

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 : Addl. AG/GA, Mizoram

ORDER

B E F O R E

HON'BLE MR. JUSTICE NELSON SAILO
HON'BLE MRS. JUSTICE MARLI VANKUNG

31.10.2022

(Nelson Sailo, J)

This PIL has been filed by the petitioner seeking for a direction to the

respondents to repair/renovate the infrastructure of jail in each districts in the State of Mizoram and to induct modern technology, methods and apparatus. It is the further prayer of the petitioner for a direction to the State Government for effective implementation of State Advisory Board and Prison Development Board and to implement the Mizoram Prison Manual, 2017 without further delay.

The State respondents have filed their counter affidavit on 20.09.2022 wherein at paragraph No. 6, it has been stated that the State Government has sent a detail project report for upgradation and renovation of Central Jail, Aizawl and construction of District Jail at Siaha, Champhai and Lunglei to the Ministry of Home Affairs for funding the project for vide their letter dated 17.11.2021. The said letter has been annexed as 'Annexure-III' to the counter affidavit. However, there is no statement in the affidavit throwing light to the fate of the said Communication dated 17.11.2021. The petitioner in his reply affidavit filed on 21.10.2022 has stated at paragraph No. 7 that information regarding the submission of DPR to the Central Government on 17.11.2021 and the other details have been sought from the Planning and Program Implementation Department by filing an application under RTI on 21.10.2022 and that a reply to the application is being awaited.

In view of the statement made by the State respondents in their affidavit-in-opposition as referred to herein above, the Secretary to the Govt. of Mizoram, Home Department shall file an additional affidavit informing the Court as to what steps has been taken by the Union of India, Ministry of Home Affairs and also the Home

Department, Govt. of Mizoram pursuant to the DPR which was submitted vide letter dated 17.11.2021. Such affidavit should be filed within a period of 2 (two) weeks from today. A copy of this order be furnished to Mrs. Linda L. Fambawl, learned Govt. Advocate during the course of the day.

List this matter again after 2 (two) weeks.

JUDGE

JUDGE

Comparing Assistant