the Director, DMR to conduct inspection and ascertain the quantity of raw coal and coke. It is felt that the quantity of raw coal and coke stored in the premises of the coke factories will be useful record for the Audit Committee of the Source of Coal constituted by the Government in Mining and Geology Department.

- ii. The District Magistrate, West Khasi Hills District has temporarily closed down the 4(four) coke oven plants with valid CTE/CTO on the ground that he is not satisfied of the source of coal consumed by these plants. The Audit Committee of source of coal, Mining and Geology Department is requested to expedite audit and convey the District Administration of the source of coal without further delay.
- iii. It is recommended for consideration that surveillance like setting up of CCTV by Coke Oven Plants and Ferro Alloy Plants be made mandatory by the Licensing Authority while granting CTO.

Sd/-

(Shri. Garod L.S.N. Dykes, IAS)  
Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.

Memo.No.NDG.324/2023/71-A,

Dated: Nongstoin, the 23<sup>rd</sup> May, 2023.

Copy to:

- (1) The P.S to the Chief Secretary to the Government of Meghalaya, Shillong for favour of kind information of the Chief Secretary
- (2) The Secretary to the Government of Meghalaya, Mining and Geology Department, Shillong for information and necessary action.
- (3) The Secretary to the Government of Meghalaya, Forest and Environment, Shillong for information and necessary action.
- (4) The Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- (5) The Director, DMR, Meghalaya, Shillong for information and necessary action.
- (6) The Superintendent of Police, West Khasi Hills District, Nongstoin for information and necessary action.
- (7) The I/c Sub Divisional Officer, Mawshynrut (Civil) Sub-Division for information and necessary action.
- (8) The I/c General Manager, DC&IC, West Khasi Hills District, Nongstoin for information and necessary action.

Deputy Commissioner,  
West Khasi Hills District,  
Nongstoin.