

Sl. Nos. 1-2

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

PIL No. 25 of 2025

Anthony Naulak

Petitioner

Vs.

District Commissioner Churachandpur and 2 others

Respondents

Clubbed with MC(PIL) No. 33 of 2025

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

(Order of the Court was made by M. Sundar, CJ)

28.10.2025

[1] Captioned writ petition which has been filed as a Public Interest Litigation (PIL) was first listed on 16.10.2025 and in the 16.10.2025 listing, the following proceedings was made :

[1] Mr. Siam Phaipi, learned counsel representing the counsel on record for PIL writ petitioner has logged-in on the V.C platform but there is technical glitch at far end for the learned counsel.

[2] To be noted, we requested other counsel who had logged-in to interact with us and there was no difficulty with regard to two way interaction. Therefore, the technical glitch is only at the far end, with the intention of giving opportunity to the learned

counsel for PIL petitioner, let this matter stand over to 28.10.2025.

[3] *List on 28.10.2025.'*

[2] This order has to be read in conjunction with and in continuation of afore-referred earlier proceedings.

[3] Today, Mr. Siam Phaipi, learned counsel representing the counsel on record for the PIL petitioner was before this Court on the Video Conferencing (V.C.) platform, there was no technical glitch at the far end and the hearing was seamless.

[4] From the submissions of the PIL petitioner and the case file, short facts that emerge are, that the captioned PIL pertains to PIL petitioner's concern *qua* Internally Displaced Persons (IDPs) in relief camps in Churachandpur, Manipur; that the PIL petitioner has sent a representation dated 28.07.2025 to the respondents (wrongly mentioned as 27.07.2025 in the prayer in the case file); that the representation *inter alia* enumerates certain concerns including financial assistance; that consideration of points adumbrated in the representation is the crux and gravamen of instant PIL.

[5] Issue notice.

[6] Mr. Dimal Kumar, learned State counsel who is present in the physical court before us accepts notice for 1st and 2nd respondents and learned Advocate General of State of Manipur Mr. Lenin Hijam who is before us on the V.C. platform appears on behalf of the State counsel. Mr. W.

Darakeshwar Singh, learned Senior Panel Counsel for Central Government of India (Sr.PCCG) who is present in the physical court accepts notice for the 3rd respondent.

[7] Learned Advocate General submitted that a 3 (three) member Hon'ble Committee has been constituted by the Hon'ble Supreme Court in and vide order dated 07.08.2023 made in SLPs (C) Diaries Nos. 19206 of 2023 with 19210 of 2023, Writ Petitions (C) Nos. 540 of 2023, 572, 574, 576, 802 of 2023, Writ Petitions (Crl.) Nos. 321 of 2023, 327, 329 of 2023 and this 3 (three) Committee is looking into the matter and the State is working closely with the committee besides taking every effort to address all issues that are brought to its notice.

[8] Considering the facts and circumstances of the case and the nature of the matter, with the consent of all the afore-referred counsel on both sides, the main PIL was taken up.

[9] After hearing both sides, the following undisputed points come to light :

- i) Hon'ble Supreme Court has constituted a 3 (three) member Hon'ble committee (one former Hon'ble CJ and two former Hon'ble High Court judges) in and vide order dated 07.08.2023 in SLPs (C) Diaries Nos. 19206 of 2023 with 19210 of 2023, Writ Petitions (C) Nos. 540 of 2023, 572, 574, 576, 802 of 2023, Writ Petitions (Crl.) Nos. 321 of 2023, 327, 329 of 2023. This order of Hon'ble Supreme

Court has been reported in **(2023) 18 SCC 363** (**Gangmei's case**). Paragraphs 25 and 26 of the order of Hon'ble Supreme Court deal with constitution and remit of the three member committee and the same read as follows :

'25. In order to subserve the two objectives which have been highlighted above, we issue the following directions:

25.1. A Committee consisting of the following three members is constituted:

- (i) Justice Gita Mittal, former Chief Justice of the High Court of Jammu and Kashmir;*
- (ii) Justice Shalini Phansalkar Joshi, former Judge of the High Court of Judicature at Bombay; and*
- (iii) Justice Asha Menon, former Judge of the High Court of Delhi.*

25.2. The mandate of the Committee shall be to :

25.2.1. Enquire into the nature of violence against women that occurred in the State of Manipur from 4-5-2023 from all available sources including personal meetings with survivors, members of the families of survivors, local/community representatives, authorities in charge of relief camps and the FIRs lodged as well as media reports; and

25.2.2. Submit a report to this Court on the steps required to meet the needs of the survivors including measures for dealing with rape trauma, providing social, economic, and psychological support, relief and rehabilitation in a time bound manner;

25.2.3. Ensure that free and comprehensive medical aid and psychological care to victims of survivors is provided;

25.2.4. Ensure conditions of dignity in relief camps set up for displaced persons including suggestions for additional camps.

