



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 285 of 2026

Date of Hearing :17.08.2026

Date of Decision :15.09.2026

1. Mawkhar Presbyterian Church, Shillong
 Having its registered office at Mission Compound, Block-1,
 East Khasi Hills District, Shillong-793001, Meghalaya
 Represented by its Secretary Tbn. Mr. Geraldton Pakma.

2. Tbn. Mr Geraldton Pakma,
 S/o (L) Shri S. Shullai, aged about 60 years
 R/o Sunny Hills, Block-1, East Khasi Hills District,
 Shillong-793002, Meghalaya.

... Petitioner(s)

Versus

1. The State of Meghalaya represented by
 The Chief Secretary to the Government of Meghalaya
2. The Deputy Commissioner,
 East Khasi Hills District, Shillong, Meghalaya
3. The Joint Registrar of Societies,
 East Khasi Hills District, Shillong, Meghalaya
4. The Superintendent of Police,
 East Khasi Hills District, Shillong, Meghalaya
5. Tbn. Mr. Disting Roy Thangkhiew, Lum Sohra,
 Lummawbah, Shillong, East Khasi Hills, Meghalaya
6. Tbn. Mr. F.F. Ropmay, Madan Laban, Shillong,
 East Khasi Hills District, Meghalaya
7. Rev. Bidonbok Syiem,
 Mission Compound, Block-2, Shillong
 East Khasi Hills, Meghalaya



8. The Presbyterian Church of India (PCI) represented by its
Moderator, Presbyterian Assembly House, Central Ward,
Shillong, Meghalaya. Respondent(s)

Coram:

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

Appearance:

- | | | |
|-----------------------|---|---|
| For the Petitioner(s) | : | Mr. S. Dutta, Sr. Adv. with
Mr. M. Allya, Adv.
Mr. B. Nongbet, Adv.
Mr. C. Sharma, Adv.
Ms. A. Rana, Adv. |
| For the Respondent(s) | : | Mr. N.D. Chullai, AAG with
Ms. Z.E Nongkynrih, GA (For R 1-4)
Mr. K. Paul, Sr. Adv. with
Mr. R.K. Synrem, Adv.
Mr. S. Chanda, Adv. (For R 5-7)
Mr. L. Shongwan, Adv. (For R 8) |

- | | | |
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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

JUDGMENT AND ORDER

1. The writ petitioner No 1, before this Court i.e. Mawkhar Presbyterian Church, Shillong is a registered society under the Meghalaya Societies Registration Act, and by this writ petition is praying for the following reliefs: -



- i) To quash and set aside the impugned order No. C&S. 5/2026/53 dated **19.06.2026** issued by the Deputy Commissioner, East Khasi Hills; and/or
- ii) To quash and set aside the impugned order No. C&S. 5/2026/52 dated **19.06.2026** issued by the Deputy Commissioner, East Khasi Hills commanding the KJP Synod Mihngi to halt the administration of the Holy Sacraments scheduled for 28.06.2026; and/or
- iii) To quash and set aside the impugned order No. C&S. 5/2026/46 dated 18.06.2026 issued by the Deputy Commissioner, East Khasi Hills; and/or
- iv) To quash and set aside the coercive impugned Show Cause Notice No. C&S. 5/2026/30 dated **13.05.2026** issued by the Deputy Commissioner, East Khasi Hills threatening penal action against the Executive Committee of the Petitioner Church and/or
- v) To quash and set aside the Impugned Letter Memo No. C&S. 5. 2026/24-A dated **08.05.2026** issued by the Deputy Commissioner, East Khasi Hills which unconditionally banned “external interference” to prohibit ordained third-party ministers from rendering pastoral care; and/or
- vi) To quash and set aside the arbitrary executive lockdown and ban on holding meetings in the Church’s school, halls, and premises contained



in the Minutes of the Meeting Memo. No. C&S. 16/96/Pt. 26/120-A dated 12.03.2026 issued by the Deputy Commissioner, East Khasi Hills and/or

vii) To restrain the Deputy Commissioner, East Khasi Hills and Superintendent of Police, East Khasi Hills from interfering in the internal ecclesiastical, spiritual, and administrative management of the Mawkhar Presbyterian Church, and explicitly directing them not to obstruct the Holy Sacraments of Baptism and the Lord's Supper.

2. The background facts are as follows: -

The Mawkhar Presbyterian Church (herein the Petitioner) established in Shillong on 01.01.1871, is the historic "Mother Church" of the region, serving a congregation of approximately 92,00 members. To facilitate legal and administrative functions such as holding property title and managing bank accounts the Church registered as a Society under the Meghalaya Societies Registration Act on 22.01.2015, bearing Registration No. E.16/5 of 2015/5.

The conflict within the Church originated following the discovery of a financial scandal on 24.06.2019, involving an unexplained deficit of approximately Rs.2,86,59,490, which led to an exhaustive audit and confirmed as a misappropriation of roughly Rs.4.65 crore. This led to the filing of an FIR on 03.08.2019 against the Chowkidar for a fraud of Rs. 3.26



crore. A wider crisis erupted when the KJP Synod Sepngi pressured the Pastor, Rev. M. Pyngrope, to sign a Bond Agreement and when the Church Committee inquired if this would compromise the active criminal case, the Synod Sepngi ignored the question and suspended the Pastor on 03.06.2025, and eventually on 27.11.2025; the Pastor was stripped of his ordination. The congregation of approximately 9,200 members viewed this as an organized cover-up to protect implicated elders and voted overwhelmingly on 01.02.2026, to dissociate from the KJP Synod Sepngi.

