

GAHC040013182022



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

Case No. : PIL/16/2022

Tambo Tamin
S/o Shri Tako Leriak Tamin,
R/o Borum, PO/PS Naharlagun, District Papum Pare, Arunachal Pradesh.
M No 9436895703

VERSUS

THE STATE OF AP and 2 Ors.
Represented by the Chief Secretary, Govt. of Arunachal Pradesh
Mobile No. 9436895703 2:The Commissioner
Age: 0
Occupation :
Law and Justice
Govt. of Arunachal Pradesh
Itanagar.

3:The Secretary
Age: 0
Occupation :
Department of Indigenous Affairs
Govt. of Arunachal Pradesh
Itanagar

Advocate for the Petitioner : Lissing Perme, Krishna Dubey, Wintet Sawin, A Perme, T Gamlin

Advocate for the Respondent : GA (AP),

B E F O R E
HON'BLE MR. JUSTICE KARDAK ETE
HON'BLE MR. JUSTICE BUDI HABUNG

ORDER

30.09.2024

(Kardak Ete, J.)

Heard Mr. S. Yirang, learned counsel for the petitioner. Also heard Mr. I. Choudhury, learned Advocate General for the State respondent.

By filing this Public Interest Litigation, essentially the petitioner has raised the issue to the effect that the State authorities have failed to frame the required rules as mandated under Section 8 of the Arunachal Pradesh Freedom of Religion Act, 1978, even after lapse of 45 years of its enactment.

The State by filing the additional affidavit has stated that the Draft Rules has been submitted to the Government for further scrutiny and for obtaining vetting from the Law Department.

Mr. I. Choudhury, learned Advocate General, submits that the finalization of the Rules would take at least another 6(six) months time.

Having considered the submissions of the learned Advocate General and having perused the affidavit and the Draft Rules, we are of the view that no useful propose would be served by keeping this Public Interest Litigation pending as the framing of requisite rules as mandated under Section 8 of the Arunachal Pradesh Freedom of Religion Act, 1978 is under process. Accordingly, this present petition is closed.

However, we expect the concerned authorities to be mindful of their obligations and the draft rules would be finalized within a period of 6(six)

months from today.

JUDGE

JUDGE

Comparing Assistant