

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.1/2025

Date of Order: 19.02.2025

Ranjit Chandra Goswami Vs. State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr. A. Goyal, Adv
For the Respondents : Mr. N. Syngkon, GA with
Ms. S. Laloo, GA
Dr. N. Mozika, DSGI with
Ms. K. Gurung, Adv for R/4, 5, 7 & 8

- i) Whether approved for reporting in Law journals etc.: Yes/No
- ii) Whether approved for publication in press: Yes/No

Note: For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.

We admit this public interest litigation (PIL).

The petitioner is directed to immediately serve a copy of the petition on the private respondent, respondent No.9.

Respondent Nos. 1 and 2 being the State respondent are represented by learned counsel. Respondent Nos. 4, 5, 7 and 8 are represented by the learned Deputy Solicitor General.

We also direct service upon the respondent No.3, the Meghalaya State Pollution Control Board and the North Eastern Development Finance Corporation Ltd., the respondent No.6. A comprehensive affidavit of service is to be filed by the petitioner on or before the returnable date.

The petitioner claims to be a public spirited person.

The allegation in the petition is about illegal mining of limestone in the Jaintia Hills region by the respondent No.9, Amrit Cement Industries Limited. On an application under the Right to Information Act made by Shri S.K. Sharma, on 2nd March, 2022 the Guwahati Regional Office of the Indian Bureau of Mines under the Ministry of Mines, Government of India, wrote a letter to the applicant specifying a number of companies and the extent of mining leases granted to each of them in the Jaintia Hills region, in an annexure to the letter. According to this information, the respondent No.9 did not have any license for mining limestone.

It is alleged that without any license they are indulging in illegal mining of limestone which they are using in their factory to make cement.

This mining activity is governed, inter alia, by Section 23C of Mines and Minerals (Development and Regulation) Act (MMDR Act), 1957, the Meghalaya Minor Mineral Concession Rules, 2016 and the

Meghalaya Mineral (Prevention of Illegal mining, Transportation and Storage) Rules, 2022 framed thereunder.

At this stage before passing any substantive order, we would like to hear the respondent No.9 and other non-appearing respondents who have been directed to be served by this order.

In the meantime, we direct the State to treat the petition as an informal complaint, make the necessary inquiry and file a report in this Court before the returnable date.

It goes without saying that while making the inquiry, in addition to the petitioner and the appearing respondents, the respondent No.9 shall also be noticed.

List this PIL on 7th April, 2025.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
19.02.2025
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