

GAHC010152492024



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

Case No. : WP(C)/3841/2024

NIRANJAN HOJAI
S/O- LATE JOPOLAL HOJAI, R/O- DIYUNGBRA, P.O. AND P.S.
DIYUNGMUKEH, DIST. DIMA HASAO, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FINANCE DEPARTMENT, SACHIVALAYA,
DISPUR, GHY-6.

2:THE JOINT DIRECTOR

FINANCE (ECONOMIC AFFAIRS) DEPARTMENT
BLOCK-F
DISPUR
GHY-6.

3:THE ACCOUNTANT GENERAL (A AND E)

MAIDAMGAON
BELTOLA
GHY-29.

4:THE PRINCIPAL SECRETARY
NORTH CACHAR HILLS AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO
ASSAM

5:THE ASSISTANT DEVELOPMENT COMMISSIONER (H)
DIMA HASAO

HAFLONG
ASSAM

6:THE CHEIF EXECUTIVE MEMBER (CEM)
DIMA HASAO AUTONOMOUS COUNCIL
DIMA HASAO
DIST.-DIMA HASAO
HAFLON

Advocate for the petitioner(s): Mr. BD Goswami

Advocate for the respondent(s): Mr. R M Das
Standing Counsel, NCHAC.

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

20.09.2024

It has been brought to the attention of this Court on the basis of a affidavit filed by the respondent No.4 who is the Principal Secretary to the North Cachar Hills Autonomous Council that due to absence of the Panchayati Raj System in the District of Dima Hasao, which is administered under the 6th Schedule to the Constitution of India, the North Cachar Hills Autonomous Council authority has constituted the North Cachar Hills Autonomous Council Constituency Development Committee and had decided that the funds under the 15th Finance Commission Grant for the year 2023-24 should be implemented by the CDC.

2. It has also been stated that as the CDC does not have proper manpower/expertise of its own as of now, the Committee shall involve the other line department, like as Agriculture, Public Health Engineering, Fisheries etc., depending on the nature of the scheme. It has also been mentioned that the authority had decided to utilize the fund for the development of Rural Areas through CDC by involving other Departments since the CDC does not have proper manpower and expertise of its own.

3. Further to that, it has also been mentioned that vide a Notification dated 17.08.2024, the North Cachar Hills Autonomous Council was pleased to assign and allocate the Department of Panchayat and Rural Development Department to the Chief Executive Members (CEM) of North Cachar Hills Autonomous Council, Haflong.

4. Taking into account the above stand as well as the Notification dated 17.08.2024, this Court is of the opinion that the petitioner does not have any *locus standi* in the instant writ petition.

5. Accordingly, the instant writ petition is not entertained on the ground of lack of *locus standi*.

JUDGE

Comparing Assistant