

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.10/2023

Date of Order : 08.04.2025

Re-Seng Khasi Hima Crematorium Vs. State of Meghalaya

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr. N. Syngkon, Amicus Curiae
For the Respondent : Mr. K. Khan, AAG with
Mr. A.H. Kharwanlang, Addl.Sr.GA
Mrs. S. Laloo, GA

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

Note: For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.

The problem addressed in this public interest litigation (PIL) is with regard to cremation of the dead in the State. The inhabitants belonging to the Khasi and Jaintia community as well as those embracing the Hindu religion cremate the dead. The number of crematoria in a substantial area of the State is small compared to the number of dead bodies to be disposed of and often the

distance between two crematoria is very large. Furthermore, the Khasi and Jaintia people have expressed their unwillingness to share a crematorium with the Hindus, making the problem more acute.

Previously, we had tried to resolve the problem at the interim stage by appointing an Amicus Curiae and asking him to sit with the District Magistrates so that these two communities be persuaded to share an existing crematorium.

We had also noted the projects which the State had undertaken the construction of new electric hybrid crematoria across the State.

Today, Mr. N. Syngkon, learned Amicus Curiae submits before the Court that he has had some meetings with government officials and seeks time to file a report.

On hearing him, we understand that nothing concrete has taken place and only proposals at the initial stage have been mooted to these two communities to resolve the problem in the above way, as an interim measure.

Meanwhile, Mr. Khan, learned Additional Advocate General has filed in Court a report dated 27th March, 2025 of the government further to our orders dated 25th October, 2024 and 4th March, 2025. The report enumerates a few grandiose projects proposed to be undertaken by the government: to construct electric hybrid crematoria at New Shillong Township at a cost of

₹5.53 crore, at Tura at a cost of ₹4.69 crore, at Jowai at a cost of ₹5.16 crore and Nongpoh at a cost of ₹4.9 crore. With regard to the present status, the report states that administrative approval has been obtained but further approvals from other authorities like the Meghalaya State Pollution Control Board are awaited. The scheduled time of completion is 24 months from the date of sanction.

From this averment, it is clear that the date from which these crematoria will be operational is very very uncertain.

However, the report also mentions completed projects i.e. scientific crematorium (eco-friendly) for Seng Khasi at Syllei-Iawkein, Nongstoin, Khlieh Tyrshi village, Jowai and Jhalupara in Shillong.

As far as the new projects are concerned, the State government is directed to obtain necessary approvals within four weeks from date. The approving authorities shall act accordingly.

It shall also indicate the progress of the project in the form of a report at the next hearing of this PIL.

In the meantime, the Amicus Curiae shall hold meetings with the District Magistrates and representatives of the above communities so that they are persuaded to share crematoria on such terms as may be set by the District

Magistrates acting in consultation with the Amicus Curiae. The Amicus Curiae shall also file a comprehensive report in this Court before the next hearing date.

List this PIL once again on 8th May, 2025.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
08.04.2025
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