Item No. 3
Video Conferencing

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC (PIL) No. 50 of 2020
(Ref: - PIL No. 5 of 2019)

1. Shri Thongam Bidhu Singh, aged about 55 years, s/o Th. Lolito Singh of Serou Mamang Leikai, P.O. & P.S. Sugnu, District Kakching, Manipur.
2. Shri Thangkhomang Haokip, aged about 48 years, s/o (L) Haongam Haokip, resident of Makhao Tampak, Village, P.O. Sugnu and P.S. Sangaikot, District – Churachandpur, Manipur.

... *Applicants*

-Versus-

1. The State of Manipur represented by Chief Secretary, Government of Manipur, South Block, Secretariat, Imphal, Manipur.
2. The Additional Chief Secretary (Forest and Environment), Old Secretariat, Imphal, Manipur.
3. The Chairman, Manipur Pollution Control Board, DC Complex, Lamphelpat.
4. The Commissioner/Secretary/Principal Secretary, Water Resources Department, Government of Manipur, Secretariat, Imphal Manipur.
5. The Chairman/Head of State Environment Impact Assessment Authority (SEIAA) Porompat, Imphal East, Manipur.
6. The Deputy Commissioner/Chairman, District Environment Impact Assessment Authority (DEIAA), Thoubal, Manipur.
7. The Deputy Commissioner/Chairman, District Environment Impact Assessment Authority (DEIAA), Imphal East Manipur.
8. The Divisional Forest Officer, Central, Mantripukhri, Imphal, Manipur.
9. The Divisional Forest Officer, Thoubal, Manipur.
10. The Union Government represented by the Secretary, Ministry of Environment, Forest and Climate Change, Govt. of India, Indira Paryavarabn Bhawan, Jor Bagh Road, New Delhi – 110003.
11. The Member Secretary, Manipur Biodiversity Board, Forest Department, Sanjenthong, Imphal – 795001.

... Respondents

For the applicant s	:	Mr. Ch. Bimolchandra, Advocate
For the Respondents	:	Mr. N. Kumarjit, Advocate General Mr. S. Suresh, ASG
Date of Order	**:**	**05.11.2020**

BEFORE

HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR
HON'BLE MR. JUSTICE KH. NOBIN SINGH

ORDER (ORAL)

Ramalingam Sudhakar, CJ

[1] The prayer in MC (PIL) No. 50 of 2020 is as follows :-

> *"i) direct the concerned authorities to release of the applicants of seized vehicles i.e. Tata truck MN 04A/8786 and the Tata Truck MN01/6469 by the Office of the Officer-in-Charge (Mining), Internal Task Force under vide No. D(5)-170/IND/2019, Govt. of Manipur, Directorate of Trade, Commerce and Industries.*

[2] The miscellaneous application has been filed for release of vehicle which was seized by the respondents. This Court, in similar case for release of vehicle, namely, MC (PIL) No. 10 of 2019 [Ref:- PIL No. 5 of 2019], disposed it of by order dated 20.11.2019 whereby certain directions were issued for release of vehicle on deposit of certain amount.

[3] Mr. Ch. Bimolchandra, learned counsel appearing for the applicants pleaded that they will not repeat the offence and stated that they are willing to make voluntary non-refundable deposit to any organization that the Court may direct to show their bonafide and good will.

[4] Keeping in mind the above, the miscellaneous application stands allowed with the following directions :-

(a) The applicants shall not carry on the business of lifting sand and stone for selling them to the public until the permit is issued by the State Government in accordance with law.

(b) The applicants shall co-operate with the investigation being conducted by the authorities of the Directorate of Trade, Commerce and Industries, Government of Manipur.

(c) The applicants shall deposit a sum of Rs. 5,000/- (Rupees five thousand) only, being refundable, to the Director of Trade, Commerce and Industries, which can be adjusted against the fine, if any, that may be imposed after the proceedings initiated against the applicant is completed.

(d) The applicants volunteer to donate a sum of Rs. 15,000/- (Rupees fifteen thousand) only to the Manipur State Legal Services Authority.

(e) The applicants volunteer to donate a sum of Rs. 15,000/- (Rupees fifteen thousand) only to the Orphanage/Children home recognized by Social Welfare Department, Manipur, namely, **Rural Upliftment & Development Society, Chandel Chritian Village, Chandel District, having Bank A/C No. 34371441939 of SBI Chandel Branch, IFSC :- SBIN0004938.**

[5] The above directions (a), (b), (c) and voluntary undertaking as per (d) & (e) shall be complied with within two weeks from the date of receipt of a copy of the order. Subject to the production of proof of deposit as above, the vehicle can be released thereafter. Copy of the proof of deposit is to be furnished to this Court also.

The miscellaneous application stands allowed as above.

A copy of the miscellaneous application be served to Mr. S. Suresh, learned ASG without fail.

Yumkham Rother
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Date: 2020.11.06 10:56:50 +05'30'

JUDGE **CHIEF JUSTICE**

FR/NFR

Sandeep