IN THE HIGH COURT OF MANIPUR
AT IMPHAL
WP(C) No. 1 of 2020

State Level Gaan-Ngai Celebration Committee, Manipur, Regd. No.704 of 2015 having its registered office at Dimdailong, Sanjenthong, P.O. and P.S. Porompat, District Imphal East, Manipur.

represented by its Secretary Jenbung Kamson, aged about 32 years, S/o (L) Manamasha Kamson, resident of Chingmeirong Kabui Khul Mamang Leikai, Laipham Siphai, District Imphal East, Manipur-795010.

… Petitioner

-Versus-

1. The State of Manipur represented by the Principal Secretary/Commissioner (TA & Hills), Government of Manipur, P.O. and P.S. Imphal, Imphal West District (Secretariat South Block)-795001 (Manipur).
2. The Director, Tribal Affairs, Hills, and Scheduled Caste Development, Government of Manipur, P.O. and P.S. Imphal, Imphal West District, Manipur at Babupara-795001.
3. The Principal Secretary (Finance), Government of Manipur, P.O. and P.S. Imphal, Imphal West District, Manipur, Chief Minister's Secretariat-795001.

… Respondents

B E F O R E
HON'BLE MR. JUSTICE KH. NOBIN SINGH

For the petitioner	::	Shri B.P. Sahu, Sr. Advocate
For the respondents	::	Shri Th. Vashum, GA
Date of Hearing	::	**13.10.2020**
Date of Judgment & Order	::	**20-10-2020**

JUDGMENT AND ORDER

[1] Heard Shri B.P. Sahu, learned Senior Advocate appearing for the petitioner and Shri Th. Vashum, learned Government Advocate appearing for the respondents.

[2] The validity and correctness of the guidelines dated 17-12-2019 issued by the Addl. Chief Secretary (TA & Hills), Government of Manipur is under challenge in the instant writ petition and in addition thereto, some more prayers have been made for issuing a writ of mandamus or any other appropriate writ to direct the respondents to grant/ disburse grant-in-aid for the celebration of annual State Level Gaan-Ngai Festival, 2020 to its organizing committee and also to direct the respondents to frame the guidelines of the State Level Gaan-Ngai Celebration Committee in terms of the order passed by this Court.

[3.1] According to the petitioner, it is a society formed by the indigenous religion of Zeliangrong people to organize annual traditional religion celebration of State Level Gaan-Ngai and is registered under the provisions of the Manipur Societies Registration Act, 1989.

[3.2] In the year 2005, the petitioner filed a writ petition before this Court being WP(C) No.981 of 2015 praying for framing proper guidelines for allocation of financial assistance to the State Level Gaan-Ngai celebration. The said writ petition was disposed of by this Court vide its order dated 04-04-2019 with the direction that the State Government shall, after considering the views of the experts in the field, lay down the guidelines as to whom the grant-in-aid shall be given for organizing the Gaan-Ngai celebration. After the said writ petition being disposed of, the office of the Addl. Advocate General, Manipur addressed a letter dated 09-04-2019 to the Addl. Chief Secretary (TA & Hills), Government of Manipur

submitting the names of four experts, namely (a) Dr. Lamalu Thaimei, Assistant Professor, Department of Adult Continuing Education & Extension, Manipur University; (b) Dr. Rockos Kamei, Langthabal Chingthak, Imphal West; (c) Professor Gonmei Lanbilung Kabui, Department of History, Imphal College and (d) Dr. Kamei Budha Kabui, Assistant Professor, Department of Tribal Studies, Manipur University of Culture. On receipt of the said letter and in view thereof, the Secretary (TA & Hills), Government of Manipur wrote a letter dated 16-05-2019 to the said experts to submit their views/ comments, on or before 15-06-2019, for laying down the guidelines. The experts submitted their views/ comments on different dates as seen from the file of the State Government. On 06-06-2019, Dr. Lamalu Thaimei submitted his assessment and analysis for framing the guidelines; on 10-06-2019, Prof. Gonmei Lanbilung Kabui submitted his views/ comments; on 11-06-2019, Dr. Kamei Budha Kabui submitted his views/ comments and on 12-06-2019, Dr. Rockos Kamei submitted his views/ comments as to whom the grant-in-aid should be given for organizing the Gaan-Ngai celebration.

