

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

PIL No. 27 of 2017

(Court on its Own Motion)

In Re: Mismanagement of national Sports Academy, Khuman
Lampak, Imphal

..... *Petitioner*

- Versus -

1. Management Committee, National Sports Academy, Management Society through its Chairman.
2. The State of Manipur through the Chief Secretary.
3. Union of India through the Secretary, Donner Ministry.
4. Youth Affairs & Sports, Manipur through the Commissioner/Director.
5. Sports Authority of India, Manipur, through the Director.
6. Ministry of Youth Affairs & Sports, Government of India

.... *Respondents*

BEFORE
HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For the Petitioner	:	Mr. Kh. Tarunkumar, Amicus Curiae
For the Respondents	:	Ms. Momota Devi, Additional A.G. Mr. S. Suresh, ASG Mr. Th. Babloo, Advocate
Date of Order	:	27.08.2020

ORDER (ORAL)

Ramalingam Sudhakar, CJ

[1] This PIL was initiated suo moto on the plea that National Sports Academy, Khuman Lampak is now in a very bad shape. The State of Manipur which is known for excellence in sports among others is now faltering due to inaction on the part of the State authorities to propagate sports in the proper

manner and also the bad maintenance of the National Sports Academy, Khuman Lampak. A holistic development of the youth cannot be achieved without proper sports facilities and encouraging talented youths in sports. Manipur is known worldwide for Equestrian Polo, Boxing, Archery, Judo, Taekwondo etc. Football is also another addiction among the youths in both rural and urban areas. Noticing the need for a good Sports Academy to encourage the youth in sports and related activities which is one of the components in developing the youths of the State and in order to ensure that the Sports Academy and the department of sports in fine tune, this Court had to intercede.

[2] Mr. Kh. Tarunkumar, learned Amicus Curiae appears for the petitioner and Ms. Momota Devi, learned Additional Advocate General appears for the State respondents and Mr. S. Suresh, learned ASG appears for the Union of India and Mr. Th. Babloo, learned counsel appears for respondent No. 5.

[3] This Court passed the following order on 23.01.2020.

“This suo moto PIL has been taken by this Court on the basis of widespread newspaper report that 245 students of the National Sports Academy, Khuman Lampak have left the hostel to protest alleged mismanagement. It was alleged that the Academy failed to provide sports materials and the requisite infrastructure including sports kits, potable water, diets, power supply, etc. Consequently, it appears that Manipur, which is a State known for very active sports involvement, was suffering and the youths of Manipur were unable to exploit the sports academy to its full measure. As a result, the Court suo moto took up the matter and the following order was passed on 8.9.2017 as below:-

“PIL No. 27 of 2017
BEFORE
HON'BLE THE ACTING CHIEF JUSTICE N. KOTISWAR SINGH
HON'BLE MR. JUSTICE KH. NOBIN SINGH

8-9-2017

Issue notice.

Heard Mr. N. Kumarjit, learned AG for the State.

This matter has been taken up Suo-Motu by this Court on the basis of a very disturbing news report which appeared on 4-7-2017

about the sports students in the National Sports Academy, Khuman Lampak who have been reported to have vacated their hostels raising various grievances. On an earlier occasion similar incident had happened as reported in the local papers on 30-4-2016.

This is a matter of grave concern.

Sports is a very important part of the social life of the people of the State and this State has produced outstanding sportspersons in various disciplines of sports and brought laurels not only to the State but to the country.

We are naturally concerned about the present disturbing affairs as existing in the National Sports Academy, Khuman Lampak as reflected in the news reports. Therefore, we would like to have some idea as to which is happening in the National Sports Academy at Khuman Lampak which compelled the students to leave the Academy for which we request the Director, Youth Affairs and Sports, Government of Manipur to visit the National Sports Academy at Khuman Lampak and make a summary enquiry and submit a brief report about the problems afflicting the said Academy. The Management Committee of the National Sport Academy at Khuman Lampak will extend all possible assistance to the Director, Youth Affairs and Sports, Government of Manipur during his visit.

The Director, Youth Affairs and Sports, Manipur is requested to be present before this Court on 13th September, 2017 2 along with the report. We also direct the presence of the concerned official in charge of the Management of the National Sport Academy at Khuman Lampak on the said date.

