

Serial No. 4
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 13/2018

Date of Order: 30.03.2022

M. Kharkongor

Vs.

State of Meghalaya

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner

: Mr. SP Mahanta, Amicus Curiae with
Mr. M. Lyngdoh, Adv.

For the Respondent

: Mr. A. Kumar, AG with
Ms. S. Laloo, Adv.

Pursuant to the previous order, learned Amicus Curiae has forwarded details of certain places where the drug menace is prevalent. These areas cover several localities in Shillong and its neighbourhoods and it appears that the list is illustrative rather than exhaustive since it does not refer to several other parts of the State.

It is further submitted by learned Amicus Curiae that since Meghalaya falls within the transit route of drugs emanating from a neighbouring country or going to such neighbouring country, there is a *modus operandi* which is being followed and, quite alarmingly, recently an Army Major from Imphal had been implicated in facilitating the transit of drugs. Indeed, the meticulous work done by learned Amicus Curiae involved visiting Correctional Homes, Opioid Substitution Therapy (OST)

Centres and discovering from some inmates that for the safe passage of the drugs, high-ranking defence personnel may have been roped in. Unbelievable though such allegation is, it has to be noticed nonetheless that according to the relevant inmate drugs are sometimes transported in army trucks, which are generally immune from checking.

Let a copy of this order be reached to the General-Officer-Commanding, 101 Area and also to the Director-General, Assam Rifles to verify the position and take immediate remedial action. If what is reported is true, there must also be intelligence reports received by the State in such regard and the Chief Secretary should coordinate with, *inter alia*, the Army and Assam Rifles, both to make the highest officials aware of the problem and for immediate action being taken. It may also do well for teams of flying army checkers to be deployed along the route to make surprise checks on Army vehicles which are otherwise not subjected to checks by civilian personnel.

The other area that needs to be looked into is for therapy centres to be set up within the State as many families affected have to look beyond the State where wards are sent in the absence of adequate facilities being available in Meghalaya, despite the urgent need therefor. There may also be a need for de-addiction centres, particularly to house young female offenders.

Let the matter appear four weeks hence.

List on April 28, 2022.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
30.03.2022
"Santosh, P.S."