[3.3] On 17-12-2019, the Addl. Chief Secretary (TA & Hills), Government of Manipur issued the guidelines for constitution of the celebration committee of the State Level Gaan-Ngai Festival. According to the petitioner, the guidelines have been framed for the namesake only which may subdue the sacred religion celebration for the reason that they do not indicate from whom the approval was obtained simply stating that the guidelines were issued with the approval of the authority and in

compliance with the Court's order. If the guidelines were genuine ones, it should be indicated to the concerned authority and circulated to the followers of indigenous religion of Zeliangrong people. The guidelines were being kept by the authority like a proposal, although the Annual State Level Gaan-Ngai Festival fell on 08-01-2020. The present petitioner arranged the celebration of the guidelines at Ramji Kabui Village, Sagolband Tera, Imphal West by issuing invitation cards to various persons. Therefore, the State Government may be directed to award the grant-in-aid to the petitioner. In the previous State Level Gaan-Ngai Festivals held in the year, 2017-2018 and 2018-2019, the financial assistance was granted to the petitioner vide orders dated 08-12-2017 and 16-01-2019 of the State Government. But this time, the State Government has delayed the disbursement of the grant-in-aid for the State Level Gaan-Ngai Festival to be held on 08-01-2020. Being aggrieved by the inaction on the part of the respondents, the instant writ petition has been filed by the petitioner.

[4] The stand of the State Government as indicated in the affidavit filed by the Under Secretary (TA & Hills), Government of Manipur is that although views/ reports of experts were submitted to the State Government, it was felt that the collection of views/ opinions of various organizations under the Zeliangrong community would be vital before the Government took a decision as to how grant-in-aid should be given for the celebration of the Gaan-Ngai Festival. A meeting was held on 01-10-2019 by the Special Secretary cum Director, Tribal Affairs & Hills with All Zeliangrong Civil Society Bodies followed by another meeting held on 21-

10-2019 with Zeliangrong Union (Assam, Manipur, Nagaland) and representatives of AZACO (TRC). After considering the views of the experts, the State Government framed the guidelines dated 17-12-2019 as to whom the grant-in-aid should be given for organizing the State Level Gaan-Ngai Festival. The release of financial assistance for organizing the Gaan-Ngai festival should be the sole prerogative of the State Government and that since different groups/ organizations/ societies/ villages have organized Gaan-Ngai festival, the petitioner may have also organized the Gaan-Ngai festival in the same manner. In other words, the petitioner which celebrated the Gaan-Ngai festival, 2020, may have done it at its own capacity. The grant-in-aid for celebration of Gaan-Ngai festival should be awarded to the deserving committee as per the guidelines dated 17-12-2019, superseded by the guidelines dated 04-01-2020 which can be questioned before the appropriate forum by the petitioner if it is aggrieved by it.

[5] In **J. Hillson Angam Vs. The State of Manipur, PIL No.16 of 2020,** this Court while considering the issues relating to COVID-19 crisis in the State of Manipur, had the occasion to consider the role of the Government in the management of its public money. This Court passed the judgment and order dated 16-07-2020 holding that the State Government shall constitute many expert committees, for the major Departments, which shall collect data, analyze it and make recommendations so that the State Government can take appropriate decisions towards combating COVID-19 pandemic and that the State

Government shall share with the public the information as to its financial capacity and the actions taken/ to be taken by it in respect thereof. The relevant paragraphs of the said judgment and order read as under:

