

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

PIL No. 24 of 2017

Court on its own motion

Petitioner

Vs.

State of Manipur

Respondent

***Clubbed with MC(PIL) No. 14 of 2019
With MC(PIL) No. 14 of 2025
With MC(PIL) No. 6 of 2025***

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

(K. Somashekar, C.J.)

15.07.2025

[1] This suo moto Public Interest Litigation was taken up which is based on the letter dated 07.04.2017. However, the Court on its own motion, this writ petition it is in the nature of the Public Interest Litigation has been taken up and registered and also proceeded in further to take up the issues in between the petitioner and the respondents respectively.

[2] The respondents are the State of Manipur through the Chief Secretary and others. However, it is made it clear that the proceeding in WP(C) No. 230 of 2001 was filed before the Hon'ble Supreme Court of India and in the aforesaid writ petition, Dr. A. Duraisamy, Scientist 'F' and Member Secretary, Central Wetland Regulatory Authority appears to have filed an affidavit wherein it is specifically stated that the funds for

preservation 26 Ramsar sites has been released and as per the tabulation given therein, a sum of Rs. 8.6696 crores was released in respect of Loktak Lake, Manipur.

[3] Respondents No. 1 to 3 have submitted their affidavit in detail and so far respondent No. 3 Loktak Development Authority is concerned, it has filed an affidavit and wherein it has been specifically stated that it was constituted under the provisions of the Loktak Development Authority (in short LDA) in the year 1986 with the aim and object to check the deteriorating conditions of the Loktak Lake and to bring about improvement of the lake along with development in the fields of fisheries, agriculture, tourism and afforestation in watershed areas. The same has been indicating in the order it is in this PIL.

[4] In so far respondents No. 1 and 2 are concerned, they have also filed their affidavit wherein it has been stated that State Wetland Authority, Government of Manipur, Forest & Environment Department, was constituted for preservation of Wetlands in the State of Manipur vide order dated 31.01.2018.

[5] In so far respondent No. 5 is concerned, they have also filed affidavit in detail but it is seen that averments therein are similar to that of the affidavit filed on behalf of the respondents No. 1 and 2.

[6] Whereas in paras No. 7 in clause (c) reveals as in the preceding order sheet in this Public Interest Litigation has been initiated and also suo moto that in order to ascertain the progress as regards the

preservation of the Loktak Lake, this Court deems it appropriate to issue the following directions:

(a) No new project or development programme shall be taken up by the concerned authorities including the Departments of the State of Manipur, the Manipur State Wetlands Authority, the Loktak Development Authority etc. in and around the Loktak Lake without the leave of this Court;

This condition has been specifically stated in para No. 7 as clause (a) and clause (c) in the order dated 17th July, 2019. That order has been specifically passed by this Court in this Public Interest Litigation and it is a suo moto litigation which has been initiated which is relating to the preservation of the aforesaid Loktak Lake, it is in the limit of the State of Manipur.

[7] However, keeping in view the preceding order dated 28.04.2025 which indicates that the learned Advocate General Mr. Lenin Hijam was appearing for the State of Manipur states that proceeding in WP(C) No. 230 of 2001 is pending before the Hon'ble Supreme Court of India and State Government has been filing report from time to time and the same is pending before the Hon'ble Supreme Court of India and therefore, keeping in view the preceding order sheet 28.04.2025 and more so, the synoptic notes submitted by the counsel for the respondent No. 3 (LDA) it is deemed appropriate to state that directed to submit the status in respect of the proceeding in WP(C) No. 230 of 2001 which is pending before

the Hon'ble Supreme Court of India. Similar direction has been issued to the learned Amicus Curiae Mr. I. Denning in this matter i.e. suo moto Public Interest Litigation has been initiated which is based on the letter dated 04.07.2017 and therefore, the learned Amicus Curiae is also having a role in this PIL and be directed to submit the status of the aforesaid writ petition which is pending before the Hon'ble Supreme Court of India.

[8] Whereas, Mr. H. Kenajit, the learned counsel for the respondent No. 3 (for short LDA) has submitted the synoptic notes and copy of the same has been furnished to the learned Amicus Curiae in this matter for the purpose of reference and therefore, learned Amicus Curiae in this matter be directed to submit the synoptic notes in terms of their submission which is based upon the materials available on record inclusive of the initiation of this suo moto PIL and it is based upon the letter in respect of the preservation of the Loktak Lake situated in the State of Manipur.

[9] In the meanwhile of recording the submission made by the learned Amicus Curiae in this suo moto PIL initiated and it is based upon the letter dated 07.04.2017 and more so, the learned counsel for the respondent No. 3, for short LDA, submitted that even though writ petition has been filed before the Supreme Court of India and that petition is pending for consideration of the issues in between the petitioner and the respondent but the role relating to monitoring the issues in between the petitioner and the respondents in these matters in the High Court and this kind of submission which is made by Mr. H. Kenajit, the learned counsel for

the respondent No. 3 for short LDA is taken on record and therefore, the learned counsel for the respondent No. 3 in these matters be directed to submit in writing apart from the synoptic notes to be submitted on behalf of the respondent No. 3 i.e. LDA.

[10] In the meanwhile of recording the submission made by the learned counsel for the respondent No. 3 and inclusive of the submission made by the learned Amicus Curiae and keeping in view the issues in between the petitioner and the respondent respectively are concerned, it is deemed appropriate to refer the submission made by the learned senior counsel Mr. M. Rarry for the respondent/State. However, Mr. M. Rarry, learned senior counsel is representing the Chief Secretary, State of Manipur relating to the Tourism Department, Government of Manipur.

[11] Therefore, keeping in view the issues in this suo moto PIL are concerned, it is deemed appropriate that the counsel for the State respondents which is indicating in the preceding order dated 28.04.2025, it is deemed appropriate that respective rank of the respondents be directed to submit a detail comprehensive report apart from submitting the affidavit to persuade these matters in accordance with law. In the meanwhile, it is deemed appropriate that the Chief Secretary of the State of Manipur be directed to submit the comprehensive report in detail relating to the issues in between the petitioner and the respondents as wherein this suo moto PIL has been filed and which is based upon the letter dated 07.04.2017 and also preservation of the Loktak Lake.

[12] Whereas, the learned senior counsel Mr. M. Rarry submitted on behalf of the Chief Secretary, State of Manipur that with regard to the Tourism project, he has submitted the affidavit and the same is taken on record. Despite of it, the learned senior counsel Mr. M. Rarry be directed to secure in further report from the concerned Chief Secretary and similar direction is issued to the learned counsel for the respondent No. 3 inclusive of the learned Amicus Curiae who has been nominated for assisting the Court, despite of submitting the synoptic notes on the behalf of the respondent No.3 (LDA).

[13] However, in a given peculiar facts and circumstances in these matters are concerned, it is appropriate to state that the learned AG be directed to present on the next date of hearing. However, the learned AG be directed to clarify the status in these matters on behalf of the State.

[14] Consequently, these matters would be listed on 30th July, 2025.

Sushil

JUDGE

CHIEF JUSTICE