

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL****PIL No.22 of 2025**

Ningthoujam Toyai & Anr.

Petitioners**Vs.**

Union of India & 5 ors.

Respondents

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH****(ORDER)****(Order of the Court was made by Mr. M. Sundar, CJ)****25.11.2025**

[1] In the captioned 'Public Interest Litigation'('PIL' for the sake of brevity). Mr. KH. Tarunkumar, learned senior counsel instructed by Mr. M. Rustam, learned counsel on record for PIL petitioners, Mr. Darakishwor, learned Senior Panel Counsel for Central Government(Sr. PCCG) for 'first respondent'('R1' for the sake of brevity, to be noted, similar abbreviations will be used with regard to other respondents also) and Mr. Phungyo Zingkhei, learned counsel R2 to R6 are before us in the physical Court.

[2] In the hearing today, notwithstanding expansive and elaborate prayers, learned senior counsel for PIL petitioners, on instructions, very fairly submits that PIL petitioners abridge the prayer for the present(in the caption PIL), elaborating on the same,

learned senior counsel submits that the first PIL petitioner has sent a representation dated 30.05.2025 and for the present, it will suffice if addressee No.5 (Respondent No.3) is directed to dispose of the said representation (to be noted, this 30.05.2025 representation shall from hereon and henceforth be referred to as 'said representation') within a time frame. Learned senior counsel submits that if the PIL petitioners are either not satisfied or aggrieved by the disposal, the rights and contentions of PIL petitioners (including contentions in instant PIL) may please be preserved for assailing the same in an appropriate manner including another PIL if so advised, and if so decide.

[3] Both the State counsel for the respondents, more particularly R3 very fairly agreed to the afore-referred request and also submitted that the exercise can be completed in 8(eight) weeks from today i.e., on or before 10.02.2026.

[4] Before we write the operative portion of instant order, it is deemed appropriate to scan and reproduce the afore-referred said representation (dated 30.05.2025) which has been placed before this Court as part of the case file (Annexure A/16). We do so and the scanned reproduction of afore-referred representation is as follows:

ANNEXURE A/16

- 01-
2/4/25
1. The Hon'ble Governor, Manipur,
 2. The Principal Secretary to Prime Minister, Prime Minister's Office, South Block, Secretariat Building, New Delhi.
 3. The Secretary of the Ministry of Environment, Forest and Climate Change (MoEFCC), India.
 4. The Principal Chief Conservator of Forests & Head of the Forest Force, Government of Manipur.
 5. The Secretary (Revenue), Government of Manipur.

Office of the
P.C.C.F. & HOFF
Government of Manipur
Received No. 939
Dated 04/06/25
LR 892
04/06/25

Ref.: Letter No. 6/SDC/IW-L/Alot/2020 dated 03/10/2022 written by the Sub-Divisional Officer, Imphal West, Lamsang.

Subject: A humble representation for taking up favourable action: (i) transfer the administrative jurisdiction of Kangchup Chiru Reserve Forest from the jurisdiction of Kangpokpi Divisional Forest Officer to Divisional Forest Officer Central in terms of administrative and practical convenience as indicated by Hon'ble Division Bench of High Court of Manipur in the case of The Kangchup Chingkhong Women's Association -Vs- The State of Manipur & 3 Ors. by its judgment and order dated 05/03/2020 in PIL No. 8 of 2020 by making necessary corrections in the working plan by redrawing Forest Division boundary; and (ii) for demarcation and consolidation of a distinct boundary line between the Kangchup Chiru Valley Village Reserve Forest and the Revenue Village 60-Chakpa Village, Imphal West within a stipulated time.

Sir,

With due regards, I the undersigned customary Chief of Chakpa Phayeng and Schedule Caste Village have the honor to lay down the following words for your Good self's sympathetic consideration and necessary favourable actions.

- (1) That, I am the Khulakpa (Village Chief) of Chakpa/Loi/Schedule Caste Community settled in the Revenue village 60-Chakpa Phayeng, Lamsang, P.O. & P.S. Lamsang, Imphal West District, Manipur-795146. The said Village is situated about 10 Kilometres from Imphal City is registered and maintained under the MLR & LR Act,

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Advocate

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land with proper jamabandi and is included in the Sekmai Assembly Constituency under Imphal West Valley District.

