

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

PIL No. 19 of 2022

Shri Y. Mangi Singh, aged about 68 years, S/o. (L) Y. Lukhoi Singh, a resident of Luwangshangbam Mayai Leikai, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur.

... Petitioner

- Versus -

1. The Union of India represented by Secretary, Ministry of Home Affairs, Government of India, North Block, Central Secretariat, New Delhi, Delhi(NCT), 110001.
2. The State of Manipur represented by the Chief Secretary (Home), Government of Manipur office at Secretariat, South Block, Babupara, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.
3. The Director General of Police, Manipur, PHQ, Babupara, P.O. & P.S. Imphal, Imphal West District, Manipur- 795001.

... Respondents

B E F O R E

**HON'BLE THE ACTING CHIEF JUSTICE MR. MV MURALIDARAN
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

For the petitioner	:	Mr. M. Rendy, Advocate
For the respondents	:	Mr. Kh. Samarjit, DSGI; and Mr. M. Devananda, Addl. A.G.
Date of Order	:	02.08.2023

ORDER

A. Guneshwar Sharma, J.

[1] Heard Mr. M. Rendy, learned counsel for the petitioner; Mr. Kh. Samarjit, learned DSGI, assisted by Mr. N. Nongdamba, learned counsel, appearing for the Union of India. Mr. M. Devananda, learned Additional Advocate General, Manipur, assisted by Ms. N. Jyotsana, Learned counsel, appearing for the State respondents.

[2] The Petitioner filed the present PIL for implementation of the direction passed by the Hon'ble Supreme Court in the case of ***Prakash Singh & ors. vs. Union of India & ors. reported in 2006 (8) SCC 1***. In the said judgment, Hon'ble Supreme Court issued 7(seven) directives including the Constitution of a State Security Commission and Establishment of Police Complaints Authority (PCA) to enquire into the police complaint against the officers.

[3] On 13.12.2022, this Court directed the State Authorities to file an additional affidavit along with relevant documents to demonstrate the steps being taken to make the bodies in question operational. In pursuance of the direction, the State Government filed an additional affidavit dated 25.07.2023 stating:

"3. That, the answering deponent beg to submit that as per the direction of the Hon'ble Court order dated 13/12/2022, the answering deponent beg to state that Home Department had constituted the State Level Police Complaints Authority vide Orders No. 2/8(32)/2006-H(i) dated 31/03/2007 with the following composition:-

- i) Retired Judge of High Court/Supreme Court- Chairperson*
- ii) 3(Three) persons selected by the State Government- Members.*

4. That the answering deponent also beg to submit that accordingly, vide Orders No. 2/8(32)/2006-H(ix): dated 31/03/2007, the following persons were nominated as Members of the State Level Police Complaints Authority.

- i) Shri E. Sonamani Singh, Retd. IAS,
- ii) Shri N. Luikham, Retd. IAS and
- iii) Shri Nengson, Retd. IFS.

5. That, the answering deponent further beg to submit that in respect of District Police Complaints Authority (DPCA), vide Orders No. 2/8(32)/2006-H: dated 28/12/2006, Home Department constituted District Police Complaints Authority for Imphal West District with the following composition:-

- i) Retired District Judge – Chairperson
- ii) 3 (three) to 5 (five) persons selected by the State Government – Members.

There was no nomination made as Chairperson and as Members So far to this constituted DPCA, Imphal West. However, District Police Complaints Authorities for other districts of the State, there is no order for constitution.

6. That, the answering deponent also beg to submit that in order to make the aforesaid authorities to be functional, Home Department has initiated process for nomination of new Chairperson and Members of State Level Police Complaints Authority.

Similarly, Home Department has also initiated steps to constitute District Level Police Complaints Authority where there is no such authority at District Level. Nomination of new Chairperson and Members for all District Level Police Complaints Authority will be done accordingly.

7. That, the answering deponent also beg to submit that the Home Department requested the Commissioner (Law) to request the Hon'ble Chief Justice, High Court of Manipur through Registrar General, High Court of Manipur to propose a panel of retired Judge of High Court/Supreme Court as Chairperson for constitution of the State Level Complaints Authority (SLPCA in short) to consider complaints Police Officers of the rank of SP and above, and also to propose a panel of retired Judge as Chairperson(S) for constitution of the District Level Complaints Authority (DPCA in short) to consider complaints against Police Officers of the rank of Dy. SP and below.

8. That the answering deponent also further beg to submit that as the Home Department requested, the Law & Legislative Affairs Department, Government of Manipur wrote a letter the Registrar General, High Court of Manipur requesting the Hon'ble High Court of Manipur to nominate:-

- i. A panel of retired Judges of High Court/Supreme Court for appointing as Chairperson of the State Level Complaints Authority.*
- ii. A panel of retired District Judges for appointing as Chairperson of the District Level Complaints Authority.*

9. That, the answering deponent also beg to submit that the Law & Legislative Affairs Department wrote a letter to the Home Department to furnish details/information regarding salary, allowances etc., to be availed by the Chairpersons of the State Level Complaints Authority and the District Level Complaints Authority as desired by the High Court of Manipur."

[4] Mr. M. Devananda, learned Addl. A.G., submits that the PIL may be closed as the State Government have complied with the direction issued by the Hon'ble Supreme Court.

[5] We have perused the materials on record.

[6] As the State Government have complied with the direction of the Hon'ble Supreme court in the case of Prakash Singh & ors. vs. Union of India & ors. reported in 2006 (8) SCC 1, the PIL is closed.

JUDGE

ACTING CHIEF JUSTICE

Indrajeet

**KH. JOSHUA
MARING**

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