While the Joint Registrar of Societies initially ruled on 10.02.2026, that the dispute over the Church's internal amendments was an internal affair, the Deputy Commissioner (DC) initiated a series of executive interventions. On 12.03.2026, the DC banned all meetings inside Church schools, halls, and premises until the dispute was resolved, effectively paralyzing the institution's secular and educational management.

On 08.05.2026, the DC issued a directive prohibiting "external interference" by third-party ministers. This effectively barred ordained ministers from the KJP Synod Mihngi from administering essential religious rites such as Baptism and the Lord's Supper. On 19.06.2026, the DC issued orders (C&S.5/2026/52 and C&S.5/2026/53) ordering the KJP Synod Mihngi to halt pastoral care. In these orders, the DC cited and interpreted internal



clauses of the PCI Constitution to dictate religious jurisdiction, acting as an “Ecclesiastical Court”.

The Petitioners filed the instant Writ Petition to quash these orders, arguing that the District Administration has, firstly, violated essential religious practices and fundamental rights under Articles 14, 25, and 26(d) of the Constitution of India.

3. The issues that have arisen in the present dispute are as follows: -

(i) whether the DC’s orders violate the fundamental rights to free practice of religion and management of religious affairs under Articles 25 & 26 of the Constitution

(ii) whether the DC overstepped civil authority by interpreting the clauses of the Constitution of Presbyterian Church of India to determine which Synod has jurisdiction over the petitioner Church

(iii) whether the DC erred by treating the Church (a religious body) as identical to a Registered Society

(iv) whether the absolute ban on holding meetings inside Church schools, Halls and premises described by the petitioner as an illegal executive lockout is a valid exercise of administrative power or infringement on the right to manage property under Article 26 (d).



4. Mr. S. Dutta, learned Senior counsel assisted by Mr. M. Allya, learned counsel for the petitioners has submitted that the writ petitioner is mainly assailing orders dated 13.05.2026 and 19.06.2026, passed by the respondent No. 2 (Deputy Commissioner) and an order of the same date 19.06.2026, addressed to the petitioner No. 2. (Shri J. Pakma, Secretary, Mawkhar Presbyterian Church), which he contends are ex facie illegal, as the same were passed without any authority of law. It is argued that any interference by the respondent No. 2, destroys the guaranteed right to religious freedom as given under Articles 25 & 26 of the Constitution. The learned Senior counsel has then submitted that there is a marked difference in the implication of two clauses namely; Article 26(b) and Article 26(d), inasmuch as, Article 26(b) deals with the right of management given to a religious body which is a guaranteed fundamental right which no legislation can take away. Learned Senior counsel submits that matters of religion, are entirely outside the pale of law and as such, religious denominations enjoy complete autonomy as to what rites and ceremony are essential.

5. The respondent No. 2 he submits, has attempted to venture into the interpretation of the Constitution of the Presbyterian Church of India, which is not within his domain, by issuing the Show Cause Notice dated 13.05.2026, to the petitioner No. 2, directing him to show cause as to why proceedings under the relevant sections of law be not drawn up against the



Executive Committee of the petitioner Church, that no third party interference into the management and affairs of the Mawkhar Presbyterian Church be allowed, till the completion of the enquiry by the Joint Registrar Society. This action he asserts, has violated Article 26(b) of the Constitution of India and the impugned orders stemming therefrom, have been passed in excess of jurisdiction as there is no provision in the statute to pass such orders. It is strenuously emphasized by the learned Senior counsel that the respondent No. 2, derives his power only when there is a disruption of public order, morality and health, and these ingredients are totally absent in the instant case and that, even if there be disagreements between two groups in the Church, the State would not enter into such an arena in view of Articles 25 & 26. The impugned orders he submits, have not been passed on account of any public disruption and as such, are non est in law and deserve to be set aside.

6. The learned Senior counsel has then referred to order dated 19.06.2026, (Page 118 to the writ petition) and submits that the observations of the respondent No. 2, are untenable, as the facts stated therein, can only be assessed by a civil court by way of evidence, and the order does not reflect that there was any disruption of public order. Attention of this Court, has also been drawn to Annexure-6 to the writ petition which are the Minutes of a meeting held on 12.03.2026, wherein he submits that the respondent No. 2 has categorically stated that meeting was being held to discuss matters



between the two factions of the members of the Mawkhar Presbyterian Church, which may lead to a breakdown of law and order. In this context, reference has been made to an order dated 04.05.2026 passed in C.R. Case No. 14 (A) 2026 under Section 126/164 BNSS, and submits that the Executive Magistrate in the instant dispute had noted that the matter was not a fit case for further proceedings under Sections 126/164 BNSS, 2023 and gave liberty to the parties to approach competent forum for adjudication and the said case was closed and disposed of.

