

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, Addl. AG, Mizoram

**ORDER
B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO
HON'BLE MRS. JUSTICE MARLI VANKUNG**

19.02.2025

(Nelson Sailo, J)

Parties are represented by their respective counsels except for the newly impleaded respondent No. 6 i.e. the Ministry of Home Affairs represented by the Secretary. It is noticed that although notice was sent by registered post A/D on 22.01.2025, neither unserved notice nor A/D card has returned back.

In the affidavit filed by the State Respondents dated 31.07.2024, the scheme for special assistance to States for capital investment 2024 – 2025 – approval of capital expenditure under Part – I of the scheme have been sent to the Finance Department by the Ministry of Finance Department of Expenditure, Public Finance – States Division on 15.03.2024 by which one of the project indicated at Serial No. 1 was for reconstruction of Central Jail and seven (7) District Jails at the project cost of Rs. 55 crores. Pursuant to the said communication, the State Government has issued an order on 02.09.2024, wherein the said amount has been allocated during 2024 - 2025 for reconstruction of Central Jail, Aizawl and seven (7) District Jails under the said scheme.

Mr. Samuel Vanlalhriata Chhangte, learned Addl. Advocate General for the State Respondents submits that the fund is yet to be received by the State Government. Once the same is received, the project will be transferred for implementation to the Public Works Department. Following the same, Detailed Project Report, technical vetting of the report, administrative approval and expenditure sanction would be the next step to be taken. Thereafter, tenders will be floated for the execution of the work.

Having regard to the above development and the fact that allocation of the fund was done way back on 02.09.2024, the said respondents shall file further affidavit indicating what steps have been taken pursuant to the Order issued on 02.09.2024, so as to expedite the receipt of the fund from the Ministry. Such affidavit may be filed with supporting documents within a period of **three (3) weeks** from today.

Acknowledgment from the respondent No. 6 be awaited. The petitioner may also consider impleading the Ministry of Finance in the meantime by filing appropriate application if so advised.

JUDGE

JUDGE

Comparing Assistant