Mr. P. Tamphamani, learned counsel assisting Mr. N. Kumarjit, learned AG accepts notice on behalf of the State respondents and Mr. K.R. Pamei, learned counsel assisting Mr. S. Rupachandra, learned ASG on behalf of the DONER Ministry.

Copy of this order may be furnished to the Director, Sports Authority of India, Manipur as well as to the Official in-charge of the National Sport Academy at Khuman Lampak by the Registry of this Court by a special messenger.

List this matter again on 13th September, 2017.

Copy of this order may be furnished to the learned Advocate General and all the learned counsel for the parties.

JUDGE

ACTING CHIEF JUSTICE"

[2] Thereafter, a series of orders have been passed. They are as follows:-

"13.9.2017

Mr. N. Kumarjit, learned AG is present today representing the State. Mr. Naorem Praveen Singh, IAS, Director of Youth Affairs and Sports, Government of Manipur and Mr. Ranbir Sarangthem, Principal of National Sports Academy at Khuman Lampak are also present and Mr. S. Rupachandra, learned ASG is also present representing the respondent No. 3.

In terms of the order passed by this Court on 8-9-2017, the Director of Youth Affairs and Sports, Government of Manipur has

submitted a report concerning the problems faced by the National Sports Academy at Khuman Lampak. Learned AG has submitted that there were certain issues, especially relating to the non procurement of sports equipments/kits and shortage of teachers which have now been sorted out.

This Court appreciates that these issues have been resolved. However, in order to obviate any such recurrence of disturbance in future, we call upon the State Government as well as the authorities of the National Sports Academy at Khuman Lampak to file a detail plan proposal for improvement of the functioning of the National Sports Academy at Khuman Lampak so that such problems do not recur in future.

Accordingly, let the State respondents as well as the National Sports Academy at Khuman Lampak file their respective affidavits within three weeks.

This Court appreciates the endeavour made by the Director of Youth Affairs and Sports, Government of Manipur in making and submitting the report in such a short span of time and all the authorities in ensuring that the issues are resolved.

Accordingly, list the matter again on 13th October, 2017.

The personal appearance of the Director of Youth Affairs and Sports, Government of Manipur and Principal, National Sports Academy at Khuman Lampak is dispensed with."

"13.10.2017

This matter has been taken up suo moto after certain disturbing publication was made in local newspapers relating to the management of the National Sports Academy at Khuman Lampak.

Learned AG submits that the necessary affidavits have been prepared to show the steps taken by the State for streamlining and proper management of the aforesaid sports academy and accordingly prays for two weeks' time to do so.

As the matter would require appropriate consideration, we appoint Mr. Kh. Tarunkumar, learned counsel as well as Mr. M. Rakesh, learned counsel as Amicus Curiae to assist this Court.

It has been stated at the Bar that there is another sports complex located at Takyelpat managed by the Sports Authority of India (SAI) under the Ministry of Youth Affairs & Sports, Government of India.

It has been accordingly suggested at the Bar that in order to maintain uniformity in the standard and quality of management and infrastructures in the sports complexes located in the State and since the Sports Authority of India having its complex at Takyelpat, it may be also heard.

Accordingly, considering the nature of issues involved, we also deem it appropriate that the Ministry of Youth Affairs & Sports,

Government of India be impleaded as respondent No. 6 as the Sports Authority of India at Takyelpat has already been impleaded as respondent No. 5 in this case.

Mr. S. Suresh, learned CGC accepts notice on behalf of the newly impleaded respondent No. 6.

Registry of this Court is to take steps for service of notice upon the respondent No. 5.

List the matter again on 17th November, 2017.

Copies of this order may be furnished to all the learned counsel appearing in this case."

"01.12.2017

Heard Mr. Kh. Tarunkumar, learned Amicus Curiae, Mr. Debendra, learned GA for the State respondents, Mr. S. Suresh, learned CGC for the Union of India and Mr. Th. Ranjit, learned counsel for the respondent No. 5.

The Registrar General of the High Court has prepared a note on the basis of the inspection made on 18th November, 2017. Certain issues have been highlighted especially with reference to National Sports Academy at Khuman Lampak. Shortage of teachers of the school has been indicated. The condition of the hostels are not very happy. Though cooking is done in the kitchen now by gas which was earlier done by firewood, because of which, the entire walls of the dining halls have been stained by smoke. It has been also reported that there is no hot water facility for the hostel, both boys and girls. Lack of proper medical facilities have been reported, the existence of which is very important as the institute is geared towards training of students in many disciplines of sports and games which invariably and regularly involves injuries during trainings. It has been also reported that a youth hostel maintained by the Youth Affairs & Sports, Government of Manipur to accommodate sports students is now being occupied by officials of the Autonomous District Councils because of which, the sports students are deprived of adequate accommodation facilities. Lack of adequate funds for management of the National Sports Academy at Khuman Lampak has been also highlighted resulting in poor up-keeping and maintenance of campus.

The report is merely indicative of some of the problems faced by the National Sports Academy, Khuman Lampak and cannot be said to be an exhaustive reflection of the state of affairs which would require further examination by the concerned authorities.

Accordingly, we feel that apart from the issues indicated in the report, the authorities concerned also can examine the matter further to find out other problems faced by the National Sports Academy at Khuman Lampak.

In view of the above, we feel that it would be appropriate that the State Government takes a more proactive role in this regard. In fact, it is indeed the State authorities who are primarily responsible for proper maintenance and running of the National Sports Academy at Khuman Lampak.

In that view of the matter, we request the Chief Secretary, Government of Manipur to convene an inter-departmental meeting so that the various problems faced by the National Sports Academy at Khuman Lampak as highlighted above can be addressed and looked into and necessary remedial measures can be taken, not only in respect of the problems highlighted in the report, but other problems which they may ascertain themselves.

This Court accordingly expresses the desire that after convening of the said meeting by the Chief Secretary, the plan of action can be worked out by the State Government and place it before this Court so that the National Sports Academy at Khuman Lampak which has been specifically established for training and producing world class sports persons do not suffer from any debilitating problems.

This Court hopes that the aforesaid exercise will be undertaken by the authorities with right earnest, with all the promptitude and seriousness these issues deserve and accordingly, request the State authorities to submit the course of the action/plan of action to be taken up by the authorities by the next date, for which we fix 18th December, 2017.

There is also a request from the Sports Authority of India at Takyelpat for establishment/making available Government School/College within Takyelpat sports complex or nearby locality so that the students who are getting their sports training and residing at SAI, Takyelpat do not have to spend time for attending schools/colleges located at far off places, to enable them to spend more time in their sports training/activities.

The aforesaid desire of the SAI, Takyelpat may also be examined by the State authorities.

Accordingly, list the matter again on 18th December, 2017.

A copy of this order may be furnished to Mr. Debendra, learned GA and to all the counsel for the parties along with the report of the Inspection held on 18th November, 2017, for doing the needful."

"16. 02.2018

CJ,

Mr.Kh.Tarunkumar, learned Amicus Curiae has submitted a copy of the Inspection Report regarding the inspection conducted by him and Mr. M.Rakesh, learned Advocate at the School Campus of the National Sports Academy at Khuman Lampak on 27.01.2018. The said Inspection Report is kept on record.

Registry is directed to furnish a copy of the Inspection Report to the learned Advocate General in order to enable the concerned authorities to take steps regarding the issues that are required to be redressed."

"21.5.2018

This PIL was initiated for considering the pitiable condition and management of the National Sports Academy at Khuman Lampak. Amicus Curiae, Mr. Kh. Tarunkumar and Mr. M. Rakesh visited the

sports complex and have filed an inspection report dated 12.02.2018 which is on record. This Court directed that Registry is to furnish a copy of the inspection report to the learned Advocate General and it was served. However, so far no response is filed.

Considering the pitiable condition of the National Sports Academy, KhumanLampak Sports Complex, we call upon the Commissioner/Director, YAS immediately to attend to the issue pointed out in the inspection report dated 12.02.2018 so as to improve the sports complex. The Commissioner/Director, YAS shall ensure immediate steps on or before 16.07.2018.

A copy of this order be furnished to the Advocate General and the Commissioner/Director, YAS immediately for immediate compliance.

List on 16.07.2018."

[3] A report was submitted by Mr.Kh.Tarunkumar and Mr.M.Rakesh, learned amici curiae dated 4th September,2019 and detail particular of the deficiencies were pointed out. Following that, this Court passed an order dated 12.9.2018 as below :-

"O R D E R

Shri Kh. Tarunkumar, learned Amicus Curiae and Shri M. Rakesh, learned Amicus Curiae, as per the Court's order dated 04-09- 2018, submitted the report along with photographs in which the National Sports Academy is being maintained.