"[6.1] *What is "**COVID-19**" needs no explanation, as many of us are well aware of it. It is nothing but the name of a disease, coined by the World Health Organisation (hereinafter referred to as "**the WHO**"), caused by a novel corona virus. The WHO has declared it pandemic. In order to contain it, various activities are required to be undertaken by the Government of India and in particular, the State of Manipur. Although this Court is not an expert body, it is well known that in order to tackle such a crisis, the Government needs to make two plans-one, short term plan and two, long term plan and accordingly, the activities are to be undertaken by it. As regards the short term plan, one of the activities was the need of establishment of quarantine centres. Before carrying out any activity either under the short term plan or long term plan, the Government needs to keep in mind two essential components- one, the financial capacity and two, the rules and regulations. As we know, finance is considered to be the backbone of any organization/ institution, without which the objectives sought to be achieved by it, can never be achieved by it. So is the case with the Government. What does the Government mean? A Government is a group of people that have the power to rule a territory according to the law. There are different forms of Government. We need not go into the details thereof but suffice it to say that ours is a democratic form of Government. India is considered to be the largest democratic country in the world. A country is like a big family and in other words, India is a big family consisting of more than 130 crore population. In a family of five members, any decision can be taken by them sitting together after due deliberation and such a*

decision need not be reduced into writing all the time. But it cannot be done so in respect of a country. There can be no occasion where all the citizens of a country can sit together at one place and take a decision, because of which the need of having a constitution arises. A constitution is nothing but a statement of the basic principles and laws of a Nation, State or Group. The noun 'constitution' is from Latin, from constitutes, "set up, established", plus suffix-ion, meaning "act, state, or condition." A Constitution is a legal document setting forth rules governing a particular kind of activity. In short, a Constitution means the law determining the fundamental political principles of a Government. The Constitution of India came into force on 26-01-1950 and the expression "we, the people of India" as stipulated in the preamble, emphasizes the republican and democratic character of the polity and that all power ultimately stems from the people. Indian Constitution is basically federal in form and unitary in character. It contemplates two kinds of Government-one, at the centre and others at the States. Indian Constitution is supreme and is the source of power of all authorities including the Government. Since the provisions of the Constitution are not sufficient to deal all kinds of situations, Article 246 thereof empowers the Parliament and the State Legislatures to make laws in respect of the items enumerated in their respective lists mentioned in the seventh schedule. In other words, the Government is a group consisting of the representatives of the people and the public servants. It being an institution, has no heart and soul and the money held by it, is public money. Some people in the State, while talking in the public through print and electronic media, describe the Government as the mother/ father or for that matter, the parents of the people. It appears to be incorrect and a wrong notion for the reason that they are only the representatives of the people

who are running the administration on behalf of the people and are answerable to them. Here lies the dictum that the Government ought to act in accordance with law and any action taken by it without following due process of law is illegal. Therefore, before any action is taken, the Government ought to examine its financial capacity; analyze it minutely and find out ways & means of getting further amount of money which must be shared with the public. After having done that, the Government ought to examine the rules and regulations to be framed to regulate the manner in which the money is to be utilized by it, in the absence of which the Government ought to frame guidelines to meet any urgency. In order to deal with war like situation namely COVID-19 crisis, the Government ought to constitute a committee consisting of experts in the relevant fields which will look into the matter on day to day basis and submit its report/ recommendation to the Government for its consideration and for taking appropriate and immediate decision as regards the future course of action. So far as the long term plan is concerned, the government ought to constitute many committees of experts in respect of different problems relating to various Departments viz. Finance, Education, Health, Home, Agriculture, Horticulture, Industries etc. which will collect data, discus with the stakeholders including CSOs and assess the impact of COVID-19 crisis taking into account the actions already taken by the State Government under short term plan.

