Serial No.01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.1/2025

Date of Order :01.08.2025

Sri Ranjit Chandra Goswami ….. Petitioner

Vs.

1. The State of Meghalaya, represented by the Chief Secretary, Government of Meghalaya, Shillong.
2. The Directorate of Commerce & Industries, Government of Meghalaya, 2nd Floor, Administered Building, Lower Lachumiere, Shillong-793001.
3. The Meghalaya State Pollution Control Board, Forest & Environment Department, G 2nd Floor, Administered Building, Lower Lachumiere, Shillong-793001.
4. Union of India, represented by the Secretary of the Ministry of Coal and Mines, Government of India, Shastri Bhawan, Dr. Rajender Prasad Road, New Delhi-110001.
5. Union of India, represented by Commerce Secretary of the Ministry of Commerce & Industry, Vanijya Bhawan, New Delhi-110011.
6. North Eastern Development Finance Corporation Ltd., NEDFI House, Dispur, Guwahati, Assam-781006.
7. The Central Bureau of Investigation, represented by the Director Block No.3, CGO Complex, Lodhi Road, New Delhi-110003.
8. The Enforcement Directorate, represented Joint Director (Admn.), 6th Floor, Lok Nayak Bhawan, Khan Market, New Delhi.
9. Amrit Cement Industries Limited, represented by its Director having its office situated at Trinity, 226/1, 6th Floor, AJC Bose Road, Kolkata-700020 and its factory situated at village Umlaper, Elaka Rymbai, Jaintia Hills District, Meghalaya. ….. Respondents

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. A. Kumar, Advocate General with
Mr. N. Syngkon, GA
Mr. J.N. Rynjah, GA
Dr. N. Mozika, DSGI with
Ms. K. Gurung, Adv
Mrs. T. Yangi B, Sr.Adv for R/6
Mr. D.K. Banerjee, Sr.Adv with
Ms. T. Sutnga, Adv for R/9

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes

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.

JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

We restrict the scope of this public interest litigation (PIL) to the allegation of alleged illegal mining of limestone by Amrit Cement Industries Limited, the respondent No.9 at Mulieh, Umlong village, East Jaintia Hills District. This is so because we are told that there is another pending PIL where the question of illegal mining is open.

The allegation of the petitioner is that the respondent No.9 operates a cement plant in this State and in the course of such business also indulges in illegal mining of limestone. It obtained a licence for this purpose only on 11th January, 2023 but before that and even thereafter is engaged in such wrongful activity.

At the earlier hearing of this writ, on this allegation we called for a report from the State government. In its report, the government after making inquiry absolved the respondent No.9 of this allegation. The petitioner took strong exception to this. We gave him a chance to respond to it. The rejoinder strongly denied that any clean chit be given to the company. It was also alleged that the petitioner was not heard in the inquiry.

At the last hearing of this PIL on 24th July, 2025 we, inter alia, directed that this public interest petition, the report of the State government and the rejoinder of the petitioner to it be placed before the Chief Secretary for consideration.

On such consideration, he was expected to instruct learned Advocate General with regard to the submissions to be made in this PIL today, on behalf of the State.

Learned Advocate General strongly supports the decision of the State government. He says that prior to obtaining licence in 2023, the respondent No.9 purchased limestone from private vendors in the State. Such sale was perfectly lawful. He also submitted that the issue whether sale could be made by individual miners of this State to purchasers in Bangladesh was before the Supreme Court. That was an entirely different matter with regard

to international sale of limestone by private vendors having mineral licence.

There is no order of the Supreme Court up to this date interfering with private sale of limestone of any kind. Learned Advocate General added that the writ petitioner was acting for a vested interest of a rival entrepreneur or industrialist doing the same kind of business as the respondent No.9 and interested in closing the business of the latter. He also maintained that the writ petitioner has from 2023 a valid licence to mine limestone.

Learned Advocate General also maintained that according to the information of the government, the respondent No.9 had not indulged in any illegal mining at any point of time before or after obtaining the licence.

Mr. D.K. Banerjee, learned Senior Advocate appearing for the respondent No.9 says that mining activity in terms of that licence has not yet been commenced by his client but is likely to start very soon.

We take note of this submission of Mr. Banerjee.

On the rival submissions made, the report of the government and the stand taken by the Chief Secretary, we direct that the State government keeps a vigil to ensure that the licence granted to the respondent No.9 is properly utilised and that it does not indulge in illegal mining of limestone.

Furthermore, every three months the Chief Secretary or any competent officer authorised by him will issue a communication after due enquiry to be published in the website of the government that the respondent No.9 continues or does not continue to mine limestone in accordance with the licence, for the information of any public-spirited person who may be interested in ensuring that there is no illegal mining of minerals in the State.

With the above observations, this PIL is disposed of.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice