

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.10/2023

Date of Order : 08.05.2025

Re-Seng Khasi Hima Crematorium	Vs.	State of Meghalaya
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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

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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.

As of now, the scope of this public interest litigation (PIL) was confined to facilitating the cremation of persons belonging to the Khasi and Jaintia communities on one hand as well as those embracing the Hindu religion, throughout the State of Meghalaya. The problem was with regard to

dearth of crematoria and unwillingness of members of these communities to share a crematorium with each other.

By our order dated 8th April, 2025, we had noted the proposal of the government to construct new crematoria in various regions of the State. That would take time. In the meantime, we had directed the Amicus Curiae appointed by us to hold meetings with the District Magistrates and representatives of the said communities for arriving at some settlement including sharing a crematorium.

Today, Mr. N. Syngkon, learned Amicus Curiae has filed a report. He submits that after holding meetings with the aforesaid persons, a way has been found for members of the Khasi and Jaintia communities to share a crematorium amicably with their Hindu brethren by allocation of separate portions of a crematorium to each of these communities and by grant of right to each community to erect a separate pyre in a designated part of a crematorium for cremating their dead.

This Court also takes judicial notice of the information it has received that various denominations of the Christian faith are also facing similar difficulties in burying their dead in cemeteries. A cemetery controlled

by one denomination is not allowing dead bodies of persons belonging to another denominations to be interred in the same cemetery. The result is that in various regions of the State, a long distance has to be covered by members of the bereaved family to perform the last rites of the dead. There is also similar need for sharing of cemetery and for allocation of new areas to be used as cemeteries for the Christian community.

We enlarge the scope of this PIL to include the Christian community also.

The three District Councils namely, the Khasi Hills Autonomous District Council, Jaintia Hills Autonomous District Council and Garo Hills Autonomous District Council are hereby made party respondents. Advocate-on-Record for the petitioner will make the necessary amendment in the cause title by 15th May, 2025. The Registrar General of this Court will transmit copies of the writ petition to the Chairman of each of these Councils.

The Amicus Curiae is to hold similar meetings with the concerned District Magistrates and members of the community to resolve the problem faced by the Christian community and file a report. The State is also directed to file a report to indicate whether it has any existing or contemplated proposal

of increasing the number of cemeteries for members of the Christian community.

Such reports are to be filed by 9th June, 2025.

List this PIL on 12th June, 2025.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
08.05.2025
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