[12] *COVID-19 is a global crisis and it is not likely to come to an end in the near future. It is believed by many that we have to learn living with COVID-19. While combating it, the State Government needs to share any kind information about its financial capacity and various actions being taken by it from to time and make them aware of it so that it becomes easier for them to extend co-operation. Public money is nothing but tax payer's money and*

the State Government, before spending it, needs to inform the public the amount intended or earmarked to be spent; the amount already spent and the amount yet to be spent, because the standard of facilities to be provided in the quarantine centre will depend upon it. To do anything by the State Government towards spending public money, there has to be always a norm either in the form of Act, rules and regulation or guidelines, in the absence of which anything done by it will lead to a problem anytime and anywhere. The norm is to be made first by the State Government and the action is to be taken by it in accordance with the said norm only. If the State Government is in short of money, it can make a request to the Government of India for its help and if such request is made by all the State Governments, the Government of India can generate its income either by enhancing the rate of existing taxes or by introducing a new tax towards combating COVID-19 crisis.

It is absolutely correct that the State Government took a lot of pain in organizing manpower, finance, infrastructure etc. when a large number of stranded persons were brought back to Imphal via Jiribam within few days only. This Court reiterates that all the people in the State must appreciate it. But all that this Court feels, is that this hectic job could have been avoided to a great extent, had the State Government taken action in time. COVID-19 crisis started in the later part of the year, 2019 and has been spreading uninterruptedly till date. People in the State of Manipur started getting full information about it, probably, in the month of February, 2020 with the result that people in the State were told to avoid public meetings, ritual ceremonies or large gathering in any form and to desist from organizing 'thabal chongba' during and after holy festivals. The moment the Government and in particular, health department came to know about COVID-19 crisis, it could have constituted a committee of experts, either in

the month of February, 2020 or March, 2020, or even in the early part of April, 2020 after the lockdown was announced by the Government of India, which could have given the report on the basis of which the relevant rules & regulations could have been framed well in advance. In the month of April, 2020 itself, the stranded persons started expressing their desire to come back to Manipur and requesting the State Government to arrange ways & means for them and to provide assistance. Although the State Government was not aware of the exact number, it was definitely aware of the rough idea about the number of stranded persons and accordingly, it could have made the proper arrangement at the quarantine centres. A Government which is a legal entity and is a perpetual institution, consists of many Departments which are run and managed by the permanent and regular public servants. Be that as it may, many of the stranded persons might have come back to Manipur by now except those who are returning to Manipur daily by flight and after they having left the community quarantine centres, it is said that most of the community quarantine centres are being gradually closed. After some days, the State Government may have to confine its attention to the institutional quarantine centres only, for which the State Government may be required either to frame an exhaustive rules and regulations or modify suitably the existing SOP, depending upon the change of circumstances touching on all aspects of the matter, to meet any eventuality so that no public could raise any voice.

[6] Gaan-Ngai is admittedly the biggest and most important festival of Zeliangrong people who are the followers of indigenous and traditional religion. It is celebrated by them every year with religious rites and ritual, prayer, drum beating, dance, music, feast, game etc. mainly after the

annual harvesting is over. The objectives of this festival can be said to be for appeasement, thanksgiving peace and prosperity, well being and for warding off the evil eye and spirit through different forms of worship. The people belonging to Zeliangrong reside in different parts of the State of Manipur and its neighboring States, because of which they appear to have thought of organizing the Gaan-Ngai festival at the State level as well and appear to have approached the State Government for providing grant-in-aid. That is how they appear to have started organizing State Level Gan-Ngai Festival for the last some years. It is quite common in the State of Manipur that people get many organizations/ clubs/ unions etc. registered under the provisions of the Manipur Societies Registration Act, 1989 in the name of doing many social works. People belonging to Zeliangrong community are no exception in the State and the common desire of some of their organizations to organize the State Level Gaan-Nagi Festival appears to have led to the present controversy. When the WP(C) No.981 of 2015 came up before this Court for consideration, this Court was of the view that in order to resolve the issue once and for all, the guidelines be framed by the State Government and accordingly, this Court passed the following order:

