

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

WP(C) No. 199 of 2023

Shri Longjam Nandakumar Singh, aged about 63 years, S/o (L) L. Dinamani Singh, a resident of Keishamthong Elangbam Leikai (Leikai Macha), PO & PS Imphal, Imphal West District, Manipur—795001.

... **Petitioner**

-Versus-

1. The State of Manipur represented by the Principal Secretary/ Commissioner/ Secretary (Home), Government of Manipur, office at Old Secretariat, Babupara, PO & PS Imphal, Imphal West District, Manipur—795001.
2. The District Magistrate, Imphal West District, Manipur, Old Secretariat, Babupara at Imphal, PO & PS Imphal, Imphal West District, Manipur—795001.
3. The Superintendent of Police, Imphal West District, Manipur, Babupara at Imphal, PO & PS Imphal, Imphal West District, Manipur—795001.
4. The Officer-in-Charge, Imphal Police Station, Imphal West District, Babupara at Imphal, PO & PS Imphal, Imphal West district, Manipur—795001.

... **Respondents**

Date of Judgment & Order :: **13.03.2023**

4. Assailing the impugned order, the learned counsel for the petitioner submitted that without having any authority of law, the second respondent had issued the impugned notice and

there is no provision for such re-verification in the Arms Act, 1959 and the Rules framed thereunder. That apart, the second respondent has failed to mention under which provision he has issued the impugned notice. Since there is no specific section/rule have been mentioned nor a justifiable reason stated in the impugned notice, the same is non-est and has no legs to stand in the eyes of law. Thus, a prayer has been made to set aside the impugned notice dated 14.2.2023.

5. Per contra, Mr. Sh. Shyam Sharma, the learned Government Advocate appearing for the respondent submitted that the second respondent has every authority to re-verify the arms license possessed by the authorized license holders under the Arms Act, 1959 and, therefore, there is no wrong in issuing the impugned notice dated 14.2.2023 calling upon the license holders to submit the arms license along with arms registered to their respective police stations. Thus, a prayer has been made to dismiss the writ petition.

6. This Court considered the rival submissions and also perused the materials available on record.

7. The case of the petitioner is that reason behind the issuance of the impugned notice i.e. cross-verification, checking

validity of license, updation in the portal for changes in address etc. does not satisfy the requirement for submitting the arms. Assuming but not admitting that even if the impugned notice stands valid without any infirmity, in the light of the cross-verification, checking validity of license, updation in the portal for changes in address, the submission of license granted by the license authority with due process of law is more than sufficient and submitting of arms under the respondents custody is highly not called for.

8. The impugned notice dated 14.2.2023 reads thus:

“No.DM(IW)/10/175/J(A)/2020: Whereas, re-verification of arms license possessed by authorized license holders issued by the Office of undersigned as per the Arms Act, 1959, Arms Rule, 2016 and as amended from time to time, is required for cross verification of license, arms, checking validity of license, for updation in the portal for changes in address etc.

It is hereby notified for information of all concerned that the arms license holders holding license issued by the Office of the undersigned shall submit their arms license, along with the arms registered on or before the 1st March, 2023 (Wednesday) repeat 1st March, 2023 (Wednesday) to

their respective Police Stations as entered in the Arms License failing which the license(s) shall be deemed to be cancelled without further notice.”

9. On a perusal of the impugned notice, it is clear that the same has been issued by the second respondent as per the Arms Act, 1959 and the Arms Rule, 2016 as amended from time to time. The non-mentioning of the relevant section in the impugned notice is not a fatal. The second respondent, who is the authority of issuing the arms license, has every right to re-verify or check the arms licenses so granted. The petitioner cannot dictate the authority stating that the submission of license granted by the license authority is more than sufficient and submitting of arms under the custody of the respective police stations as entered in the arms license is not called for. If really the petitioner is having any grievance over the impugned notice, he is at liberty to submit explanation/ representation to the concerned authority and challenge made to the impugned notice dated 14.2.2023 is not sustainable.

10. In the light of the above, the writ petition is dismissed. However, liberty is granted to the petitioner to submit a representation to the second respondent, if he is aggrieved

over the issuance of the impugned notice, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the second respondent is directed to consider and dispose of the same within a period of two weeks thereafter in accordance with law. No costs.

11. It is made clear that this Court has not caused any interference in the impugned notice dated 14.2.2023 issued by the second respondent.

ACTING CHIEF JUSTICE

FR/NFR

Sushil