7. It is further submitted that the enquiry before the Registrar of Societies, pertains only to registration under the Meghalaya Registration of Societies Act, 1983 and the said enquiry in no manner can confer jurisdiction upon the respondent No. 2, to regulate and determine religious and ecclesiastical affairs. The invitation extended to the KJP Synod Mihngi he contends, has been misconceived as a third-party interference, inasmuch as, the same was on the basis of a decision taken by the majority at the General meeting held on 01.02.2026, and that providing pastoral care cannot be determined by civil administration. It has also been submitted that Chapter-II, Clause (D) (a) (iii) of the Constitution of the Presbyterian Church of India empowers the Synod's Executive Committee to cater to the spiritual needs of the Christian population within its jurisdiction, including the needs of the Christians from other Synods and Church traditions.



8. It is lastly submitted that the impugned orders and the consequential Show Cause Notice issued by the respondent No. 2, are wholly without jurisdiction, having been passed without any statutory authority and in direct interference and in violation of Articles 25 & 26 of the Constitution of India.

9 The learned Senior counsel has cited the following decisions in support of his case namely;

- i) *Commissioner, Hindu Religious Endowments, Madraw v. Sri Lakshmindra Thirtha Swamiar of Srhi Shirur Mutt, AIR 1954 SC 282.*
- ii) *Ratilal Panachand v. State of Bombay, AIR 1954 SC 388*
- iii) *Mohinder Singh Gill v. Chief Election Commissioner, New Delhi (1978) 1 SCC 405*
- iv) *Commissioner of Police, Bombay v. Gordhandas Bhanji, 1951 SCC 1088*
- v) *Guruvayoor Devaswom Managing Committee v. C.K. Rajan, (2003) 7 SCC 546*
- vi) *Union of India v. Tulsimar Patel, (1985) 3 SCC 398*
- vii) *Manish S. Pardasani v. Inspector, State Excise, (2019) 2 SCC 660*
- viii) *Most Rev. P.M.A. Metropolitan v. Moran Mar Marthoma, 1995 Supp (4) SCC 286*
- ix) *Tbn. Phrangsngi Mynsong v. Tbn. G. Thwingland Lyngdoh, 2021 SCC OnLine Megh 219*
- x) *Manoj Narula v. Union of India, (2014) 9 SCC 1*



xi) Commissioner of Police v. Acharya Jagadishwarananda Avadhuta, (2004) 12 SCC 770

10. On behalf of the respondents Nos. 1 to 4, Mr. N.D. Chullai, learned AAG assisted by Ms. Z.E. Nongkynrih, learned GA has firstly submitted that the writ petition has been filed by one Shri G. Pakma who claims to be the Secretary of the Mawkhar Presbyterian Church, whereas another person namely; Shri D.R. Thangkhiew also claims to be the Secretary of the same Church, and as such it is unclear as to who is the Secretary. It is further submitted that the matter pertains to the internal affairs of the Church and the matter cannot be determined by a writ court, and as such on both these counts, the writ petition is not maintainable.

11. The learned AAG has then submitted that the Presbyterian Church of India vide letter dated 16.06.2026, has also clarified that a Local Church under the Synod cannot disassociate from its current Synod to seek affiliation with another based on a resolution passed by its members, and that the same can only be effected by submitting an application and receiving the approval by the concerned authority. It is further submitted that as there were apprehensions of interference and disruptions of regular functioning of the Church and upon the District Administration being approached by the petitioners and the respondents Nos. 5 to 7, the State respondents adopted preventive measures to ensure maintenance of peace and order. The decisions



arrived at, at the meeting held on 12.03.2026, he submits was in the presence of the two factions of the Church and cannot constitute to be an interference by the District Administration, and though it did not want to interfere with the internal affairs of the Church, due to the discord, filing of FIRs and counter FIRs, was compelled to issue orders to prevent any escalation between the two factions. Thereafter he submits, as other complaints had been filed by the respondent No. 2, on 08.05.2026, with regard to the apprehension of interference and transfer of Church property to a third party, further orders were necessitated that only normal and funeral service would be allowed to be carried out by the groups and that no external interference would be allowed.

12. However, he submits, as there was third party involvement in view of a letter dated 12.05.2026, of the KJP Synod Mihngi which had agreed to provide pastoral care, the Show Cause Notice dated 13.05.2026, was then issued for violating the order of the respondent No. 2. All the actions of the District Administration he submits were interim measures to ensure that there was no breach of peace pending resolution of the discord between the parties, who are both bound by the Constitution of the Presbyterian Church of India before whom they should have approached for redressal of their grievances. The action of the respondent No. 2 he submits in conclusion, cannot be said,



or be held as any interference by the District Administration in the conduct of the religious affairs of the Church.

13. Mr. K. Paul, learned Senior counsel assisted by Mr. R.K. Synrem, learned counsel for the respondents Nos. 5 to 7, has at the outset submitted that the petitioner No. 2, Shri G. Pakma has no locus standi to file the writ petition as he is no longer a Church elder or an office bearer and thus, has no authority to represent and act on behalf the Church in any manner or activity. The petitioner he submits, has failed to establish any enforceable fundamental or legal right, which calls for interference under Article 226 of the Constitution and further, has failed to demonstrate that their Church Committee has the undisputed authority to represent the Mawkhar Presbyterian Church. The orders of the Deputy Commissioner he submits, was not to determine theological and ecclesiastical rights of either faction but was purely administrative and preventive, and were based on the request of the petitioner on complaints received. The meeting in the DC's office chamber he submits, was with the objective to prevent any untoward incident and to preserve the peace, and the clarification sought by the respondent No. 2, from the Presbyterian Church of India was not violative of Articles 25 & 26, but based upon the material provided by the PCI vide its response dated 16.06.2026. The impugned orders therefore he submits, were simply for the



maintenance of public order and peace and were never meant to dictate the doctrine of the Church, religious beliefs or how worship should be conducted.

14. The petitioners' intentions he contends, in registering the Society was to hold title to property, operate bank accounts, manage education assets and that the Executive Committee of the petitioners in this regard, had been constituted without compliance with the PCI and without the recognition of the competent Higher Church Courts. It is also submitted that the petitioners and its committee are led by dis-ordained pastors, who cannot perform any religious functions and that the right conferred by Article 25 of the Constitution, is only when the right to receive is in question and not the right to give, and that the test of morality requires that to hold pastoral services and other religious functions, the same is to be administered by a person recognized and ordained by the PCI.

15. The learned Senior has then touched upon the facets of the Constitution of the Presbyterian Church of India and its provisions which he submits has an in-built mechanism to address the issues of the petitioners without invoking writ jurisdiction i.e. the Church Courts, which includes the Local Church, District/Pastorate, Presbytery, Synod and General Assembly. The issue being an internal matter he submits, Article 226 cannot be invoked and that moreover, the petitioners have never approached the Sub-Pastoral Committee with their grievances, which can be settled by the PCI through its



exhaustive internal mechanism. It is also contended that the Mawkhar Presbyterian Church being affiliated to KJP Synod Sepngi without following due procedure, a different Synod cannot provide pastoral and ecclesiastical care outside its jurisdiction and the same would only create a confrontation between two Synods. In rounding up his arguments, the learned Senior counsel has again reiterated the existence of alternate remedy and has emphasized that writ jurisdiction cannot be converted into a forum for declaring which of the rival factions is the lawful governing body and that the questions raised by the petitioners and the relief sought, cannot be dealt with in a writ proceeding.

16. On behalf of the respondent No. 8, Mr. L. Shongwan, learned counsel has emphasized that the Khasi Jaintia Presbyterian Synod Sepngi (KJPSS) holds the exclusive and final authority regarding the appointment, ordination and removal of pastors. He submits that a Local Church lacks the power to unilaterally disassociate from its Synod simply by passing a resolution amongst its members, but that any change in affiliation should strictly adhere to a sequential hierarchy of ecclesial procedures, which requires a written request to be processed through the District/Pastorate, sanctioned by the Presbytery and finally decided by the Synod. The petitioners he submits failed to adhere to these mandatory ecclesiastical procedures, and therefore the communication dated 04.02.2026, could not be



considered as adherence to procedure because it attempted to bypass the respective Synods and approached the Apex authority directly, which the Constitution of the PCI does not permit. The learned counsel has outlined the ecclesial procedure that must be followed and has placed several clauses of the PCI Constitution to elaborate on this aspect, and submits that any attempt to bypass these steps is considered as a violation of ‘intra-fate conciliation’ and the mandatory provisions of the PCI Constitution.

17. The learned counsel then detailed the provisions of the PCI Constitution that provides for a dispute redressal mechanism, which he submits is through a system of Church Courts, and that any internal dispute that cannot be amicably resolved at the Local Church Committee, must be referred to the higher Church Courts. It is further submitted that a Synod cannot extend its powers beyond its jurisdiction, inasmuch as, the same is determined by an association of churches belonging to specific Districts and Presbyteries associated to a particular Synod and not on geographical boundaries. The KJP Synod Mihngi therefore, he submits by seeking to provide Pastoral services without following due procedure constitutes an impermissible external interference into the jurisdiction of Synod Sepngi, which he further contends would set a bad precedent to thousands of other Churches within the PCI, and would render the provisions of the PCI Constitution redundant.



18. With regard to the orders of the respondent No. 2 (Deputy Commissioner), the learned counsel submits that the communication dated 10.06.2026, due to the conflicting claims by the respective factions and the potential implications for maintenance of public order was necessary in order to obtain formal clarification from the respondent No. 8, which is the highest authority under the Presbyterian Church of India. It is further submitted that the events that led to the issuance of the letter dated 19.06.2026, are to be read together with the Minutes of the meeting dated 12.03.2026, letters dated 08.05.2026, 12.05.2026 and 10.06.2026, which were with the objective to ensure maintenance of public tranquility and public order. Learned counsel with regard to the judgment placed by the petitioner i.e. ***Mohinder Singh Gill*** (supra) has contended that the same would have no application, inasmuch as, the cited judgment pertains to the correction of flawed orders passed by the authorities by way of an affidavit, whereas in the instant case, the respondent No. 2 had not supplemented the new orders with new reasons.

19. In closing his arguments, the learned counsel has submitted that the stand of the petitioners that the present dispute, specifically the impugned preventive orders by the respondent No. 2, be tried by a Civil Court is legally unsustainable, inasmuch as, the PCI Constitution bars ordained Ministers and ordained Elders from approaching a Civil Court to challenge decisions rendered by any Church Court. Further he contends setting aside or quashing



the impugned letters and orders will not resolve the underlying ecclesiastical dispute and in fact, will only escalate the conflict between two Synods as the orders of the Deputy Commissioner are inextricably linked to, and a direct consequence of the internal ecclesiastical dispute of the Church. The contention that the impugned orders are violative of Articles 25 & 26, he submits, are fundamentally flawed and untenable and that the right under Article 25, is not absolute and is subject to public order and morality. The orders of the Deputy Commissioner therefore, he submits owing to the disputes between the two factions, being preventive intervention by the respondents is valid and warranted, and he prays that the writ petition be dismissed.

