

GAHC030001352022



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/3/2022**

ZWO (Zofa Welfare Organization) R/b Rev. Robawia, President, ZWO  
Aizawl, Mizoram

VERSUS

State of Mizoram and 4 Ors.  
Aizawl, Mizoram    2:The Secretary/ Under Secretary  
Home Department  
Aizawl  
Aizawl  
Mizoram

3:The Chairman/ Secretary  
Planning Programme and Implementation Department  
Aizawl  
Mizora

**Advocate for the Petitioner** : Ms. Rosalynn L Hmar

**Advocate for the Respondent** : Mrs. Linda L. Fambawl, GA, Mizoram

Linked Case : I.A.(Civil)/96/2022

ZWO (Zofa Welfare Organization) r/b Robawia  
President  
ZWO  
Mizoram Societies Registration Act  
2006 bearing Redg. No. MSR-477 of 12.11.2007 of 2012

VERSUS

State of Mizoram and 3 Ors.  
r/b The Chief Secretary

Aizawl  
Mizoram.

2:The Secy./ Under Secretary  
Home Department  
Aizawl  
Mizoram.

3:The Chairman/ Secretary  
Planning Programme and Implementation Department  
Aizawl  
Mizoram.

4:The Inspector General of Prison  
Government of Mizoram

Aizawl  
Mizoram.

Advocate for the Petitioner : Ms. Rosalynn L Hmar  
Advocate for the Respondent :

**BEFORE**  
**HONOURABLE MR. JUSTICE NELSON SAILO**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**  
**ORDER**

**Date : 24.04.2024**  
*(Nelson Sailo, J)*

Ms. Rosalynn L. Hmar, learned counsel appears for the petitioner but however, Mrs. Linda L. Fambawl, learned Additional Advocate General who represent the State Government is reported to be out of station on medical ground.

The State respondent No. 2 in compliance of the Court's Order dated 23.01.2024 has filed an additional affidavit which indicates that the Ministry of Home Affairs, Government of India does not have specific scheme under which fund can be released to the State Government for up-gradation and renovation

of Jails. The only scheme available under the caption "Modernization of Prisons" is not meant for civil works and has a different objective public purpose. Therefore, the Home Ministry has written to the Ministry of DoNER on 03.01.2024 requesting the latter to look into the requirements of the State of Mizoram for providing fund to develop the jails in the State of Mizoram. The under Secretary to the Government of Mizoram, Home Department on 02.02.2024 has also written to the Deputy Secretary (Infrastructure), Ministry of DoNER, New Delhi on the same subject.

Considering the above communications and the fact that the learned Additional Advocate General handling the matter is not available today, the matter stands adjourned to be listed again on **22.05.2024**.

The learned Additional Advocate General shall apprise the Court about the response given by the Ministry of DoNER on the subject on the next Court date.

**JUDGE**

**JUDGE**

**Comparing Assistant**