BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA

O.A. 569/2015/PB/27/2016/EZ & M.A. No. 339/2016/EZ

THE POPULAR PISCICULTURE ASSOCIATION, MANIPUR

VS STATE OF MANIPUR & Ors

CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member

Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Applicant : Mr. N. Jotendro Singh, Advocate

Respondent No. 1 -3 & 6 : Mr. Shubhayu Roy, Advocate : Mr. A. Bimol Singh, Advocate

Mr. H. Prabir Kumar Singh, Advocate

Orders of the Tribunal **Date & Remarks** Item No.2 23rd May, 2016. Mr. N. Jotendro Singh, Ld. Adv. for the applicant submits that he may be permitted to file rejoinders to the counter affidavits of Respondent No. 1 (State of Manipur) and Respondent No. 5 (The Regional Institute of Medical Sciences, Imphal). It is submitted that copies have been served on the other side. The prayer is considered and allowed. He is permitted to do so. We have heard the Ld. Advocates for the parties at some length today. Although we are prima facie of the view that this application is not maintainable but, before taking a final decision we deem it essential, in the interest of justice, to observe that since livelihood of a large number citizens, who are dependent upon the land in question, which, has not been declared as a wetland as claimed by the applicant,

the State Govt. ought to have taken a policy decision to rehabilitate

them at some other suitable location notwithstanding the fact that the legitimacy of their occupation on the land in question has been doubted by the State.

We expect a response on this from the State Respondent on the next date. The state respondent shall file an affidavit informing us of the steps taken on our observations.

Meanwhile, we grant liberty to the Manipur State PCB, newly added respondent No. 7, to file response to the application since it is informed that they have been served with a copy of the application by the Ld. Counsel for the applicant.

List on 22.7.2016.

Justice S.P.Wangdi, JM

Prof. (Dr.) P. C. Mishra, EM