Learned Advocate General seeks two weeks time with the rectification report by the concerned authority. We direct the respondents to strictly implement the suggestion made in the report and rectify all mistakes pointed out on or before 08-10-2018. It is made clear that if the rectification is not made on or before 08-10-2018, the officer has to be present in the Court in person and explain why he has not maintained the Academy in the proper form.

List the mater on 08-10-2018.

State Government is directed to pay Rs. 5000/- (rupees five thousand) each to the Advocate Commissioners as initial remuneration and report.

JUDGE

CHIEF JUSTICE"

[4] The respondent No.1 filed a compliance report dated 10th July, 2018 stating that based on the inspection report, certain compliance is reported. The report was enclosed with document X-1 to 9 showing improvement in the academy. Thereafter, this Court again passed the following order dated 4.12.2018 reads as under:

"4.12.2018 R.S.,

CJ.

On the basis of the issue raised in the present PIL is to highlight and the very bad condition of the National Sports Academy at Imphal. After series of order, second inspection report dated 4th September, 2018 was submitted by Shri Kh.Tarunkumar Singh, Amicus Curiae and Mr. Meihoubam Rakesh, Amicus Curiae. On the basis of that, an order was passed on 12.9.2018 as follows:-

"Shri Kh.Tarunkumar, learned Amicus Curiae and Shri M.Rakesh, learned Amicus Curiae, as per the Court's order dated 04.9.2018, submitted the report along with photographs in which the National Sports Academy is being maintained.

Learned Advocate General seeks two weeks time with the rectification report by the concerned authority. We direct the respondents to strictly implement the suggestion made in the report and rectify all mistakes pointed out on or before 08.10.2018. It is made clear that if the rectification is not made on or before 08.10.2018, the officer has to be present in the Court in person and explain why he has not maintained the Academy in the proper form.

List the mater on 08.10.2018.

State Government is directed to pay Rs.5000/-(rupees five thousand) each to the Advocate Commissioners as initial remuneration and report."

In response to that, the respondent No.1, Director, Youth 2 Affairs & Sports, Govt. of Manipur has filed a reply-affidavit with some documents. A perusal of the reply-affidavit filed by the respondent No.1 shows that he has requested the Government for certain benefits. Annexure-X/1 is the letter dated 29.9.2018 for appointment of 3(three) Sweepers and one Librarian. Annexure-X/2 is a letter dated 14.8.2018 addressed to the Government for appointment on deputation basis to fill up the post of Office Superintendent of the Academy. Annexure-X/3 is the letter dated 1 st October, 2018 addressed to Executive Engineer, PHED, Maintenance Division-I, Govt. of Manipur for water supply to the boys and girls hostel of the National Sports Academy. Annexure-X/5 is the office memorandum dated 8 th August, 2018 for appointing a Purchase Committee to procure school uniforms, track suits, etc. Besides, it is stated that they have taken steps to provide cupboards for the inmates.

The order of this Court along with copies of Annexure-X/1, X/2 and X/3 to be given to the learned Advocate General, Manipur with instruction that he will contact the respective Departments to respond to the said request within a period of four weeks from the date of receipt of a copy of this order.

In so far as the procurement of track suits and school uniforms, the respondent No.1 shall show compliance on the next date of hearing without fail.

In regard to other facilities like providing cupboards, geysers, etc. the two Amicus Curiae are directed to make further inspection and 3 submit a report as to whether the defects pointed out in the earlier report has been complied. It shall be filed in the form of a chart. On that basis, further order will be issued.

Copy of this order be issued to learned Advocate General and to the two Amicus Curiae.

First respondent is directed to cooperate with the two Advocate Commissioners on all aspects of the matter and file his report also on 22.01.2019.

Post the matter on 22.01.2019.

JUDGE

CHIEF JUSTICE

Opendro(rt)''

[5] Thereafter, the two Amici Curiae visited the spot and filed 3rd inspection report dated 30th July, 2019. In that, certain deficiencies were pointed out. The 3rd report is extracted below:-

"THIRD INSPECTION REPORT

INTRODUCTION

As per the order of the Hon'ble High Court of Manipur dated 17-07-2019, a Team of Advocates consisting of Shri Kh. Tarunkumar, Advocate and his associates visited the Hostel of the National Sports Academy at Khuman Lampak Sports Complex on 30-07-2019 at around 01:15 pm.