This would include, illustratively, ensuring that the following requirements are met:

(A) Clean rations which are adequate in quantity;

(B) Adequate supplies of essential products such as soap, water, toothpaste, other toiletries, and clothes;

(C) Taking care of the needs of infants and lactating mothers;

(D) Meeting the requirement of basic medical care;

(E) Control on the outbreak of communicable diseases;

(F) Providing information on the accessibility of legal, psychosocial, medical and livelihood services;

(G) Access to free pregnancy tests, free emergency contraceptives, free sanitary pads and free maternal health services including access to gynaecologists;

(H) Emergency and specialised medical care for people suffering with critical illness including haemophilia, cancer, and HIV/AIDS;

(I) Proper sanitation facilities at the relief camps including clean toilets and bathrooms which are adequate in number having due regard to the number of people housed in a particular relief camp and proper disposal of sewage and other waste;

(J) Suicide prevention services and regular visits by psychologists / psychiatrists to treat the impact of violence and trauma;

(K) Regular visits by psychologists, psychiatrists, and counsellors who are specifically trained to treat children and adolescents;

(L) Ensuring that women, children and persons suffering from physical and mental disabilities have equal access to resources to meet their basic needs; and

(M) Ensuring that information regarding the availability of the facilities listed above is disseminated and awareness is created amongst the residents of the relief camps.

25.2.5. *Ensuring the payment of compensation and restitution to victims of violence; and*

25.2.6. *Issuing directions for the appointment of nodal officers at relief camps and the provision of toll-free helplines to provide updates on any investigation, missing persons, and the recovery of dead bodies. The nodal officers must also ensure that they maintain a database of all persons who are housed in their respective relief camps. They must use this database to coordinate with one another and ensure that minors and other persons who have been separated from their families are reunited with their families at the earliest.*

26. *The three-Judge Committee appointed by this Court would, as part of its remit, enquire into and take steps necessary for the disbursement of compensation including the following:*

26.1. *Issuing directions to the Manipur State Legal Services Authority to ensure award and payment of compensation to all victims under Section 357-A CrPC, NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes, 2018, and the Manipur Victim Compensation Scheme 2019;*

26.2. *Where the victim is deceased, the next of kin should be identified for the payment of compensation;*

26.3. *A report of compliance be filed before this Court within six weeks with full particulars of the case, victim/witness, compensation awarded, date of payment and the persons to whom the payment was made;*

26.4. The Member-Secretary NALSA shall monitor together with the three-Judge Committee on measures taken for witness protection, compensation and the rehabilitation and treatment of victims; and

26.5. Issuing directions to the State of Manipur to settle compensation for damages caused to the movable and immovable properties of persons affected by violence; and

26.6. The updated status report shall be filed before this Court on a fortnightly basis.'

- ii) The above case is pending and Hon'ble Supreme Court is seized of the matter;
- iii) We find from the official website of Hon'ble Supreme Court that the above matter (**Gangmei** case) was last listed before the Hon'ble Supreme Court on 28.07.2025 and it is pending;
- iv) The PIL petitioner very fairly submits that he is not making allegations *qua* the State but is only requesting the State to look into his representation dated 28.07.2025 ('said representation' for convenience).
- v) The third respondent is only a formal party and this court is informed by learned Advocate General that third respondent is extending every possible aid and assistance.

[10] The only point of contention is regarding the remit of the afore referred three member Committee. Learned counsel for writ petitioner Mr. Siam Phaipi submits that the mandate of the committee is such that it cannot

address issues pertaining to disbursement and implementation. Learned Advocate General submits to the contrary and draws our attention to paragraph 26 of **Gangmei** case which deals with financial aspects such as disbursement and compensation and learned Advocate General submits that this brings the issue of finance/disbursement also within the remit of the Hon'ble committee. However, it is nobody's case that none of the points raised in the said representation (28.07.2025 representation) fall within the remit of the committee.

[11] Be that as it may, in the aforesaid scenario, learned Advocate General very fairly submitted that this being a human problem, writ petitioner's said representation (representation dated 28.07.2025) will be forwarded by the State to the Hon'ble Committee (along with all relevant papers) for consideration and in addition to all the efforts and assistance which have been put in place if any further effort *qua* implementation or otherwise is required, the State will bestow its best attention on the same. This fair submission of the learned Advocate General is recorded.

[12] There is another reason as to why this Court has taken this course in instant PIL. This another reason is, Hon'ble Supreme Court is seized of the matter as already alluded to supra in this order. This means that if the PIL petitioner has any grievances to be ventilated, it may only be appropriate to approach Hon'ble Supreme Court by way of an application in **Gangmei's** case if so advised and so desired. This, in the considered view of this court is a matter of judicial discipline in the hierarchy of courts.

[13] Before concluding, though obvious, this Court also deems it appropriate to make it clear that no view or opinion one way or the other has been expressed in this order. To be noted, only the stated positions of the learned counsel on either side have been recorded.

[14] Captioned PIL (writ petition) along with the captioned MC therein are disposed of as closed recording the stated position of learned Advocate General of State of Manipur. There shall be no order as to costs.

[15] After the order was dictated, Mr. Siam Phaipi, learned counsel for the PIL petitioner submitted that it is not his case that the points raised in the said representation i.e., representation dated 28.07.2025 do not fall within the remit of the committee and that his case is with regard to implementation.

[16] Be that as it may, as already alluded to supra, Hon'ble Supreme Court is seized of the matter and it would only be appropriate for PIL petitioner to await consideration of his representation by Hon'ble three member Committee constituted by Hon'ble Supreme Court as the same (PIL petitioner's representation) is to be placed before the Committee by learned Advocate General.

Sushil

JUDGE

CHIEF JUSTICE