

GAHC010098092019



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

Case No. : PIL(Suo Moto)/2/2019

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GUWAHATI, ASSAM

VERSUS

1: IN RE - STATE OF ASSAM AND 7 ORS REPRESENTED BY THE CHIEF SECRETARY, JANATA BHAWAN, DISPUR, GUWAHATI - 781006

2:STATE OF NAGALAND REPRESENTED BY THE CHIEF SECRETARY NAGALAND CIVIL SECRETARIAT KOHIMA - 797004

3:STATE OF MIZORAM REPRESENTED BY THE CHIEF SECRETARY MIZORAM SECRETARIAT AIZWAL - 796001

4:STATE OF ARUNACHAL PRADESH REPRESENTED BY THE CHIEF SECRETARY CIVIL SECRETARIAT ITANAGAR - 791111

5:THE DIRECTOR GENERAL OF POLICE,
ASSAM POLICE HEADQUARTERS ULUBARI GUWAHATI - 781001

6:THE DIRECTOR GENERAL OF POLICE NAGALAND
POLICE HEADQUARTERS P.R. HILL KOHIMA - 797001

7:THE DIRECTOR GENERAL OF POLICE
MIZORAM POLICE HEADQUARTERS KHATLA AIZWAL - 796001

8:THE DIRECTOR GENERAL OF POLICE ARUNACHAL PRADESH POLICE
HEADQUARTERS CHANDRANAGAR ITANAGAR - 791111

9:UNION OF INDIA THROUGH THE SECRETARY TO THE GOVERNMENT OF
INDIA HOME DEPARTMEN

For the Petitioner : Mr. N.K. Sarma, Advocate appearing on behalf of Mr. H.K. Das,
Standing Counsel, Gauhati High Court.

For the Respondents : Mr. D. Nath, Senior Government Advocate, Assam.
: Mr. B.D. Goswami, Additional Advocate General, Arunachal Pradesh, assisted by Mr. A. Chandran, Additional Senior Government Advocate, Arunachal Pradesh.
: Mr. A. Kalita, Additional Advocate General, Mizoram.
: Ms. M. Kechii, Additional Advocate General, Nagaland, Nagaland.

- B E F O R E -
HON'BLE THE CHIEF JUSTICE
HON'BLE MRS. JUSTICE MITALI THAKURIA

24.05.2023

Mr. D. Nath, learned Senior Government Advocate, Assam submits that a Notification dated 19.05.2023 has been issued by the State of Assam in reference to the proceedings of this PIL and that he shall be bringing the same on record through an affidavit.

Mr. B.D. Goswami, learned Additional Advocate General, Arunachal Pradesh submits that the State of Arunachal Pradesh has imparted training of investigation skills to 84 Investigating Officers of the Investigation Wing based on the directions given by the Hon'ble Supreme Court in WP(C) No.310/1996 (*Prakash Singh & Ors. -Vs- Union of India & Ors.*) and by the Itanagar Bench of this Court in PIL No.9/2022 (*Gamken Bam -Vs- State of Arunachal Pradesh & Ors.*). The State of Arunachal Pradesh has also filed an affidavit on 15.03.2023, wherein it has been stated that separation has been made in the Investigation Wing and the Law & Order Wings of the Police Department in the State of Arunachal Pradesh.

Similar steps have been taken by the State of Mizoram as has been pointed out by Mr. A. Kalita, learned Additional Advocate General, Mizoram. He submits that Notification to this effect has already been issued and that

he shall also be bringing on record an affidavit relating to Constitution of the Police Accountably Commission.

Ms. M. Kechii, learned Additional Advocate General, Nagaland, submits that a formal Notification for separation of the Investigation and Law & Order Wings of Police has already been issued by the State of Nagaland. She further submits that instead of constituting a separate Police Accountability Commission, the State of Nagaland has constituted State Level Police Complaint Authority and District Level Police Complaint Authority.

List after 4(four) weeks for further consideration.

JUDGE

CHIEF JUSTICE

Comparing Assistant