> *"The subject matter in issue relates to the issue as to whom the State Government shall give the grant-in-aid for the purpose of organizing Gaan-Ngai celebration. Since the resolution would involve the opinions of various experts on the field, this Court thought of referring the matter to a Committee to look into it and submit a report thereof. Today, when the matter was taken up for consideration, learned counsel appearing for the parties namely*

Shri S. Nongpokngamba, learned counsel appearing for the petitioner; Shri Romendro Sharma, learned counsel appearing for the private respondents and Shri S. Rupachandra, learned Addl. Advocate General fairly agreed that the matter be referred to the Government so that it can look into the matter in consultation with the experts on the field and lay down the guidelines. In view of the above, the writ petition stands disposed of with the direction that the State Government shall, after considering the views of the experts on the field, lay down the guidelines as to whom the grant-in-aid be given for organizing the Gaan-Ngai Celebration.

The instant writ petition stands disposed of accordingly."

[7] The present writ petition has been filed by the petitioner praying for quashing the guidelines dated 17-12-2019 and also for grant of certain reliefs including the disbursement of grant-in-aid to it, on the inter-alia allegations that despite the experts views/ comments having been received, the State Government failed to frame proper guidelines; that the so-called guidelines dated 17-12-2019 framed by the State Government are nothing but for the constitution of the committee to organize the State Level Gaan-Ngai Festival and that the guidelines dated 04-01-2020 which have superseded the earlier guidelines dated 17-12-2019 remain the same. On the other hand, the State Government took the stand that the State Level Gan-Ngai Festival should be organized by the Committee constituted by the State Government under the said guidelines dated 04-01-2020 which remain unchallenged by anyone before the appropriate forum.

[8] In view of the rival contentions, this Court felt it appropriate to

examine the records maintained by the State Government and accordingly, this Court vide its order dated 15-09-2020 directed the Principal Secretary/ Commissioner (TA & Hills), Government of Manipur to produce the file containing the views of the experts. As the Court's sitting was held though video conferencing, the learned Government Advocate was directed on 01-10-2020 to hand over the file in a sealed cover to the Registrar (Judicial), High Court by 06-10-2020 and on 07-10-2020 when the matter was taken up for consideration, the Government Advocate informed the Court about the compliance of this Court's order. On 13-10-2020 this Court, after having heard the learned counsel appearing for the parties, reserved its judgment and order.

[9] From the perusal of the views/ comments submitted by the experts available in the file, it is seen that it is almost unanimous amongst them that the celebration of Gaan-Ngai is an indispensable way of life commencing from birth till death and is held by one and all belonging to Zeliangrong people. The religious right to celebrate the Gaan-Ngai festival has been the monopoly of the religious group called Tingkao Ragwang Chpriak (TRC). It can only be hosted by the followers of TRC. Dr. Lamalu Thaimei is of the view that since the petitioner being a federating unit of TRC, has the right to receive grant-in-aid from the State Government to organize the State Level Gaan-ngai Festival. After a narrative being given about the Gaan-Ngai festival, Prof. Gonmei Lanbilung Kabui has suggested the guidelines as regards the eligibility criteria as under:

(a) The association or group of persons must be a body registered under the provisions of the Manipur Societies Registration Act, 1989 at the State level;

(b) The memorandum of association of such a society shall contain the aims & objectives to promote; preserve and protect the traditional values of Gaan-Ngai like charitable, literature, art, education, culture, music, dance, drama etc. for the benefit of the people of Manipur in general and Zeliangrong in particular;

(c) The society shall comprise members who practice and profess the Tingkao Ragwang Chpriak (TRC) religion;

(d) The society shall have at least three years standing from the date of registration till the submission of application;

(e) The grant-in-aid shall be given to one society from amongst the applicants;