21. Having heard the learned counsel appearing for the respective parties and having carefully considered the pleadings, materials placed on record and the rival submissions, this Court is of the considered view that the controversy before this Court is required to be examined within a limited constitutional and administrative framework. This Court is fully alive to the fact that the instant dispute stems from the happenings in the Mawkhari Presbyterian Church, as observed hereinbefore, but at this stage itself, would observe that though many issues have been raised which touches upon the intra Church and inter Synod relations of the Presbyterian Church, these issues will not be deliberated or adjudicated upon, being ecclesiastical matters



within the domain of the Presbyterian Church's organization and management.

This Court it is reiterated, is not called upon in the present writ proceedings to determine which faction of the Mawkhar Presbyterian Church is ecclesiastically entitled to govern the Church, whether the decision dated 01.02.2026, validly effected a disassociation from the KJP Synod Sepngi, or whether the KJP Synod Mihngi has, under the Constitution of the Presbyterian Church of India, jurisdiction to extend pastoral care to the congregation of the petitioner Church. These are matters falling essentially within the internal ecclesiastical structure and dispute-resolution mechanism of the Presbyterian Church of India. This Court, exercising jurisdiction under Article 226 of the Constitution, cannot assume the role of an ecclesiastical tribunal or pronounce upon theological and denominational questions, which are to be determined by the competent authorities within the religious denomination.

23. The limited question which therefore arises for consideration is whether the Deputy Commissioner, East Khasi Hills, in exercise of his administrative and preventive powers, was competent to issue the impugned communications and orders in the form and manner, in which they have been issued. It is well settled that the State is entitled, and indeed duty-bound, to take appropriate measures for preservation of public order and prevention of apprehended breach of peace, and that the fundamental rights guaranteed



under Articles 25 and 26 of the Constitution, are not absolute and are expressly subject to considerations of public order, morality and health. However, the existence of a dispute between two groups cannot, by itself, confer unlimited jurisdiction upon the executive authority to regulate the internal affairs of a religious denomination. Preventive jurisdiction, must remain directed towards the prevention of an actual or reasonably apprehended disturbance of public order and cannot be transformed into a mechanism for adjudication of private, civil, ecclesiastical or denominational rights.

24. In the present case, the materials placed before this Court undoubtedly demonstrates the existence of serious discord between the rival groups claiming authority over the Mawkhar Presbyterian Church. There have been complaints, counter-complaints and criminal proceedings, and the District Administration cannot be faulted merely for having taken cognizance of the possibility of confrontation and for attempting to prevent any breach of peace.

The meeting convened on 12.03.2026, and the initial preventive measures, though not traceable to any particular provision of the BNSS, to the extent that they were genuinely directed towards maintaining public tranquillity, cannot therefore be said to be wholly without jurisdiction merely because the dispute originated in an internal ecclesiastical controversy.



25. This position, however, changes when the administrative authority proceeds beyond prevention of breach of peace and enters into the determination of competing ecclesiastical rights. The impugned communications, particularly those dated 08.05.2026 and 19.06.2026, appear to proceed upon an interpretation of the Constitution of the Presbyterian Church of India for the purpose of determining whether ministers belonging to one Synod could provide pastoral care to the congregation of the petitioner Church. Such determination is not, in the considered opinion of this Court, within the jurisdiction of the Deputy Commissioner. The District Administration may certainly prevent a particular person, or group from committing an act which is independently prohibited by law, or which poses a demonstrable and immediate threat to public order. It cannot, however, conclusively determine which Synod possesses ecclesiastical jurisdiction merely, by relying upon the internal Constitution of the Presbyterian Church of India.

For the sake of convenience, the main impugned orders and communications particularly, Communication/Memo dated **08.05.2026**, Show Cause Notice No. C&S.5/2026/30 dated **13.05.2026**, the impugned orders No. C&S.5/2026/53 dated **19.06.2026** and order No. C&S.5/2026/52 dated **19.06.2026**, are reproduced herein below: -



**GOVERNMENT OF MEGHALYA
OFFICE OF THE DEPUTY COMMISSIONER, EAST KHASI HILLS
DISTRICT, SHILLONG**

Memo No. C&S.5/2026/24

Dated Shillong, the 8th May, 2026

To,

1. Shri. B. Syiem (8974761382)
2. Shri. D.R. Thangkhiew
3. Shri. Mc Donald Pyngrope (8732059833)
4. Shri. Gerakton Pakma (8837419365)

Subject: Matter relating to Mawkhar Presbyterian Church-Reg

Reference: This Office Letter Memo No. C&S.16/96/Pt.26/120-A Dated 12.03.2026

Sir,

With reference to the subject cited above and in continuation to the minutes of the meeting held on 12.03.2026 referred above in the office chamber of the undersigned, I am to reiterate that only normal church service and funeral service is allowed to be conducted by both the groups. However, no other external interference in the management and affairs of the church by any third party other than the two groups is allowed till completion of the enquiry by the Joint Registrar of Societies, East Khasi Hills District, Shillong in connection with the renewal of societies.

