

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 KAUSHIK GOSWAMI
ORDER

Date : 05.06.2024
(Nelson Sailo, J)

Ms. Rosalynn L. Hmar, learned counsel appears for the petitioner and Mrs. Linda L. Fambawl, learned Additional Advocate General, Mizoram appears for the State respondents.

Mrs. Linda L. Fambawl, learned Additional Advocate General submits that in terms of the last Court's Order dated 22.05.2024, she was required to obtain instructions as to whether any reminder has been sent to the Ministry of DoNER

with regard to the requirement of funds for developing jails in the State of Mizoram. She submits that she has received instructions through communication dated 04.06.2024 from the Under Secretary to the Government of Mizoram, Home Department wherein certain communications made by the Home Department of the State as well as the Ministry of DoNER are enclosed.

On perusing the enclosure to the communication, we find that the OSD-cum-Joint Secretary to the Government of Mizoram, Home Department had written to the Joint Secretary (Infrastructure), Ministry of DoNER on 19.01.2024, requesting the sanction of funds for up-gradation and renovation of Central Jail, Aizawl and for construction of District Jail Lunglei, Champhai and Siaha.

We further noticed that the Ministry of Home Affairs has issued an Office Memorandum dated 03.01.2024 on the same subject to the Joint Secretary (Infrastructure), Ministry of DoNER forwarding the request of the State Government for sanction of fund. The Joint Secretary to the Government of Mizoram, Home Department has again written to the Joint Secretary (Infrastructure), Ministry of DoNER on 10.04.2024 and likewise, the Ministry of Home Affairs, Government of India had again issued an Office Memorandum on 13th March, 2024 on the subject.

The learned Additional Advocate General submits that after such communication have been issued to the Ministry of DoNER, they are yet to receive any response and she therefore prays that she may be given some time to get back to the Court with the updates.

Considering the communications produced before this Court and a prayer made by the learned Additional Advocate General, we deem it appropriate to grant the State respondents further four weeks' time to come up with the up-to-date status. The Home Department shall file an additional affidavit on or before the next date clearly stating the details/status along with supporting documents.

List the matter again **after 4 (four) weeks.**

JUDGE

JUDGE

Comparing Assistant