Dr. Kamei Budha Kabui has observed that Gaan-Ngai is the ritual festival of the Zeliangrong people who follow the indigenous religion known as Tingkao Ragwang Chpriak (TRC). According to him, the grant-in-aid shall be granted to the right organization which has been functioning for more than fifteen years and its members and executive council of the organization are mainly composed of followers of TRC. Similarly, Dr. Rockos Kamei has observed that Gaan-Ngai festival is only observed by the Kabui people who profess the indigenous religion known as Tingkao Ragwang Chpriak (TRC). Since the festival serves as reunion of family members, relatives and friends by neutralizing enmity and differences amongst the people and bringing peace and unity in the society as whole, it will be a wise step for the authority concerned to hand over the

Government granted fund to the State level Gaan-Ngai Celebration Committee for organizing the festival this year.

[10] It is a matter of record that this Court while disposing of the WP(C) No.981 of 2015, directed the State Government to frame the guidelines. What does the term "**guidelines**" mean and for what purpose ? It being a relative term, it cannot be given a definite meaning. Its meaning can be understood with the reference to the object sought to be achieved by it. The term "**guidelines**", in the present context, may mean the norm laying down the eligibility criteria and the procedure as to how one from amongst the applicants/ claimants be selected by the State Government. The corollary issue is as to whether the State Government has framed such guidelines. The contention of the learned counsel appearing for the petitioner is that no such guidelines have so far been framed by the State Government and on the contrary thereto, it has been submitted by the Government Advocate that needful has been done by framing the guidelines dated 17-12-2019 which were superseded by the guidelines dated 04-01-2020.

[11] As we all know, Gaan-Ngai being an important festival in the State, every organization formed by Zeliangrong people is desirous of organizing the State Level Gaan-Ngai Festival. As has been observed in **J. Hillson Angam** (supra), the money being held by the State Government is a public money which shall be utilized by the State Government judiciously in public interest and accordance with law. Since the task of organizing the

State Level Gaan-Ngai Festival cannot be entrusted, at a time, to all the organizations, the need for the State Government to select one from amongst them arises. The grant-in-aid will have to be granted only to the organization which has been duly selected by the State Government. The State Government being an institution, ought to act fairly and reasonable. The process of selection will have to be based on certain principles, for which the guidelines are indispensable. According to the State Government, the guidelines dated 17-12-2019 have been framed for this purpose which were superseded by the guidelines dated 04-01-2020, copies of which are placed on record by the parties. On perusal of the guidelines dated 17-12-2019, it is seen that they are not, in fact, the guidelines for the reason that they do not prescribe any eligibility criteria nor have they laid down any procedure for selection. They provide provisions for constitution of the celebration committee at the choice of the Government only. There is no scope for giving equal opportunity to all concerned and on top of that, the public and in particular, the other Zelingrong people will have no say at all. It will be well and good, if the State level Gaan-Ngai Festival is organized by the State Government without any objection being raised by anyone from Zeliangrong community. But it is not so because the guidelines dated 17-12-2019 are being challenged in this writ petition. The guidelines dated 17-12-2019 have now been superseded by the guidelines dated 04-01-2020 which provide provisions for constitution of the celebration committee. From the perusal of the guidelines dated 04-01-2020, it is clearly seen that there is a total

change in the constitution and the emphasis has now been given only to one organization namely Manipur Kabui Union excluding the other organizations. The manner in which the celebration committee is intended to be constituted by the State Government, is unfair and unreasonable being violative of Article 14 of the Constitution of India. The said guidelines are as good as an order being issued by the State Government appointing Manipur Kabui Union as a body to organize the State Level Gaan-Ngai Festival. It may be noted that it will make no difference to the State Government whether the State Level Gaan-Ngai Festival is organised by "A" organization or "B" organization. Therefore, all that the State Government ought to do, is to select one from amongst various organizations by giving equal opportunity to all of them. The method of pick & choose shall not be adopted by the State Government. The conjoint reading of both the guidelines makes it very clear that the State Government may frame such guidelines every time it desires to help an organization without any standing guidelines applicable to all. In this regard, there are three options available with the State Government-one, the Government itself can organize it; two, the State Government can constitute a permanent body for organizing it which is acceptable to all belonging to Zeliangrong community and three, the State Government may lay down the eligibility criteria and the procedure to be followed while selecting one from amongst the eligible applicants/ claimants. None of the above has been followed by the State Government nor have the guidelines suggested by one of the experts been taken into account while issuing the