(2) That, I humbly beg to submit that on 08/02/1934, the President, Manipur State Darbar recorded the Darbar Resolution No. 10A of 20/07/1932 of APPENDIX XIVB that in considering the D.R. No. 26 of 07/01/1934 in the light of PMSD Memo No. 214/ORGL. Dated 13/01/1934 on the subject of Valley Village Reserve Forest for the Schedule Caste - CHAKPA PHAYENG that the Darbar agreed to approve and entrust the above said forest area to Ningthoujam Leihao, the then Khulakpa (Village Chief) of CHAKPA PHAYENG and he was given the right to preserve the forest land with limited rights to use the forest product including to protect cultural and customary uses and practices of Chakpa (hunting for beasts/bees) within the boundary of the said forest area. (A copy of the said Darbar Resolution of the year 1934 is enclosed as Flag "A").

(3) That, on 27/09/2017, I along with the villagers of Chakpa Phayeng has submitted a humble memorandum to the then Hon'ble Chief Minister of Manipur, wherein it was requested to preserve and protect the reserve forest with the limited customary and cultural rights of the said village as entrusted by the Darbar Resolution No. 10A of 20/07/1932 of APPENDIX XIVB. (A copy of the letter dated 27/09/2017 is enclosed as Flag "B")

Further, on 14/03/2018, the Dean, National Sports University Society, Khuman Lampak, Imphal, Manipur Ministry of Youth Affairs and Sports, Government of India cordially sent a letter inviting the Phayeng Khulakpa Schedule Caste (Village Chief of Phayeng) for participating in the Bhumi Puja & Foundation Stone Laying Ceremony of National Sports University which was held at Haoreithen, Imphal West District on 16/03/2018 followed by a variety of entertainment programme and video conferencing by the Hon'ble Prime Minister of India Shri Narendra Modi - Ji.

It is submitted that on 05/10/2020, another memorandum of appeal was submitted to the Hon'ble Minister, Forest & Environment, Government of Manipur with a similar request to preserve and protect the cultural and customary rights of the said village as entrusted by the abovementioned Darbar Resolution. (A copy of the letter dated 15/10/2020 is enclosed as Flag "C")

(4) That, on 31/10/2022, vide letter No. 6/SDC/IW-L/Allot/2020, the Sub-Deputy Collector, Imphal West, Lamsang forwarded a report to the Sub-Divisional Officer, Lamsang regarding joint survey to identify the overlapping boundary areas between the Kanchup Chiru Valley Village Reserve Forest and Revenue Villages of Lamsang SDC Circle including 60-Chakpa Phayeng, 59-Kharang Kaireng and 56-

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Kandangband. In the abovesaid report, the overlapping area of revenue village No 66-Chakpa Phayeng with the abovesaid reserved forest area were confirmed and listed in the annexure-I of the said report alongwith their respective allotted Dag Nos and land size (in acre). (A copy of the said report is enclosed as **Flag "D"**).

On 01/12/2022, the Divisional Forest Officer, Kangpokpi Forest Division, Government of Manipur wrote a letter to the Deputy Commissioner, Imphal West, Government of Manipur wherein it was clearly stated that as per the Government order, a joint survey was conducted to demarcate and consolidate the boundary of Kangchup Chiru Reserve Forest and the same was completed, all the stakeholders in the survey exercise are required to append their signature and seal on the map constructed from the data collector as per survey for further necessary action. (A copy of the said letter dated 01/12/2022 is enclosed as **Flag "E"**).

5. That, on 15/07/2024, a legal notice by referring the letter No. 6/SDC/IW-L/Allot/2020 dated 31/10/2022 written by the SDC, Imphal West, Lamsang was forwarded to the Sub-Divisional Officer, Lamsang, Imphal West, Government of Manipur wherein since the said report for completion of the joint survey for demarcation of the reserve forest areas was submitted way back on 31/10/2022 and there was no action taken report till the date, the said office was requested to take up immediate necessary action for joint survey to identify the overlapping boundary areas mentioned in the said report and the said report dated 31/12/2022 and also to protect and preserve the valley village reserve forest entrusted to schedule caste Chakpa Phayeng by the abovementioned Darbar Resolution.