TASK OF THE COMMISSION

The task of the Commission is to find out whether there is any improvement at the Hostel of the National Sports Academy to its earlier visit on 04-09-2018.

1. BOYS HOSTEL:-

The above said team of Advocates visited the Boys Hostel of the National Sports Academy at 01:15 p.m. of 30-07-2019 and met the hostel warden of the boys hostel namely T. Bobo Singh. Infact, T. Bobo Singh is the coach of the Weight Lifting and as there is no regular warden, he was deputed to work also as warden of the said hostel. At the ground floor, 6 geysers were found to be installed. In the 2nd visit, there were no such geysers install on the wall. At the dining hall there were benches.

2. 1st FLOOR:-

The team visited the 1st floor of the Boys Hostel and it is found that cupboard were found in all the rooms except for the students of Class-VI and the hostel warden informed the team that their cupboards will be given as cupboards have already arrived. The team also visited the toilet of the Boys hostel and all the flush machine were found to be out of order and All the toilets are stained with yellow colors and it seems that it is not cleaned regularly. In all the bathrooms also there no shower heads. In the window panes, one of the window pane is without glass. In the 3rd floor in room No. 43 it was found that the broken ceiling was not repaired. There are no

adequate dust bins in the boys hostel. Garbage were found to be scattered on the North Eastern side of the Boys hostel. Still, there is no compound wall.

3. Girls Hostel:-

The team visited the Girls hostel of the National Sports Academy, Khuman Lampak. The girl hostel is found to be in a very neat and clean condition. All the shoes of the hostellers are kept near the doors of the hostel. Compound wall of the Girls hostel is made by G.I. Sheets. There are 6 toilets for every floor and out of the said 6 toilets for every floor, 2 flush machine for every floor are out of order.

In the 1st Floor also, out of 6 bathrooms, only 2 bathrooms are fitted with geysers.

In the 3rd Floor, of the Girls Hostel, the iron grill fitted near the toilet is found to be broken at the middle of the grill. There are 2 wardens at the Girls Hostel.

STEPS TO BE TAKEN UP TO IMPROVE THE HOSTEL:-

Number of sweepers at the boys hostel is required to be increased to keep the hostel neat and clean. Dust bins are also required to be installed at the proper places. Toilets are required to be cleaned up regularly by supplying adequate water. And further, the boys hostel needs a compound wall to keep the hostellers safe and sound from any unwanted activities.

A major repairing work like white wash of the boys hostel is highly required. Toilets of the Boys hostel is required to be keep in a neat & tidy manner.

In respect of the Girls Hostel, geysers are required to be installed in the remaining 13 bathrooms before the winter season comes.

(MEIHOUBAM RAKESH)

(KH. TARUNKUMAR)

AMICUS CURIAE

AMICUS CURIAE"

[6] In response to the 3rd inspection report, a compliance report dated 4th September, 2019 was filed by the Principal, National Sports Academy with photographs showing some compliance. Thereafter, another compliance report in the form of affidavit dated 16th October, 2019 by the Principal, National Sports Academy, Imphal with photographs has been filed and the same reads as follows:-

"16.10.2019

Affidavit for compliance of the Hon'ble Court's order dated 04/09/2019

I, Ranbir Sarangthem, aged about 52 years, working as Principal, National Sports Academy, Imphal, I swear this affidavit on solemn oath and affirm as hereunder:-

- 1. That the deponent begs to submit that as per the Hon'ble Court's order dated 04/09/2019, the deponent hereby submit the full compliance report regarding the repair and renovation of the Boy's Hostel of National Sports Academy.*
- 2. That it is respectfully submitted that as per the Hon'ble Court's order dated 07/08/2019 passed in the present PIL, the Hon'ble*

Court directed the Principal, National Sports Academy to repair and renovate the Boy's Hostel of National Sports Academy. The Hon'ble Court's order dated 07/08/2019 is reproduced as under:-

"..... Mr.Ranbir Sarangthem is the Principal of the National Sports Academy. He is directed to ensure that the Boy's Hostel Toilets are repaired and renovated....."