This is for your information and compliance.

Yours faithfully,

SD/-

Deputy Commissioner
East Khasi Hills District, Shillong
Dated Shillong, the 8th May, 2026

Memo No. C&S.5/2026/24-A

Copy to:

1. The Superintendent of Police, East Khasi Hills District, Shillong for favour of information and necessary action.
2. The Sector Magistrate i/c Lumdiengiri for kind information and necessary action.

SD/-

Deputy Commissioner
East Khasi Hills District, Shillong



**GOVERNMENT OF MEGHALAYA
OFFICE OF THE DEPUTY COMMISSIONER EAST KHASI HILLS
DISTRICT::SHILLONG::**

No.C&S.5/2026/30

To,

Dated Shillong, the 13th May, 2026

Shri. Geraldton Pakma (8837419365)
Secretary, Mawkhar Prebyterian Church

Subject: SHOW CAUSE NOTICE

**Reference: No.MPC/GENL/2026/116 Dated 9.05.2026
No.MPC/GENL/2026/119 Dated 11.05.2026
No.MPC/GENL/2026/120 Dated 12.05.2026**

Whereas, the undersigned vide Letter No.C&S.5/2026/24 Dated 8.5.2026, had categorically stated that no external interference in the management of affairs of the Mawkhar Presbyterian Church by any third party other than the two dissenting groups of the Church is allowed till completion of the Inquiry by the Joint Registrar of Societies, East Khasi Hills District, Shillong.

However, a complaint vide Letter No.MPC/GENL/2026/82 Dated 12.5.2026 was received, that as per your request, the Khasi Jaintia Presbyterian Synod Mihngi under the chairmanship of the Moderator, the Secretary of the Synod Mihngi had conducted the Executive Committee of the Synod Mihngi on 12.5.2026 wherein it was reportedly accepted that the KJP Synod Mihngi has decided to give 'Pastoral Care' to the Mawkhar Presbyterian Church.

In view of the above, you are hereby directed to Show Cause as to why proceedings under relevant sections of the law should not be drawn up against the Executive Committee of the Mawkhar Presbyterian Church for violation of the above order and disobeying the orders of the Deputy Commissioner, East Khasi Hills District, Shillong.

Your reply should reach the undersigned latest by 15th May, 2026.

Further, you are directed to ensure that no third party interference in the management of affairs of the Mawkhar Presbyterian Church is allowed till completion of the Inquiry by the Joint Registrar of Societies, East Khasi Hills District, Shillong.

Sd/-

Deputy Commissioner,
East Khasi Hills District.
Shillong.



Dated Shillong, the 13th May, 2026

Memo No.C&S.5/2026/30-A

Copy to:

1. Shri. D.R. Thangkhiew for information and necessary action.
2. Shri. Ebormi Nongpluh, Secretary, KJP Synod Mihngi for information and necessary action.

Sd/-
Deputy Commissioner
East Khasi Hills District,
Shillong

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE DEPUTY COMMISSIONER::EAST KHASI HILLS DISTRICT,
SHILLONG**

No.C&S.5/2026/53

Dated: Shillong, the 19th June, 2026

To,

Shri G. Pakma,
Secretary,
Mawkhar Presbyterian Church
Mission Compound Block-I, Shillong.

PRIORITY

Sub: Matters relating to Mawkhar Presbyterian Church- reg

Ref. No. (i) MPC/GENL/2026/125 dated 15th May, 2026

(ii) MPC/GENL/2026/149 dated Shillong the 4th June, 2026

Sir,

With reference to your letters referred above, I am to state that your contention that providing pastoral care by the Synod Mihngi does not amount to external interference in the affairs of the Mawkhar Presbyterian Church is not tenable since the Presbyterian Church of India (PCI) has clarified that “The provision of pastoral services by another Synod would amount to the de-facto ecclesiastical recognition of that congregation as falling under its jurisdiction, even though it completely lacks legal validity.”

The Presbyterian Church of India (PCI) has further clarified that “A local church under a Synod cannot dissociate from its current Synod to seek affiliation with another based solely on a resolution passed by its communicant members and that it is mandatory for a local church to seek prior approval or sanction for a change of affiliation and/ or release from the District/ Pastorates, Presbytery and Synod to which it belongs in accordance with Article B Clause 1 of the Constitution of PCI.”



In view of the above, you are hereby directed to take up the matter of pastoral care and ecclesiastical services with the Competent Authority as provided under Chapter II, Article C, Clause 7 and 12(c) of the constitution of the Presbyterian Church of India.

This is for favour of your kind information and necessary action.

Yours faithfully,

Sd /-

Deputy Commissioner
East Khasi Hills District,
Shillong

Dated: Shillong, the 19th June, 2026

Memo No.C&S.5/2026/53-A

Copy to:

1. The Moderator, Presbyterian Church of India (PCI), Presbyterian Assembly House, Central Ward, Shillong, Meghalaya for favour of kind information and necessary action.
2. The Senior Executive Secretary, KJP Synod Sepngi for favour of kind information and necessary action.
3. Shri. Ebormi Nongpluh, Secretary, KJP Synod Mihngi for favour of kind information and necessary action
4. Shri B. Syiem, Balang Presbyterian Mawkhar, Hast Khasi Hills District, Shillong.