The community of the undersigned belongs to the backward/schedule caste community which has been discriminated for centuries on the basis of caste lines and we require equal protection of law including our customary rights in terms of the constitutional scheme and the State Authority and Central Govt. Authorities are also duly bound to protect and preserve the centuries old customary practices of the schedule caste community of the undersigned.

It is also submitted that the Civil Administration of the village of the undersigned have always been under Imphal West jurisdiction in view of the proximity of the Phayeng Schedule Caste Village and the attached/adjacent Kangchup, Reserve Forest to Imphal West District which is around 10-11 kilometers. Whereas, the schedule caste village of the undersigned and the Kangchup Chiru Reserve Forest is about 50 - 60 kilometres away from Kangpokpi District Head Quarter which is absolutely beyond administrative convenience as no help or assistance can be provided from Kangpokpi District Head Quarter which is about 50

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Commissioner (Judicial)
at West District & High Court
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kilometres away. But, it is always easier to administer the said schedule caste village area from Imphal West District Head Quarter which is only about 10-11 kilometres away.

6. The Hon'ble Division Bench of the Hon'ble High Court was pleased consider the issue of administrative convenience in the similar circumstances, wherein the Division Bench of High Court by it's order dated 05/03/2020 in PIL No. 8 of 2020 was please to observe as under: -

"[4] From the materials placed on record, it is clearly seen that the Kangchup Chingkhong village is a part of Kangchup revenue village situated within the Lausang Sub-Division, Imphal-West District. It was originally under the jurisdiction of the Lausang Police Station which is about 6-7 km only away from the village. In the year 1999, the Government of Manipur vide its order dated 05/08/1999 brought the Kangchup village under the jurisdiction of the Gannon Saparmcina Police Station which is about 47 km away from the village and is situated within Senapati District (now Kangpokpi District). The rationale behind the issuance of the order dated 05/08/1999 in respect of Kangchup village, is not disclosed therein and therefore, it is not known to the public in general. But one thing which is quite sure and definite, is that in order to lodge a complaint with the Gannon Saparmcina Police Station, one has to travel about 47 km which is almost impossible for a common man and that the police, with its usual speed, will have to travel a similar distance for investigation. In other words, the villagers and the police will have to face a lot of inconveniences, every now and then, which cannot be said to be in public interest. The role of the police, in short, is to maintain law and order in the society and is, indubitably, a part of the criminal justice system or the criminal administration of justice as has been observed by this Court in Shri Maibam Sanjoy Singh & Ors. Vs. State of Manipur & ors., WP(C) No. 287 of 2019"

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Joint Commissioner (Judicial)
Imphal West District & High Court
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(A copy of order dated 05/03/2020 is enclosed as Flag "F")

7. It was also observed by Division Bench of Hon'ble High Court at para 5 and 7 of the said judgment dated 05/03/2022 as under: -

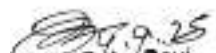
"[5] Admittedly, the villagers approached the concerned authorities including the Hon'ble Chief Minister, Manipur praying for transfer of the Kangchup Chingkhong village under the jurisdiction of the Lausang

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Police Station and there appears to be no objection from any angle, as is evident from the correspondences and the reports of the police including the one submitted by the Addl. Superintendent of Police, Kangpokpi to the effect that the request of the villagers is genuine and the revenue authorities which are placed on record. Moreover, the access to justice at the doorstep of the people is paramount & indisputable and is considered to be a right included in the right to life as guaranteed under the provisions of Article 21 of the Constitution of India. It is for the State Government to ensure it is public interest....."

"[7] As seen from the above decisions, the issue relating to exercise of power by the High Court under Article 226 of the Constitution of India in matter relating to policy decision is no longer res integra. In the present case, the Kangchup Chingkhong village which was originally under the jurisdiction of the Lamsang Police Station, has been placed under the jurisdiction of Gamnom Saparmaina Police Station, Kangpokpi District which is about 47 km away from the village creating a lot of inconveniences and problems both for the villagers and the police at Gamnom Saparmaina Police Station. What are the reasons for it, is not known to this Court, as the instant PIL is being disposed at the motion stage without an affidavit being filed on behalf of the respondents. But considering the submissions of the learned counsel appearing for the petitioner that the representations submitted by the villagers have not been considered and are still pending for consideration by the respondents, this Court is of the view that the instant PIL can be disposed of by passing an innocuous order. Accordingly, the instant PIL stands disposed of with the direction that the respondents and in particular, the respondent No. 1 & 2 shall consider the representation dated 22-10-2010 submitted to the Superintendent of Police, Imphal-West and the application dated 20-06-2019 submitted to the Hon'ble Chief Minister, Manipur and dispose of the same within a period of a month from the date of receipt of a copy of this order by issuing a speaking order in respect thereof....."