- 3. That it is submitted that thereafter, certain steps have been taken up to complete the renovation and repairing works of the Academy.*
- 4. That it is respectfully submitted that most of the water tapes of the toilets, wash basins and bathrooms have been replaced by new ones. Various wash basins which were not in order are replaced by new ones. The flush of almost all the toilets has been replaced by new ones. Some of the toilet doors are also replaced. While washing of the toilet walls has also been completed.*

True copies of the Report and Photographs are enclosed herewith and marked as Annexure-R/1 (colly).

In the premises stated above Your Lordship may be graciously pleased to pass appropriate order(s) to meet the ends of justice. The deponent as in duty bound shall ever remain pray.

*Dated/Imphal
16/10/2019*

*Signature of the Deponent
Sd/-
(Ranbir Sarangthem)
Principal, National Sports Academy,
Imphal."*

[7] A perusal of the affidavit dated 16.10.2019 along with the photographs and inspection reports shows some substantial improvement.

[8] Unfortunately, though earlier report surprisingly shows some improvement, the Fourth Inspection Report dated 23.01.2020 along with documents/photographs show that the maintenance is bad and the academy is in a very bad condition.

[9] We are sorry to state that the Court is very unhappy with the manner in which the respondents authorities are maintaining the Sports Academy and the hostel.

[10] The Commissioner/Director, YAS is directed to appear before this Court with proper compliance report on the next date of hearing. If the compliance report does not show rectification of the defects pointed

out in all the four inspection reports, more particularly, the report dated 23.01.2020, then the Commissioner/Secretary, Youth Affairs and Sports, Government of Manipur will be present before this Court and explain as to the action taken by him against the Director of National Sports Academy, Khuman Lampak for total mismanagement of the Sports Academy, Imphal.

We once again emphasize that the Court has taken a very serious note of the inaction on the part of the Department of Youth Affairs & Sports with regard to the Academy and hostel facilities. If no improvement is shown by the next date (i.e.) 20th February, 2020, the Commissioner/Director, Youth Affairs & Sports will appear before this Court with proper compliance report.

[11] A copy of this order be issued to the two Amici Curiae, learned Addl.AG, Mrs. Momota Devi, to the respondent Nos. 1, 2, 3 and 4 individually.

[12] List again on 20.02.2020.

[4] Thereafter, this Court passed the following order on 20.02.2020.

“[1] Today, Mr. Bobby Waikhom, IAS, the Commissioner-cum- Secretary, (YAS), Government of Manipur assisted by Dr. K.Shyamsunder Singh, IAS, Director (YAS), Government of Manipur and Mr.Ranbir Sarangthem, Principal, National Sports Academy are present before this Court. The Director (YAS), Government of Manipur filed an affidavit dated 19.02.2020 with photographs showing compliance to a certain extent. The Commissioner-cum-Secretary (YAS) was at pains to point out that there are so many difficulties faced by the Department of Sports in improving the sports facilities in the State of Manipur including the National Sports Academy. He requested some more time to give details of the difficulties faced by the Department of Sports and the National Sports Academy so that the Court can take a pragmatic view of the difficulties faced in improving sports in the State of Manipur.

[2] Both the Amicus Curiae, Mr.Kh.Tarunkumar Singh and Mr. M.Rakesh Singh state that they are not interested in taking any remuneration considering the pitiable condition of the Sports Academy. The earlier order of this Court to pay remuneration to the Amicus Curiae stands withdrawn.

[3] At his request, list on 01.4.2020. The presence of the officers is recorded, appreciated and dispensed with for the present.”

[5] Pursuant to the above order dated 20.02.2020 of this Court, respondent No. 4 has filed an Affidavit dated 24.08.2020 showing compliance of the Court's order. The said affidavit reads as follows :-

Affidavit for compliance of the Hon'ble Court's Order dated 20/02/2020

I, Dr. K. Shyamsunder Singh, aged about 42 years, working as Director, Youth Affairs and Sports (YAS), Government of Manipur and Ex-officio Member Secretary, National Sports Academy (NSA) Management Committee. I swear this affidavit on solemn oath and affirm as hereunder.