Sd/-

Deputy Commissioner
East Khasi Hills District, Shillong

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE DEPUTY COMMISSIONER:: EAST KHASI HILLS
DISTRICT, SHILLONG**

No.C&S.5/2026/52

Dated: Shillong, the 19th June, 2026

To,

Shri. Ebormi Nongpluh,
Secretary.
KJP Synod Mihngi.

PRIORITY

Sub: Matters relating to Mawkhar Presbyterian Church- reg



Sir.

Whereas this office has received a copy of the letter **No. KJPSM/SUBCOM/Mawkhar/2026/05** dated 17th June, 2026 issued by Rev.C. S. Suchiang, Convener, Sub Committee KJP Synod Mihngi wherein it was stated that the Executive Committee of the KIP Synod Mihngi in its Executive Committee held on 12th May, 2026 has decided to assist the Mawkhar Presbyterian church in conducting the sacrament on the 28th June, 2026 and nominated 33 members to administer the said sacrament.

Whereas such action is in violation of the order of the undersigned vide **No. C&S.5/2026/30** dated 13th May, 2026 wherein it was clearly directed that no third party interference in the management of the affairs of the Mawkhar Presbyterian Church is allowed till completion of the inquiry by the Joint Registrars of Societies, East Khasi Hills District Shillong.

As per the communication received from the Moderator, Presbyterian Church of India (PCI). “No. Synod has the authority to validly provide pastoral care or ministerial services to a church that falls outside its defined geographical and administrative jurisdiction. The Specific duties of the Synod are explicitly laid down in Chapter 2, Article D, Clause 7 of the Constitution of the PCI”.

“The provision of pastoral services by another Synod would amount to the de-facto ecclesiastical recognition of that congregation as falling under its jurisdiction, and lacks legal validity”.

Regarding who can provide pastoral care and administer sacraments to the communicant members, the PCI has clarified that “Pending disposal or any transfer or affiliation issue, the sole authority responsible for providing pastoral care and administering sacraments to communicant members is the Sub-pastoral Committee of the Presbytery as mandated in Chapter II. Article C, Clause 12(c) of the Constitution of the PCI.”

In view of the above, you are requested to stop the action of administering the sacrament and providing pastoral and ecclesiastical services to the Mawkhar Presbyterian Church and withdraw the letter dated 17th June, 2026 as this will disturb the Status Quo and tantamount to interference by third party.

This is for favour of your kind information and necessary action.

Yours faithfully,

Sd /-

Deputy Commissioner
East Khasi Hillls District,
Shillong



Memo No.C&S.5/2026/52-A Dated: Shillong the 19th June, 2026

Copy to:

1. The Moderator, Presbyterian Church of India (PCI), Presbyterian Assembly House, Central Ward, Shillong, Meghalaya for favour of kind information and necessary action.
2. The Senior Executive Scerclary, KJP Synod Sepngi for favour of kind information and necessary action.
3. Shri. Macdonald Pyngrope, Mawkhar Presbyterian Church, East Khasi Hills District. Shillong.
4. Shri B. Syiem, Balang Presbyterian Mawkhar, East Khasi Hills District, Shillong.

For favour of kind information and necessary action with a direction to take up the matter of pastoral care and ecclesiastical services with the Competent Authority as provided under Chapter II, Article C, Clause 7 and 12(c) of the constitution of the Presbyterian Church of India.

Sd/-

Deputy Commissioner
East Khasi Hills District, Shillong

26. The distinction between the two spheres is fundamental. The State may regulate conduct where such regulation is sanctioned by law and is necessary for the maintenance of public order. It cannot, under the guise of such regulation, decide questions concerning the internal administration of a religious denomination, the validity of ecclesiastical appointments, the authority of ordained ministers, the jurisdiction of one Synod over another, or the validity of an internal ecclesiastical decision. Such questions must be left to the competent forum in accordance with the governing Constitution and rules of the denomination, subject always to the jurisdiction of the appropriate civil or constitutional courts where a legally enforceable right is otherwise involved.



27. The respondents have relied upon the existence of the internal Church Courts and the alternative mechanism provided under the Constitution of the Presbyterian Church of India. This Court finds substance in the submission that the underlying ecclesiastical dispute, ought ordinarily to be addressed through the mechanism created by the denomination itself but however, the existence of such an internal mechanism does not automatically validate an otherwise unlawful exercise of executive power by a statutory authority.

28. It is also to be noted that the registration of the petitioner Church as a society under the Meghalaya Societies Registration Act, does not by itself, convert every internal matter of the Church into a matter falling within the regulatory jurisdiction of the District Administration. It is also noteworthy to observe that, the fact that the Church has registered itself as a society for the purposes of management of property, banking and other secular affairs, does not vest the State respondents, with any executive authority to assume control over its religious or ecclesiastical functions. On this aspect, it may be further observed that property disputes, questions concerning possession, title, misappropriation, criminal offences or other secular matters, remain subject to ordinary law and may be dealt with by the competent statutory or other judicial forums in accordance with law.



29. It is relevant at this juncture to appreciate that the impugned directions prohibiting ordained ministers from providing pastoral care and the consequential direction requiring the KJP Synod Mihngi to halt the administration of the Holy Sacraments require particular consideration. The administration of religious rites and ceremonies lies at the heart of the religious practice of the denomination and whether a particular minister is ecclesiastically entitled to administer such rites, may be a matter for the denomination to determine in accordance with its own Constitution. The Deputy Commissioner, therefore, cannot in the opinion of this Court, determine such entitlement merely by interpreting the PCI Constitution, especially in the absence of a specific finding supported by cogent material demonstrating that the particular religious activity itself, was likely to cause an imminent breach of public order.