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 Commissioner (Judicial)
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-8. Accordingly, the State Government had transferred the police jurisdiction of Kangchup Chingkhong village from Gamnom Saparmaina Police Station (which is about 50 Kilometres away) to Lamsang Police Station (which is only 6-7 Kilometres away). Most importantly this Kangchup Chingkhong Village is situated near the Chakpa Phayeng Schedule Caste village of the undersigned. Therefore, the ratio and

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judgment dated 05/03/2020 in PIL No. 8 of 2020 of Division Bench of Hon'ble High Court is square applicable as in the present case also.

A copy of the Gazette of Manipur dated 15th June, 2020 is enclosed as **Flag "G"**.

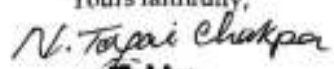
Due to failure to take immediate necessary action by the State Govt. and Central Govt. Authority, the people of the Chakpa Phayeng Village are facing a lot of difficulties in protecting and preserving the forest land and vegetation as well as in performing the customary and cultural rights of the Schedule Caste Chakpa Phayeng Community.

In the premises aforesaid, your Goodself's is requested to kindly take up necessary favourable action: -
 (i) transfer the administrative jurisdiction of Kangchup Chiru Reserve Forest from the jurisdiction of Kangpokpi Divisional Forest Officer to Divisional Forest Officer Central in terms of administrative and practical convenience as indicated by Hon'ble Division Bench of High Court of Manipur in case of The Kangchup Chingkhong Women's Association -Vs- The State of Manipur & 3 Ors. by its judgment dated 05/03/2020 in PIL No. 8 of 2020 by making necessary corrections in the working plan by redrawing Forest Division boundary; and
 (ii) for demarcation and consolidation of a distinct boundary line between the Kangchup Chiru Valley Village Reserve Forest and the Revenue Village 60-Chakpa Village, Imphal West within a stipulated time.

For this act of kindness, I shall ever remain prayed.

Dated/Imphal
 The 30th May, 2025.


Smt. M. Baby Devi
 Ombudsman Commissioner (Judicial)
 Imphal West District & High Court
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Yours faithfully,

N. Toyai Chakpa
 Chakpa Phayeng
 (N. Toyai Chakpa)
 Phayeng Khulakpa
 Chakpa Phayeng Village, P.O. & P.S. Lamsang,
 Imphal West District, Manipur-795146.

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[5] This court notices that afore-referred representation has been duly received by Government of Manipur on 04.06.2025. Nonetheless, the scanned reproduction can be adverted too (now).

[6] In the light of the narrative thus far, captioned PIL is disposed of with a directive to R3 to dispose of afore-referred said representation i.e., 30.05.2025 representation sent by the first PIL petitioner, on its own merits and in accordance with law as expeditiously as the business of R3 would permit but in any event within 8(eight) weeks from today i.e., on or before 10.02.2026. The proceedings (disposing of the representation made by R3) shall be duly served on each of the PIL petitioners(under due acknowledgements) within 5(five) working days from the date of disposal. If the PIL petitioners and or any other person concerned with the subject matter are aggrieved or not satisfied with the disposal, we make it clear that all rights and contentions of the PIL petitioners and/or any other person who may be concerned with the subject matter of instant PIL are preserved for approaching this Court by way of another PIL or assailing the disposal proceedings in a manner known to law. If such a scenario unfurls, though obvious, we make it clear that such proceedings will go on, on its own merits and in accordance with law untrammelled by instant order, more particularly, untrammelled/not stifled by the prayer being abridged in the instant proceedings.

[7] Captioned PIL disposed of in the aforesaid manner.

There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

John Korn