- 1. That the deponent begs to submit that as per the Hon'ble Court's Order dated 20/02/2020, the deponent hereby submit this Affidavit of compliance as under.*
- 2. That the Hon'ble High Court of Manipur vide an Order dated the 20/02/2020 passed in PIL No. 27 OF 2017 directed the respondent Shri Bobby Waikhom, IAS, Commissioner-cum-Secretary, (YAS), Government of Manipur and Shri K. Shyamsunder Singh, IAS, Director, (YAS), Government of Manipur to be present before the Hon'ble High Court of Manipur and accordingly, both of them were present with the Principal, National Sports Academy before the Hon'ble Court on the 20/02/2020.*
- 3. That the Commissioner-cum-Secretary pointed out the various difficulties faced by the Department of Youth Affairs & Sports and the National Sports Academy in maintaining and improving the sports facilities in the State of Manipur including among others the National Sports Academy at Khuman Lampak, Imphal East.*
- 4. That the Commissioner requested the Hon'ble High Court of Manipur for giving some more time to provide details of the difficulties faced by the Department of Youth Affairs & Sports and the National Sports Academy. Accordingly, the Hon'ble Court gave time up to the 1st week of April for filing an Additional Affidavit.*
- 5. That it is respectfully submitted that however the Additional Affidavit could not be filed within the given dateline as the respondent Shri Bobby Waikhom, Commissioner cum Secretary (YAS), was transferred from YAS vide Govt Order No: 29/18/2011-IAS/DP dated 29th February 2020 and the Lockdown of the State in view of the COVID19 pandemic resulting in the closure of Offices w.e.f the 23rd March 2020. Now, he has been transferred back as Commissioner cum Secretary (YAS) vide an Order dated the 26th May 2020 and hence the Additional Affidavit.*
- 6. That some of the points explained before the Hon'ble Court on 20th February 2020 regarding the difficulties in maintaining the Khuman Lampak Sports Complex, Imphal which has various sports infrastructures such as Indoor Stadium, Multipurpose Hall, Main Stadium, Hockey Stadium, Archery Field, Rowing Canal, Swimming Pool, Sports Hostels etc. apart from the Structures of the NSA are:-*

- i. *The National Sports Academy was set up in the year 2007 as an autonomous body under the Societies of Registration Act to be funded by the State Govt. in the form of Grant in Aid through the Youth Affairs and Sports Department and during the initial years, a sum of Rs 50 lakhs was provided every year as Grand-in-Aid for running the NSA. A Management Committee was set up for supervising the day to day administration of the NSA.*
- ii. *The non recurring expenditures for the construction of the school buildings, indoor stadium and the hostels of the NSA was met from the financial assistance from the Union Government (then Planning Commission) while the State Government was to meet the recurring expenditure such as payment to caterer for food for the inmates, sports items, uniforms and normal maintenance of the buildings etc.*
- iii. *The Faculty, both teaching and nonteaching were utilized from Departments like Education-S and YAS and therefore not much was spent on payment of salaries to the staffs.*
- iv. *Now due to the increase in the numbers of Students/Players and appointment of regular faculty for both academics and sports coaching, it becomes increasingly difficult to manage and maintain the NSA for want of sufficient fund.*

As against a requirement of about Rs 600.00 lakhs, a total sum of Rs. 300.00 lakhs only was provided in the budget Head of Account of NSA operated by Directorate of Youth Affairs & Sports, Govt. of Manipur for the year 2018-2019 out of which an amount of Rs. 150.00 lakhs only was released vide Orders No. 8/21/2009-YAS/S, dated, 23rd January, 2019 and Rs. 150.00 lakhs only vide Orders No. 8/21/2009-YAS/S, dated 27th March, 2019 respectively from the Department of Youth Affairs & Sports, Govt. of Manipur as grant-in-aid during the year 2018-2019.

- v. *As against a proposed budget (Revised) of Rs. 496.45 lakhs for the financial year 2019-2020, an amount of Rs. 300.00 lakhs has been provided vide Orders No. 8/7/2007-YAS/S dated, 21st March, 2020 as grant-in-aid of the National Sports Academy out of which an amount of Rs. 1,70,74,119/- (appx.) lakhs on payment of salary to the employees of NSA and Rs. 1,96,83,612/- (appx.) on payment of catering to the caterer.*

In addition to the amount of Rs. 300.00 lakhs released earlier, the Academy still facing lots of difficulties owing to wants of fund to meet the expenses of the following programmes:-

