

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

W.A. No. 8 of 2019

1. The State of Manipur represented by the Principal Secretary (Social Welfare), Government of Manipur.
2. The Addl. Chief Secretary (Home), Government of Manipur.

... Appellants

- Versus -

1. Miss Dr. Solemwon Ramsan, aged about 31 years, D/o. Daniel Ramsan resident of Sirakhong Village, P.O. & P.S. Somdal, Ukhrul District, Manipur and by occupation the Secretary of Justice Foundation (V.S.) Trust.
2. Miss Galanlui Raimei @ Sarah Reamei aged about 22 years D/o. Jangningam of Gaijinlong Goitang Village, P.S. & P.O. Khoupum, Tamenglong District, Manipur-795147.
3. Miss Lamsinliu Riamei aged about 22 years, D/o. Pouchalung Riamei of Gaijinlong Khoupum Village, P.S. & P.O. Khoupum, Tamenglong District, Manipur-795147.
4. Miss Gaithaomei Jacinta Riamei, aged about 17 years, D/o. Kaningdai Riamei of Taosiamjang Goitang Village, P.S. & P.O. Khoupum, Tamenglong District, Manipur-795147.
5. Miss Katasinlu Gangmei, aged about 16 years, D/o. Kanamchung Gangmei of Longkhai Village, P.S. & P.O. Khoupum, Tamenglong District, Manipur-795147.

*.... Principal Respondents
Writ petitioners*

6. The Chairperson, Manipur Commission for Protection of Child Rights, Govt. of Manipur.

... Proforma Respondent

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU

06.12.2023

(C.J.)

Mr. M. Rarry, learned Special State Counsel appears on behalf of the appellants and Mr. S. Thoi Thoi, learned counsel appears on behalf of the respondent.

The present writ appeal has been instituted on behalf of the State of Manipur being aggrieved in sum and substances of the award of Rs. 5,00,000/- (Rupees five lakh) each as compensation to the private respondents No. 2 to 5 in view of the latter being 'victims of rape'.

The learned counsel appearing on behalf of the said private respondents, however, states that he has no objection, if the order dated 19.06.2018 impugned in the present writ appeal is set aside whilst directing the Manipur State Legal Services Authority (MASLSA) to award the compensation in accordance with law as well as the notification dated 14.09.2023 issued by the Home Department, Government of Manipur under the National Legal Services Authority (NALSA) scheme. The said notification is reproduced herein below :

"GOVERNMENT OF MANIPUR
SECRETARIAT : HOME DEPARTMENT

NOTIFICATION

Imphal, the 14th September, 2023

No. H-201/59/2023-HD-HD: Whereas, the State Government of Manipur made the Manipur Victim Compensation Scheme, 2019 on 22.07.2019 in exercise of the powers conferred by the provision of section 357 – A of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974) and in pursuance of Hon'ble Supreme Court of India's order dated 11.05.2018 passed in Writ Petition (C) No. 565 of 2012 and Hon'ble High Court of Manipur order dated 24.09.2018 passed in PIL in 29 of 2017;

Whereas, the Hon'ble Supreme Court of India has directed all the State Governments/UTs to implement the Model Scheme prepared by a Committee set up by the National Legal Services Authority (NALSA) for preparation of the Model Scheme for Victim Compensation for sexual offences and acid attacks;

And whereas, the Hon'ble Supreme Court of India in its order dated 21.08.2023 passed in the SLP (Civil) Diary No. 19206 of 2023 [Dinganglung Gangmei Vs Mutum Churamani Meetei & Ors] with other connected cases has given direction that the Manipur Victims' Compensation Scheme needs to be upgraded to bring in conformity with the Scheme provided by the National Legal Services Authority:

Now, therefore, in view of the above, the State Government of Manipur hereby makes the scheme "The Manipur Compensation Scheme for Women Victims / Survivors of Sexual Assault / Other Crimes, 2023" on the line of the Scheme prepared by the NALSA, to regulate payment of compensation to the women victims/survivors of sexual assault / other crimes.

(T. Ranjit Singh)
Commissioner (Home), Government of Manipur"

In view of the foregoing, the writ appeal is allowed and the impugned order dated 19.06.2018 is set aside by consent.

However, liberty is granted to the private respondents No. 2 to 5 to approach the Manipur State Legal Services Authority (MASLSA) in terms of the said compensation scheme for grant of compensation in accordance with law.

The Manipur State Legal Services Authority (MASLSA) is directed to consider the grant of compensation to the said private respondents No. 2 to 5 who are admittedly victims of rape to grant compensation in terms of the Act and Scheme as expeditiously as possible preferably within a period of 2 (two) months.

Registry is directed to send a copy of the direction issued by this Court along with a copy of the writ appeal to the Member Secretary, Manipur State Legal Services Authority (MASLSA) for information and necessary action.

Writ appeal is disposed of accordingly.

JUDGE

CHIEF JUSTICE

Bipin