

GAHC040013322023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/472/2023

Shri Robom Patum and 12 Ors.

Son of Late Taro Patum, Gaon Bura (Patum village), resident of Patum village,
P.O/P.S Daporijo, Upper Subansiri District, Arunachal prades. 2: Tapa Patum

Age:

Occupation :

3: Shri Talo Patum

Age:

Occupation :

4: Shri Tansing Patum

Age:

Occupation :

5: Shri Menju Patum

Age:

Occupation :

6: Shri Chakto Patum

Age:

Occupation :

7: Tato Patum

Age:

Occupation :

8: Shri Tajam Patum

Age:
Occupation :

9: Shri Karak Patum

Age:
Occupation :

10: Shri Takar Patum

Age:
Occupation :

11: Shri Rukam Patum

Age:
Occupation :

12: Shri Pugom Patum

Age:
Occupation :

13: Shri Menja Patum

Age:
Occupation

VERSUS

The State of AP and 2 Others
through the Secretary (General Administration), Government of Arunachal Pradesh,
Itanagar. 2:The Secretary (General Administration)

Age: 0
Occupation :

3:The Deputy Commissioner

Age: 0
Occupation

Advocate for the Petitioner : Dicky Panging

Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE AJIT BORTHAKUR**

ORDER

03.10.2023

Heard Mr. Dicky Panging, learned counsel for the petitioners. Also heard Mrs. G. Ete, learned Addl. Sr. Government Advocate, Arunachal Pradesh appearing for the State respondents.

2. By this application under Article 226 of the Constitution of India the petitioners have prayed for a direction to the respondent authorities, more particularly, the Deputy Commissioner, Upper Subansiri district to consider the grievances raised by the petitioners in their representations and memorandum, dated 19.05.2023 and to correct the name of the location of Model Degree College which is wrongly reflected as 'Rimpu Yarlo of Jeram Village' instead of 'Reempu Yorlo of Patum Village' in all the official letters issued by the Deputy Commissioner.

3. The grievance of the petitioners in brief is that the Government of Arunachal Pradesh through the Director, Higher and Technical Education sent a letter, dated 01.03.2011 to the Secretary, University Grants Commission (for short 'UGC') wherein Detailed Project Reports were sent for setting up of 6(six) Model Degree Colleges in the identified Educationally Backward Districts including one Model Degree College at Daporjio town. Pursuant to the aforesaid letter the Commissioner and Secretary (Education), Government of Arunachal Pradesh issued a notification, dated 26.03.2012 wherein approval was granted for establishment of 5(five) Model Degree Colleges in the State of Arunachal Pradesh under the Government of India Scheme for setting up of new Model

Degree Colleges in identified Educationally Backward Districts under XI Plan including one Model Degree College at Daporjio, Upper Subansiri district. The Office of the Deputy Commissioner, Upper Subansiri district started the process for finding suitable land in localities in the outskirts of Daporjio town as no sufficient vacant land was available within Daporjio township. Accordingly, under the initiative of the then Zilla Parishad Member of the area, the villagers of Patum village, to which the petitioners belong, in the month of September, 2014, agreed to donate their community land measuring around 50 acres for establishment of the Model Degree College in a place locally known as 'Reempu Yorlo' situated between Patum village and Batak village. No formal agreement was entered into by the villagers of Patum village and the Government of Arunachal Pradesh. In the month of November, 2021, concept paper/DPR was placed before the concerned authorities for construction of a permanent structure for the College and construction work started from the middle of the year 2022. It is the case of the petitioners that in the month of April, 2023, it started coming out in various social media platforms that though the land wherein construction work for establishment of the Model Degree College for Daporjio was being carried out was donated by the villagers of Patum village, the Government of Arunachal Pradesh in its various official communications has been referring that the said college is being located at Rimpu Yarlo of Jeram village which has caused great anguish to the villagers of Patum village who had donated the land in question. The petitioners after procuring few documents including the communication, dated 24.11.2021 made by the Upper Subansiri district to the Commissioner to the Chief Minister, Arunachal Pradesh wherein concept paper/DPR was forwarded as well as the minutes of the meeting held on 21.06.2023 in the office of the Deputy Commissioner, Upper Subansiri district

regarding the shifting of Government Degree College Daporjio to its permanent site, came to know that in the aforementioned documents it was reflected that the Model Degree College is located at a place called Rimpu Yarlo of Jeram Village.

4. Accordingly, on 19.05.2023 the petitioners along with 12 others on behalf of the villagers of Patum village submitted an application to the Deputy Commissioner, Upper Subansiri district apprising him that name of the location of Model Degree College is being wrongly reflected as 'Rimpu Yarlo of Jeram Village' instead of 'Reempu Yorlo of Patum village' and that the location falls within the boundary of Patum village and accordingly, a request was made for making necessary correction so that the sentiments of the villagers of Patum village are taken care of. On the same date, i.e., 19.05.2023, a memorandum was also submitted to the Deputy Commissioner, Upper Subansiri district with the following two demands:

“i) Correction of location names of the Govt. Model Degree college from Rimpu Yarlo of Jeram village to Reempu Yorlo of Patum village in the mentioned order and in all the official letters issued by the Deputy Commissioner wherein it is mentioned incorrect thereof.

ii) Issue corrigendum for all official letters by the government departments wherein the location of the said college is wrongly mentioned.”

5. The aforementioned application and memorandum were marked to various authorities including the Tagin Cultural Society which is the highest body of the Tagin tribe to which the petitioners belong. The petitioners have stated despite submission of the application and the memorandum, dated 19.05.2023, the

Deputy Commissioner, Upper Subansiri district has not considered the grievances raised by the petitioners till date and is sitting over the matter. It is also stated that consequent to the using of the name 'Rimpu Yarlo of Jeram village' by the office of the Deputy Commissioner, Upper Subansiri district in various official communications, the executing agencies who were executing various works at the site where the college was being constructed also started displaying sign boards showing the name of Jeram village as the location of the college. Accordingly, some of the petitioners submitted representations on 04.07.2023 & 08.09.2023 to the Executive Engineer, Public Works Division, Daporijo and the Executive Engineer, Rural Works Division, Daporijo respectively to make correction regarding the location of the Government Model Degree College.

6. However, as the aforementioned representations have not been considered, the petitioners have approached this Court seeking for a direction to the respondent authorities to consider the grievances raised by the petitioners in their representation and memorandum, dated 19.05.2023.

7. I have heard the learned counsel for both sides and considered the grounds cited in the petition along with the documents annexed thereto.

8. Upon hearing the learned counsel for both sides and consideration of the averments made in the petition along with the documents annexed thereto, it is provided that the respondent authorities, more particularly, the Deputy Commissioner, Daporjio, Upper Subansiri District shall consider the representation and memorandum, dated 19.05.2023 (Annexure-5 series) in regard to correction of the location name of Government Degree Model College, Daporjio and pass a speaking order thereon, within a period of **1(one) month**

from the date of receipt of a certified copy of this order, which shall be furnished by the petitioners.

With the above direction, the writ petition stands disposed of at the motion stage itself.

JUDGE

Comparing Assistant