

GAHC010102672023



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

Case No. : WP(C)/2718/2023

TUTUMONI DAS AND 6 ORS.
W/O MAHESH DAS R/O BARUABARI KALITAKUCHI DIST. KAMRUP
ASSAM PIN 781102

2: POMPI KALITA
W/O CHANDAN KALITA R/O BARUABARI KALITAKUCHI DIST. KAMRUP
ASSAM PIN 781102

3: MUTT. PUTU BEGUM
W/O MUKESH ALI R/O BARUABARI KALITAKUCHI DIST. KAMRUP ASSAM
PIN 781102

4: MUSTT. JAHANARA BEGUM
W/O RATUL ALI R/O JAPIA HAJO DIST. KAMRUP ASSAM PIN 781102

5: MUSTT. AMINA BEGUM
W/O MATIUR RAHMAN R/O JAPIA HAJO DIST. KAMRUP ASSAM PIN 781102

6: MUSTT. ASMA ARA BEGUM
D/O ALTAFUDDIN AHMED R/O HELACHA HAJO DIST. KAMRUP ASSAM
PIN 781102

7: MUNU KALITA
W/O RATAN KALITA R/O BARUABARI KALITAKUCHI DIST. KAMRUP
ASSAM PIN 78110

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPTT. OF FINANCE INSTITUTIONAL FINANCE DEPTT. JANATA BHAWAN
DISPUR GUWAHATI 781006

2:PRINCIPAL SECRETARY

TO THE GOVT. OF ASSAM FINANCE DEPTT. JANATA BHAWAN DISPUR
GUWHATI 781006

3:DEPUTY COMMISSIONER
KAMRUP
AMINGAON PIN 781031

4:DISTRICT DEVELOPMENT COMMISSIONER
KAMRUP
AMINGAON PIN 781031

5:ADDL. DEPUTY COMMISSIONER
DEVELOPMENT
KAMRUP
AMINGAON PIN 781031

6:SECRETARY
TO THE PANCHAYAT AND RURAL DEVELOPMENT GOVT. OF ASSAM
JANATA BHAWAN DISPUR GUWAHATI 781006

7:CHIEF EXECUTIVE OFFICER
KAMRUP ZILA PARISHAD KAMRUP ASSAM PIN 78103

Advocate for the Petitioner : MR. B K DAS, H P NEOG,MR H P GUWALA,MD A ISLAM

Advocate for the Respondent : GA, ASSAM, SC, FINANCE,SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 04-12-2024

Heard Mr. H.P. Goala, learned counsel for the petitioner. Also heard Mr. K. Gogoi, learned Additional Senior Government Advocate appearing for the respondents No.3, 4 and 5 as well as Mr. A. Chaliha learned standing counsel, Finance Department. None appears for the respondents No. 6 and 7.

2. By filing this petition, the petitioners have assailed the select list of beneficiaries for 'Orunodoi' Scheme in respect of Hajo, LAC in the district of Kamrup, Assam issued by the authority and also have prayed for a direction to prepare a fresh list of beneficiaries by including the names of the petitioners.

3. The petitioners claim to be hailed from poor family of Hajo LAC, having no adequate agricultural land and other means and amenities. They claimed to belong to BPL community having income, less than Rs.2 lakhs per-annum, therefore, are eligible under Clause 4 and 4(a) of the scheme called

‘Orunodoi’, which has been formulated by the State of Assam for empowering the women of the State by providing financial support to economically vulnerable families.

4. The petitioners also claim that some of them are persons with disability and the scheme provides that preference should be given to such persons. However, the authorities have prepared a list excluding the petitioners, who are the deserving persons under the said scheme.

5. It is the contention of the petitioners that the list prepared by the competent authority included the persons, who are not entitled under the scheme whereas, the persons who are deserved, have been excluded from the beneficiaries list under the said scheme.

6. Being aggrieved with the preparation of the list of beneficiaries by the competent authority, the petitioners have approached the Deputy Commissioner, Kamrup on 02.05.2023 praying for cancellation of the said beneficiary list.

7. Thereafter, they have also filed another representation on 06.05.2023 addressing to the Hon’ble Chief Minister, Assam, the Deputy Commissioner, Kamrup, Additional Deputy Commissioner, Kamrup, Circle Officer, Hajo Revenue Circle and Block Officer.

8. Having considered the submissions made by the learned counsel for both sides and also considering the nature of grievance raised by the petitioners as well as on the consent of the learned counsel for the parties, I am of the view that it would be appropriate to direct the Deputy Commissioner, Kamrup to consider the case of the petitioners as the petitioners have alleged discrepancies in preparation of the list of the beneficiaries and also for inclusion of their names in terms of the scheme formulated particularly to empower the women of the State by providing financial support to economically vulnerable families.

9. Accordingly, this writ petition is disposed of with a direction to the petitioners to file a fresh representation before the appropriate authority particularly the District Commissioner, Kamrup within a period of 15 (fifteen) days from today. On receipt of the representation that would be filed by the petitioners as directed hereinabove, the District Commissioner, Kamrup shall consider the case of the petitioners and dispose of the representation within a period of 2 (two) months from the date of receipt of the representation.

JUDGE

Comparing Assistant