guidelines dated 17-12-2019 and 04-01-2020 which are rendered bad in law. In the normal course, the instant writ petition ought to have been dismissed as infructuous, as the Guidelines dated 17-12-2019 have been superseded by the Guidelines dated 04-01-2020. But in view of this Court's order dated 04-04-2019 directing the State Government to frame guidelines, this Court deems it appropriate to consider whether proper guidelines have been framed by the State Governments in terms of the said Court's order. It has not been done so by the State Government as has been observed by this Court hereinabove but there is no need of quashing the guidelines dated 17-12-2019 as aforesaid.

[12] So far as the prayer for releasing the amount deposited by the State Government in the registry and earmarked as grant-in-aid for the State Level Gaan-Ngai Festival celebrated in January, 2020 is concerned, it has been submitted by the counsel appearing for the petitioner that the State Level Gaan-Ngai Festival was organized on 08-01-2020 by the petitioner at Ramji Kabui Village, Imphal-West, Manipur. In the affidavit filed on behalf of the State Government, there is no specific averment denying the allegation that it was organized by the petitioner. All that has been submitted on behalf of the State Government is that as many of the organizations belonging to Zeliangrong community have celebrated Gaan-Ngai at different places, the petitioner may have done that in the same line and that the State Level Gaan-Ngai Festival shall be organized by the committee constituted as mentioned in the said two guidelines. But it is nowhere stated in the affidavit that the State Level Gaan-Ngai Festival,

2020 has in fact been organized by the Celebration Committee, appointed by the State Government, which is entitled to the said amount. Therefore, the contention of the counsel appearing for the petitioner has some merit and on top of that, the name of the petitioner suggests that it has been constituted for this purpose only with no objection being raised by anyone. In other words, there is no material on record to show that the registration of the petitioner as a society has been objected to by anyone. The petitioner can be said to be one of the eligible applicants/ claimants for receiving grant-in-aid. Considering the peculiar facts and circumstances of the present case and in particular, the fact that State Level Gaan-Ngai Festival, 2020 was organized by the petitioner as claimed by it which is not specifically denied by the State Government in its affidavit, this Court is of the view that there is nothing wrong & harm in directing that the amount lying in the registry shall be released to the petitioner which this Court does herein-below.

[13] In view of the above and for the reasons stated hereinabove, the instant writ petition stands disposed of with the following directions:

(a) The State Government shall withdraw the guidelines dated 04-01-2020 forthwith and frame the new guidelines, as suggested by the experts, laying down the eligibility criteria and the procedure to be followed while selecting the applicant/ claimant for providing grant-in-aid to organize the State Level Gaan-Ngai Festival. This exercise shall be completed by the end of November, 2020 so that an organization can be selected by the

State Government, on that basis and well in advance, in order to organize the State Level Gaan-Ngai Festival, 2021 probably in January, 2021;

(b) The registry of this Court is directed to release the amount, at the earliest possible, lying with it by way of a cheque/ bank draft drawn in the name of the petitioner and hand over the same to its Secretary after his being identified by the counsel appearing for the petitioner. However, the petitioner shall submit the utilization certificate as required in law, to the Department of TA & Hills, Government of Manipur within a month from the date of receipt of the said amount.

There shall be no order as to costs.

JUDGE

FR / NFR

Victoria

Yumkham Rother Digitally signed by Yumkham Rother Date: 2020.10.20 16:58:03 +05'30'