



Serial No. 13
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 630 of 2025

Date of Decision: 09.12.2025

Shri Yuvraj Tamang,
S/o Shri Manraj Tamang,
R/o Jhalupara Cantt., Shillong,
East Khasi Hills District, Meghalaya

... Petitioner(s)

-Versus-

1. The State of Meghalaya represented by its
Commissioner and Secretary, Home,
East Khasi Hills District, Meghalaya.
2. The Deputy Commissioner,
East Khasi Hills District, Shillong
Meghalaya.
3. Smti Dalikynti Kharshiing,
Additional Deputy Commissioner
East Khasi Hills District, Shillong
Meghalaya.

... Respondent(s)

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. S. Thapa, Adv. with
Ms. R. Paul, Adv.

For the Respondent(s) : Ms. N.G. Shylla, Sr. Adv. with
Ms. Z.E. Nongkynrih, GA



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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. The petitioner being aggrieved with the non-grant of a Domicile Certificate/Certificate for Recruitment in the Armed/Paramilitary/Police Forces by the respondent No. 3, is before this Court praying for directions for issuance of the same to enable the petitioner who has passed the physical, medical and written tests for the Agniveer recruitment to submit the same to the Army authorities to enable his recruitment.

2. It is submitted by the learned counsel for the petitioner that the petitioner is a successful candidate in the Agniveer recruitment and has been asked to report to the Recruiting Office at Shillong by 10-12-2025, with original documents, of which one is the Domicile Certificate issued by the Deputy Commissioner. The petitioner, it is contended has been refused the Certificate by the State respondents inspite of the fact that



he is a permanent resident of Shillong having been born here in 2004, and that even his parents also are permanent residents holding valid EPIC cards. Learned counsel has referred to the various documents annexed to the writ petition to substantiate the factum of permanent residency. The denial, he submits, of the Domicile Certificate has jeopardized the entire career of a young man who is to join the Armed Forces in the service of the nation.

3. Ms. N.G.Shylla, learned Senior GA, pursuant to order dated 04-12-2025, passed by this Court directing her to receive instructions, has today submitted that the reason for denial is that the writ petitioner has to have continuous residency of 12(twelve) years in order to be granted the Permanent Residency Certificate, and the writ petitioner having pursued his studies outside for a certain number of years, will therefore not be eligible for grant of Permanent Residency Certificate. Reference has been made by learned GA to a Notification dated 10-06-1983, which she submits contains this directive.

4. This Court looking into the nature of the case has given its anxious consideration to the facts as presented. Firstly, it is noted that the petitioner has been issued a Birth Certificate by a competent authority showing his date of birth to be 26-11-2004 in Shillong. Further, his Adhaar card and copies of the EPIC cards of both his parents



have also been annexed, apart from various Certificates issued by the Gorkha Panchayat, as also the Secondary School Leaving Certificate conducted by the Meghalaya Board of School Education (MBOSE), Tura. As such, the documents annexed supports the case of the petitioner to show that he was born in Shillong and is a permanent resident of the State. Coming to the objections raised by the State respondents based on the Notification dated 10-06-1983, para 3 thereof, on which reliance has been placed by the Senior GA, shows that the 12(twelve) years continuous residency stipulation, would be applicable only to people residing due to civil or military service, who for grant of Permanent Residency Certificate for a district, would have to reside for 12(twelve) continuous years. Para 3 of the Notification being relevant is extracted hereinbelow:

“3. While a person shall not be deemed to be a permanent resident of a district merely by reason of his having resided therein in connection with his civil or military service or in exercise of any profession or calling yet a person would be entitled to P.R.C. if either (1) he has been residing in the district continuously for a period not less than 12(twelve) years in connection with his civil and military service and has decided to stay on the district permanently after his retirement or (2) he has been residing in the district continuously for not less than 12(twelve) years in connection with a profession or calling and by the nature of profession or calling or investment in it, it could be inferred that he intends to reside permanently in the district, and (3) all persons serving in connection with the affairs of the Government of



Meghalaya, Government or semi-Government Corporations and autonomous bodies (who are not on contract service) (contingency work or work-charged staff etc.) and who are on regular employment though temporary and in whose case it can be safely inferred that he will reside permanently in Meghalaya.”

5. On a bare reading of the Notification quoted above, it can be seen that the restriction will not be applicable to the case of the petitioner who is a resident born in the district itself, and as such, the ground taken that he had pursued studies outside the State, will have no significance in the consideration for grant of the Permanent Residency Certificate. As such, the petitioner cannot be held to be not a permanent resident of the State.

6. Accordingly, in view of the observations and discussions made hereinabove, the respondent No. 3 is directed to issue the Domicile Certificate/Certificate for Recruitment in the Armed/Paramilitary/Police Forces forthwith within 2(two) days of the presentation of this order before the said respondent, especially considering the fact the petitioner is to report to the Recruiting Office by 10-12-2025 and much time has been lost. It is further provided that even though the Recruiting Office (Headquarters) Shillong is not party in the present proceedings, due consideration should be given by the said Office while accepting the testimonials and documents of the petitioner when the same is made immediately on receipt of the Domicile Certificate.



7. As ordered above, the writ petition is allowed and disposed of

JUDGE