

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.186/2023/EZ

Analson Sangma	Versus	Applicant(s)
State of Meghalaya		Respondent(s)

Date of hearing: 09.01.2024

**CORAM: HON’BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
 HON’BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

ORDER

1. This Original Application is being taken up in view of a complaint letter sent by one Sh. Analson Sangma dated 16.10.2023 received in the Office of the Tribunal on 14.12.2023. The Applicant is stated to be the local headman (the Nokma) of Budugre – a hamlet and part of Village-Chokpot, South Garo Hills, Meghalaya.
2. The allegation in the complaint is that an illegal stone quarry has been operating in Boldakgittim Wanchi Agitok since 2021. The owner of the quarry is Smt. Alpha D Marak, a resident of Shillong, who has obtained lease agreement from Shri Morphin R Marak, a local man from Chokpot.
3. It is stated that in the operation of the stone quarry in question large tracts of land have been excavated by cutting down huge forest area illegally. It is also stated that violator has fraudulently obtained necessary permit by showing the papers to be signed by the Applicant but the Applicant’s contention is that he has no knowledge of the same.
4. It is further alleged that in the operation of the illegal quarry, large number of trees were rampantly cut down and stones dug up

resulting in pollution of river water. It is stated that the land in question is under the authority of the local headman (the Nokma) and no commercial activity can be carried out without the knowledge of the local headman, the Applicant in the present case.

5. It is further stated that the Applicant approached the Civil Sub-Divisional Officer (SDO Civil) and also staged protest along with NGOs on 14.03.2023 following which the SDO Civil gave assurance to look into the matter but nothing has been done till date.
6. It is also stated that a letter was written to the Deputy Commissioner on 27.10.2022 and in response he called the Applicant to a meeting on 30.03.2023. In this meeting the land owner Shri Morphin R Marak was also present and the documents produced by Shri Marak, showing the letter pad of the Applicant with his signature was denied by the Applicant as being a forgery. It is stated that in this meeting the Deputy Commissioner stated that the excavation of stone cannot continue without the permission of the Nokma which, however, was not recorded in the minutes of the meeting. Copy of the complaint letter dated 27.10.2022 addressed to the Deputy Commissioner, Baghmara, South Garo Hills, Meghalay, has been annexed as Annexure-I, copy of the minutes of the meeting held on 30.03.2023 has been annexed as Annexure-II, and copy of the list of members present in the meeting is also marked as Annexure-III, to the Original Application.
7. Considering the allegations made, we direct the following parties to be impleaded in the array of Respondents:-
 1. Deputy Commissioner, Baghmara, South Garo Hills, Meghalay,

2. Meghalaya State Pollution Control Board, through its Member Secretary,
 3. Central Pollution Control Board, Regional Office, Shillong,
 4. Smt. Alpha D Marak, address not known,
8. Issue notice to the Respondents.
 9. Mr. Avijit Mani Tripathi, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.1, Deputy Commissioner, Baghmara, South Garo Hills.
 10. Ms. K. Enatoli Sema, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.2, Meghalaya State Pollution Control Board.
 11. Mr. Surendra Kumar, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.3, Central Pollution Control Board, Regional Office, Shillong.
 12. Issue notice to the Respondent No.4, returnable within four weeks. Since postal address of Respondent No.4, Smt. Alpha D Marak, has not been given in the complaint, we direct the notices to be served through the Deputy Commissioner, Baghmara, South Garo Hills. Copy of complaint letter and the documents on record along with copy of this order shall be provided by the Office of the Tribunal to the Deputy Commissioner, Baghmara, South Garo Hills within 48 hours.
 13. All the Respondents shall file their counter-affidavits within four weeks.
 14. We also deem it appropriate to constitute a Committee comprising of the following Members:-
 - i. Senior Scientist, Meghalaya State Pollution Control Board,

- ii. Senior Scientist, Central Pollution Control Board, Regional Office, Shillong, and
 - iii. Deputy Commissioner, Baghmara, South Garo Hills, or his senior representative not below the rank of Additional District Magistrate.
15. The Committee shall visit the site in question and submit its report on affidavit within four weeks.
16. The Deputy Commissioner, Baghmara, South Garo Hills, shall be the Nodal Office for all logistic purposes and for filing the Report of the Committee on affidavit.
17. **List on 08.02.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 09, 2024,
Original Application No.186/2023/EZ
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