

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

O.A. No. 47/2017/EZ  
With  
M.A. No. 93/2017/EZ

SHRI IOSTERSON SUN & ANR

VS

**THE STATE OF MEGHALAYA & ORS**

CORAM: Hon'ble Mr. Justice S.P. Wangdi, Judicial Member  
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: **Applicant** : Mr. Ranjit Kar , Advocate  
**Respondents** : Ms. Swapna Momin, Advocate  
: None

Date & Remarks	Orders of the Tribunal
Items No. 1 & 2 16 <sup>th</sup> March, 2017.	<p>Heard.</p> <p>Upon perusal of the OA and on hearing the learned counsel for the applicants, we find that the primary contention raised in this OA is non-implementation or delay in implementation of the action initiated for protection of catchment area in question under the Protection of Catchment Area Act, 1990. The other contention which has been urged is the threat caused to the catchment area by the Army Authorities in undertaking large scale construction within the area by felling large number of trees thereby jeopardising its very existence. It is stated that the Shillong peak and its slopes are the source of drinking</p>

water where various streams and rivulets originate and any disturbance in the existing conditions of the area, as per the applicants, would endanger the catchment area.

Issue notice returnable in three weeks.

Let requisites be filed within a week.

We direct the respondents No. 1 and 2 to place before us the factual position as regards the allegations contained in the OA. They shall deal with the questions pertaining to the threat to the catchment area, felling of trees by the army and alleged inaction of the Advisory Board said to have been constituted under the Act.

We make it clear that the question of maintainability of the OA shall be addressed by the parties first.

**M.A. 93/2017/EZ :**

We are not inclined to issue any order at this stage but shall consider after hearing the other side.

**List both O.A. & M.A. on 18.4.2017**

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Justice S.P.Wangdi, JM  
16.3.2017

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Prof. (Dr.) P. C. Mishra, EM  
16.3.2017


