

IN THE HIGH COURT OF MANIPUR

AT IMPHAL

PIL No. 61 of 2021

Tangkhul Kharar Long (Tangkhul Senior Citizen Union) represented by its Chairman Shri C.S. Felix aged about 78 years S/o (L) C.S. Maninglum a resident of CHSRC, Hamleikhong East, Hungpung, Ukhrul District, Manipur-795142.

..... Petitioner/s

- Versus -

1. The State of Manipur represented by the Commissioner, Social Welfare Department, Government of Manipur, Imphal-795010.
2. The Chief Secretary, Government of Manipur, Old Secretariat Building, Babupara, Imphal, Manipur-795001.
3. The Deputy Commissioner, Ukhrul HQ, P.O. & P.S.-Ukhrul, Ukhrul District, 795142, Manipur.
4. The Deputy Commissioner, Kamjong HQ, Kamjong District, Manipur-795145.
5. The Chief Executive Officer, Autonomous District Council Ukhrul, Manipur-795145.
6. The District Social Welfare Officer, DC Complex, Ukhrul Head Quarter-795142.
7. The Ministry/Department of Rural Development of India represented by its Secretary, Government of India, Krishi Bhawan, Dr. Rajendra Prasad Road, new Delhi, Delhi (NCT), 110001.

.....Respondent/s

B E F O R E
HON'BLE THE ACTING CHIEF JUSTICE M.V. MURALIDARAN
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

For the petitioner	:: Mr. S. Worthing, Adv.
For the respondents	:: Mr. S. Nepolean, G.A. and Mr. W. Darakishwar, Sr. PCCG.
Date of Order	:: 16.10.2023

ORDER (ORAL)

A. Guneshwar Sharma, J.

[1] Heard Mr. S. Worthing, learned counsel for the petitioner, Mr. S. Nepolean, learned G.A. for the State respondent and Mr. W. Darakishwar, learned Sr. PCCG for respondent No. 7.

[2] The petitioner, which is a registered body under the Manipur Societies Registration Act, 1989 bearing Registration No. 60/UD/SR/2015 dated 04.06.2015, filed the present PIL for extension the benefit of Old Age Pension in favour of the members of the petitioner's Society, under National Social Assistance Programme (NSAP) or under any other appropriate schemes.

[3] The prayer in the PIL is reproduced herein below:

- “(i) Admit this PIL and issue Rule Nisi to the respondents.*
- (ii) Issue a writ in the nature of Mandamus thereby directing the respondents to pay the Old Age Pension in respect of members of the petitioner’s society under the prevailing National Social Assistance Programme (NSAP) or under any appropriate scheme.*

(iii) Pass any order(s) or direction(s) as this Hon'ble Court may deem fit and proper, for the ends of justice."

[4] During the course of hearing, Mr. S. Nepolean, learned G.A., produced a letter dated 06.10.2023 sent by the Director (Social Welfare), Manipur to the Joint Secretary (Social Welfare), Government of Manipur in connection with the present PIL. It is stated that the petitioner has submitted a list of 291 beneficiaries for Old Age Pension. Out of 291 beneficiaries, a list of 249 beneficiaries were reflected in the letter dated 11.01.2023 (Annexure – R/1 of the rejoinder affidavit). It is also mentioned that 42 beneficiaries were excluded from the above list and 37 beneficiaries out of the 42 beneficiaries were already enjoyed under various Pensions Schemes such as Manipur Old Age Pension Scheme (MOAP), Indira Gandhi National Old age Pension Scheme (IGNOAPS), Indira Gandhi National Widow Pension Scheme (IGNWPS), Indira Gandhi National Disability Pension Scheme (IGNDPS) and for the remaining 5 beneficiaries' pension amount could not be transferred due to certain errors such as failure in Bank (no Aadhaar enabled for DBT) and inactive bank branch. However, the updated bank account details of all 5 beneficiaries have been submitted and hence, the pension amount would be transferred as soon as possible.

[5] The letter dated 06.10.2023 is reproduced herein below:

*"NO. 1/234/2021-D(SW)PIL
GOVERNMENT OF MANIPUR
DIRECTORATE OF SOCIAL WELFARE*

Imphal, the 6th October, 2023

To,

The Joint Secretary (Social Welfare),
Government of Manipur.

Subject: PIL No. 61 of 2023 (Tangkhul Kharar Long vs.
The State of Manipur & Ors.)

Madam,

With reference to letter No. 102/ PIL/63/2022-GA dated 4th July 2023 received from the Office of the Public Prosecutor Cum Government Advocate (High Court), Government of Manipur, I have the honour to furnish the following clarification in c/w rejoinder affidavit filed by the petitioner in the above cited PIL case:

1. The petitioner submitted a list of 291 beneficiaries for Old Age Pension. Out of the 291 beneficiaries, a list of 249 beneficiaries were reflected in the letter dated 11.01.2023 (Annexure-R/1 of the rejoinder affidavit).
2. The petitioner claimed that 42 beneficiaries were excluded from the above list. It is highlighted that 37 beneficiaries out of the 42 beneficiaries were already enjoying pension under various pensions schemes such as Manipur Old Age Pension Scheme (MOAP), Indira Gandhi National Old age Pension Scheme (IGNOAPS), Indira Gandhi National Widow Pension Scheme (IGNWPS), Indira Gandhi National Disability Pension Scheme (IGNDPS). Hence, these 37 beneficiaries' names were excluded in the letter dated 11.01.2023 as they were already benefitted. (List of 37 beneficiaries enclosed as Annexure-1).
3. Further, out of the 42 beneficiaries, the remaining 5 beneficiaries' pension amount could not be transferred due to certain errors viz. Failure in Bank (no Aadhaar enabled for DBT) and inactive bank branch. However, the updated Bank Account details of all 5 beneficiaries have been submitted and hence, the pension amount shall be transferred as soon as possible. (Reason for

- error and updated bank account details of 5 beneficiaries enclosed as Annexure-2).*
4. *As of today, pension to the beneficiaries have been transferred twice for the period of March, 2022 to August, 2022 and September, 2022 to February, 2022.*

Enclosed: as stated above

Yours faithfully,

*(Ngangom Uttam Singh)
Director (Social Welfare),
Manipur.”*

[6] Mr. S. Nepolean, learned G.A., submits that as the relief prayed for in the present PIL has been substantially complied with, the PIL may be closed.

[7] Mr. S. Worthing, learned counsel or the petitioner and Mr. W. Darakishwar, learned Sr. PCCG for the Central Government, are also agreeable to the submissions made by the learned G.A.

[8] Recording the submission made at the bar and contents of the letter dated 06.10.2023, the present PIL is closed as the relief prayed for in the PIL has been substantially complied with by the respondents.

JUDGE

ACTING CHIEF JUSTICE

FR/NFR

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