Item No. 4
Video Conferencing

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC (PIL) No. 54 of 2020
(Ref: - PIL No. 5 of 2019)

Shri Niangkhanching, aged about 47 years, W/O Vunglianpau, resident of Mission Veng, P.O. & P.S. Churachandpur and District Churachandpur, Manipur – 795117.

……. *Applicant*

- Versus –

1. The State of Manipur through the Chief Secretary, Govt. of Manipur, South Block, Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur- 795001.
2. The Additional Chief Secretary (Forest and Environment), Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur-795001.
3. The Principal Chief Conservator of Forest, Sanjenthong, P.O. Imphal, Manipur – 795001.
4. The Chairman, Manipur Pollution Control Board, DC Complex Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur-795004.
5. The Commissioner/ Secretary/ Principal Secretary, Water Resources Department, Govt. of Manipur, Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur-795001.
6. The Chairman/Head of State Environment Impact Assessment Authority (SEIAA), P.O. & P.S. Porompat, Imphal East District, Manipur- 795005.
7. The Deputy Commissioner/Chairman, District Environment Impact Assessment Authority (DEIAA), Imphal East, Manipur-795005.
8. The Divisional Forest Officer, Churachandpur Forest Division, Tuibung, P.O. Churachandpur, District Churachandpur, Manipur – 795128.
9. The Range Forest Officer, Churachandpur Range Office, Tuibung, P.O. Churachandpur, District Churachandpur, Manipur -795128.
10. The Union Government represented by the Secretary, Ministry of Environment, Forest and Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003.
11. The Member Secretary, Manipur Biodiversity Board, Forest Department, Sanjenthong, Imphal West District, Manipur – 795001.
12. The Principal Secretary (Trade, Commerce & Industries), Govt. of Manipur, Secretariat Building, Babupara, P.O. & P.S. Imphal, District Imphal West, Manipur- 795001.

…. *Respondents*

For the applicant	:	Ms. H. Kunjeshori, 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. 54 of 2020 is as follows :-

> *"i) direct the concerned authorities to release the vehicles of the applicant seized by the concerned Range Forest Officer, Churachandpur Range, Govt. of Manipur."*

[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] Ms. H. Kunjeshori, learned counsel appearing for the applicant pleaded that he will not repeat the offence and stated that he is willing to make voluntary non-refundable deposit to any organization that the Court may direct to show his bonafide and good will.

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

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

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

(e) The applicant volunteers to donate a sum of Rs. 15,000/- (Rupees fifteen thousand) only to the Orphanage/Children home recognized by Social Welfare Department, Manipur, namely, **NGO Health Integrated Ministries (HIM), "Boys Shelter below 18 years", Rengkai Veng, Churachandpur District, having Bank A/C No. 30468524928 of UBI, Lamlong Branch, IFSC:-UTBI0RRBMRB.**

[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.

JUDGE **CHIEF JUSTICE**

FR/NFR

Sandeep

Yumkham Rother
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