30. This Court also notes that in matters of the apprehension of the breach of peace or public order, it must be borne in mind that preventive orders must have a rational nexus with the apprehended danger and must be proportionate to the object sought to be achieved. In this context, it is relevant to mention that this aspect was already dealt with by the jurisdictional Executive Magistrate wherein, with regard to the dispute, he had concluded by order dated 04.05.2026, that the matter was not fit for further proceedings under Sections 126/164 BNSS, leaving the parties to approach the competent



forum. Therefore, a blanket prohibition affecting the ordinary secular and administrative functioning of the petitioner society, without adequate material demonstrating continuing necessity, would amount to an excessive exercise of executive power. As such, with regard to the blanket prohibition upon holding meetings in the Church's schools, halls and premises, this Court finds that an indefinite and absolute prohibition, cannot be sustained merely because there exists an internal dispute between rival groups. The District Administration is therefore required, if necessary, to adopt measures which are specific only to the prevention of actual disturbance of public order, rather than impose a general lockout of the institution.

31. Though constitutional protection is guaranteed under Articles 25 and 26, the same however, does not confer immunity from lawful preventive action. Thus, it must also be understood, that nothing contained in this judgment shall prevent the District Administration, or the police authorities from taking such action as may be permissible in law in the event of any actual or imminent threat to public peace, violence, trespass, intimidation, destruction of property or other cognizable offence. Any such action shall, however, be directed against the unlawful conduct complained of and shall not amount to an adjudication of the competing ecclesiastical claims of the parties.



32. This Court has also noted the submissions on locus, that is the petitioner No. 2's status as Secretary, which is disputed by the rival faction. However, such dispute, being itself part of the controversy, this question cannot be conclusively determined in the present writ petition, inasmuch as, for the limited purpose of examining the legality of the impugned administrative orders, this Court need not pronounce upon which of the rival office-bearers is legally entitled to represent the Church. Such determination may be made by the competent forum in accordance with law.

33. The reliance placed by the petitioners upon the decision of the Hon'ble Supreme Court in *Commissioner, Hindu Religious Endowments, Madras v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt*, (supra) is relevant to the extent that the Constitution protects the autonomy of a religious denomination in matters which fall within the sphere of religion, while recognising the power of the State to regulate secular activities associated with religious institutions in accordance with law. Thus, there can be no other view, or quarrel with the principle emerging from the constitutional scheme, that the State cannot substitute its own determination for that of the religious denomination in matters which properly belong to the latter's religious affairs. This Court though noting the other citations supplied by the Petitioner's counsel, however, in view of the findings rendered hereinabove, it is not deemed necessary to elaborate or discuss the same.



34. As such, as per the discussions made hereinabove, and looking into the totality of the matter, this Court is therefore of the view that the Deputy Commissioner exceeded the permissible limits of administrative intervention, insofar as, the impugned orders seek to determine, or regulate ecclesiastical jurisdiction and religious functions on the basis of an interpretation of the Constitution of the Presbyterian Church of India, and therefore the impugned orders cannot be sustained to that extent.

35. Accordingly, the Show Cause Notice No. C&S.5/2026/30 dated 13.05.2026, the impugned order No. C&S.5/2026/53 dated 19.06.2026 and order No. C&S.5/2026/52 dated 19.06.2026, which are essentially a determination by the Deputy Commissioner regarding ecclesiastical jurisdiction, are hereby quashed and set aside.

36. The communication/memo dated 08.05.2026 and the directions contained in the Minutes dated 12.03.2026, are also interfered with to the extent that they impose a blanket, or indefinite prohibition upon the internal administration and functioning of the Church without reference to any specific and demonstrable threat to public order.

37. This Court further makes it clear that it has expressed no opinion whatsoever on:

- (a) the validity of the resolution dated 01.02.2026 seeking disassociation from the KJP Synod Sepngi;



- (b) the validity of the appointment or removal of any pastor or office bearer;
- (c) the ecclesiastical jurisdiction of KJP Synod Sepngi, or KJP Synod Mihngi;
- (d) the validity of any decision taken by the Presbyterian Church of India or any of its Church Courts; or
- (e) the rival claims of the parties concerning management, possession or control of the Mawkhar Presbyterian Church.

All such questions are left open to be determined by the competent forum in accordance with law.

38. As the parties are at a discord, they are expected to maintain peace and tranquillity and to restrain from taking the law into their own hands, or to forcibly dispossess, obstruct, intimidate or interfere with the lawful activities of the other. In the event of any specific act constituting an offence, or threatening public order, the competent authorities shall be at liberty to act in accordance with law.

39. The parties are at liberty to pursue their respective remedies before the competent ecclesiastical, civil or statutory forums in accordance with law, and nothing contained in this judgment shall prejudice such proceedings.



40. Accordingly in view of the above, and in the facts and circumstances of the case, the writ petition stands partly allowed in the aforesaid terms, and is disposed of.

JUDGE

Meghalaya
15.09.2026
"V. Lyndem- AR-PS"

