

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 169 of 2015

Date of order: 12.07.2023

Smt Dorothy Marbaniang vs State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr N. Syngkon, Adv.
Ms L. Phanjom, Adv.

For the Respondents : Mrs T. Yangi B., AAG with
Ms R. Colney, GA

The papers have been produced, including the report filed by the special investigation team that had been appointed by this Court.

2. Even though the State says that the trial is proceeding, it does not appear that the investigation was satisfactory. Accordingly, let the trial not be continued till further orders.

3. Incidentally, the report of the SIT reveals what had been suspected by this Court in the matters pertaining to illegal coal-mining. The SIT report indicates the existence of registers with fixed rates per truck for allowing illegal transportation of illegally-mined coal, illegally-felled timber and illegally-extracted boulders. There are names and officials have been identified in some cases.

4. The report of the SIT is disturbing on both counts: first in how it reveals the rampant and structured illegal coal-mining operations and the transportation of the mineral; and, how the SIT arrived at a conclusion despite the evidence that was available.

5. Mr K. Khan, Additional Advocate-General, who is present in Court is requested to assist the Court in this matter. It is hoped that Mr Khan's allegiance to his office will not stand in a way of fair and independent assistance being rendered to the Court.

6. The SIT report and the trial court papers that have been produced will be kept in the custody of the officer attached to this Court. Such papers may only be released to the members of the Bench and to Mr Khan for perusal.

7. The matter will appear a fortnight hence.

8. List on July 27, 2023.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
12.07.2023
"Sylvana PS"