GAHC040019852025

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/565/2025

The Donyi Polo Mission and Anr
represented by Shri Gegong Apang (Chairman), Son of Late Emi Apang, resident of Siang House, C Sector, Itanagar, PO and PS Itanagar, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP and 4 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The Registrar of Societies
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Deputy Commissioner
Age: 0
Occupation :
Itanagar Capital Region
Govt of Arunachal Pradesh
Itanagar.

4:The Superintendent of Police
Age: 0
Occupation :
Itanagar Police Station
Itanagar
Arunachal Pradesh.

5:The Officer in Charge
Age: 0
Occupation :
Itanagar Police Station

Itanagar
Arunachal Pradesh

Advocate for the Petitioner : Nalo Pada, Tanur Gao,Amy Talom,Takom Roleng,Joshep Gao,Juel Saroh,Bomnya Kamdak

Advocate for the Respondent : GA (AP),

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 10.11.2026

Heard Mr. N. Pada, learned counsel for the petitioners. Also heard Mr. S. Tapin, learned Senior Government Advocate for the State respondents.

2. This writ petition has been filed seeking a direction to the respondent authorities to renew the registration of the petitioner Society under the Societies Registration Act. The petitioners have challenged the rejection of the application for issuance of Police Clearance Certificate by the Superintendent of Police, Itanagar Capital Region, as the Chairman of the petitioner Society is involved in a criminal case.

3. The petitioner No. 1 is a Society, represented by its Chairman and Secretary, registered in the name and style of "Donyi Polo Mission" and "Donyi Polo Mission School for Hearing, Visually and Intellectually Impaired", having its headquarters at Itanagar, Papum Pare District. The primary objective of the Society is to serve persons with disabilities in accordance with traditional culture and faith, particularly children who are hearing, visually and intellectually impaired. Initially, the Society was registered about 40 years ago, vide

registration dated 18.06.1979, and its registration was subsequently renewed in the year 2022.

4. It is the case of the petitioners that on the expiry of registration of the petitioner Society, an application was submitted for renewal of its registration, for which a Police Clearance Certificate was required. However, the Superintendent of Police, Itanagar Capital Region, rejected the application for issuance of the said certificate on the ground that a criminal case had been initiated against the Chairman of the petitioner Society.

5. It is contended that although a Police Clearance Certificate is required for renewal of the registration of the petitioner Society, mere initiation or pendency of a criminal case against its Chairman cannot be a ground for refusing to consider the renewal of the registration of the Society, the petitioner Society being a separate legal entity. Therefore, the petitioners seek a direction to the respondent authorities for renewal of the registration of the petitioner Society.

6. Mr. N. Pada, learned counsel for the petitioners, and Mr. S. Tapin, learned Senior Government Advocate for the State respondents, while referring to the affidavits filed on behalf of the respondents, particularly the affidavit filed on behalf of respondent No. 4, have jointly submitted that on re-examination of the matter, it has been found that the criminal case was registered against the Chairman of the petitioner Society in his individual capacity and not against the petitioner Society, which is a separate legal entity. It is also submitted that even the criminal case registered against the Chairman of the petitioner Society has been returned with a Final Report on 18.08.2025. Therefore, there is no other impediment for the respondent authorities to consider the application for

renewal of the registration of the petitioner Society in accordance with law.

7. Having considered that the application for renewal of the registration of the petitioner Society was not considered essentially on the ground of pendency of a criminal case against its Chairman, which has been culminated in the submission of a Final Report, and also taking into account that the petitioner Society is a separate legal entity, as well as the fair submissions of the learned counsel for the parties, I deem it appropriate to dispose of this writ petition with a direction to the respondent authorities to consider the application for renewal of the registration of the petitioner Society in accordance with law, particularly when no other impediment to such renewal has been brought to the notice of this Court.

8. Accordingly, the respondent authorities, particularly respondent No. 2, i.e. the Registrar of Societies, Government of Arunachal Pradesh, Itanagar, are directed to consider the application dated 18.06.2025, submitted by the petitioner Society for renewal of its registration, in accordance with law, within a period of 3 (three) weeks from today.

9. Writ petition stands disposed of in terms above.

JUDGE

Comparing Assistant