- 1) *Organising School Foundation Day: Rs. 1,00,000/-*
- 2) *Participation in Republic Day Celebration: Rs. 2,80,000/-*
- 3) *Selection of new Students: Rs. 1,50,000/-*
- 4) *Maintenance of NSA: Rs. 7,50,000/-*
- 5) *Purchase of sports equipments/kits: Rs. 1,06,77,343/-*
- 6) *Maintenance of Office: Rs. 4,30,000/-*
- 7) *Participation of NSA team in State Level*

Championship:	Rs. 2,20,000/-
8) Purchase of furniture items (wooden bed, desk and benches):	Rs. 10,00,000/-
Total:	Rs. 1,36,07,343/-

As such a sum of Rs. 2,03,65,074/- only in addition to the present fund allocation of the Department of YAS is still required to meet the requirements/maintenance of the National Sports Academy for proper and smooth functioning.

Other Issues and Difficulties

- vi. Spectators coming to the Sports Complex for witnessing various sports events and many people belonging to different walks of life visiting the Complex during their leisure or otherwise, litter the campus with many bio-non-degradable plastic covers/empty PET bottles and the Department does not have enough resources to keep the Complex neat and clean.
- vii. Damage including wear and tear is more severe in the Boys Hostel as compared to the Girls' Hostel of NSA which does not require any major effort or any difficulty in maintaining the environment.

As for the current financial year 2020-2021, out of the total sum of Rs. 7078.95 lakhs allocated to the Department, the following amount is to be utilized for the purpose given below. This will also give a comprehensive view of breakup of the Budget of the YAS department as a whole and also how the funds are sub-allocated and utilized:

1) Payment of Salaries	: Rs. 5002.61 lakhs
2) Youth Welfare Programmes	: Rs. 42.00 lakhs
3) Sports & Youth Activities	: Rs. 470.35 lakhs
4) Purchase of Sports materials	: Rs. 65.00 lakhs
5) Financial Assistance	: Rs. 65.00 lakhs
6) Training & Coaching	: Rs. 63.00 lakhs
7) GIA to National Sports Academy	: Rs. 300.00 lakhs
8) GIA to Manipur Olympic Association	: Rs. 10.00 lakhs
9) GIA to Manipur Badminton Association	: Rs. 48.00 lakhs
10) GIA to Khelo India	: Rs. 45.00 lakhs
11) Organisation of National Level Cham.	: Rs. 10.00 lakhs
12) Infrastructure development	: Rs. 9.00 lakhs
13) State Matching Share of NLCPR	: Rs. 108.65 lakhs
14) Flood Light	: Rs. 131.24 lakhs
15) Const. of Mini Stadium at Akampat	: Rs. 500.00 lakhs
16) Information Technology	: Rs. 1.80 lakhs
17) Office Expenses	: Rs. 42.80 lakhs
18) Physical Education	: Rs. 22.50 lakhs
19) Travelling Expenses	: Rs. 16.00 lakhs
20) Electricity Bill (OE)	: Rs. 125.00 lakhs
21) Financial Assistance	: Rs. 1.00 lakhs.

Total:

: Rs. 7078.95 lakhs

The YAS Department implements a number of Youth welfare and Sports Programmes every year but due to insufficient allocation of fund from the Government, the Department has been facing difficulties in promoting the above mentioned programmes.

7. *That it is respectfully submitted that as of now, ie. During the COVID-19 pandemic, Khumanlampak Sports Complex is used as Quarantine/ Sample Collection Centres of some District and parking area for the petroleum Tankers. It is also used as the convergence point for the truck drivers and handymen. Recently Government has also decided to open one Covid Care Centre at five locations within the KLSC to cope up with the ever increasing numbers of COVID-19 positive persons in the State.*

In view of the fact and circumstances stated above, this Hon'ble Court may graciously be pleased to pass an appropriate order to meet the end of justice.

The Deponent as in duty bound shall ever remain pray.

Date/Imphal

The 24th August, 2020

(Sd/-)

Signature of the deponent"

[6] We direct the State Government to take sufficient steps for providing funds and facilities for developing and maintenance of National Sports Academy, Khuman Lampak. The undertakings given by the respondent No. 4 in compliance affidavit dated 24.08.2020 is recorded.

In the result, we do not find any reason to keep the PIL pending any further. As and when serious issue arises, any party can seek for re-opening of the PIL.

With the above observation, the PIL stands disposed of.

JUDGE

CHIEF JUSTICE

FR/NFR

Sandeep