

GAHC010201252019



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

Case No. : WP(C)/6216/2019

CHAMELI SUKLABAIDYA AND ANR.
D/O- LATE DEBENDRA SUKLABAIDYA, R/O- VILL- MADARPUR, P.O-
RAJARTILLA, P.S- KATIGORAH, DIST- CACHAR, ASSAM, PIN- 788815

2: ALTA BEGUM BARBHUIYA
D/O- LATE NURUL ISLAM BORBHUIYA
R/O- VILL- LEVERPUTA PART-I
P.O- SADHIRKHAL
P.S- KATIGORAH
DIST- CACHAR
ASSAM
PIN- 78881

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM,
SOCIAL WELFARE DEPTT, ASSAM SECRETARIAT, DISPUR, GUWAHATI-
781006

2:THE DIRECTOR
SOCIAL WELFARE ASSAM
UZANBAZAR
GUWAHATI- 781001

3:THE CHILD DEVELOPMENT PROJECT OFFICER
KATIGORAH
ICDS PROJECT
KALAIN
P.O- KALAIN
P.S- KATIGORAH
DIST- CACHAR
ASSA

Advocate for the Petitioner : MR. H R KHAN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 25.06.2024

None has appeared for the petitioners on call.

Heard Mr. C. K. S. Baruah, learned Government Advocate appearing for all the respondents.

The grievances raised in the present proceedings by the petitioners, pertains to non consideration of their cases for promotion/upgradation to the cadre of Supervisor in terms of the policy of the government in place.

As projected in the writ petition, the petitioners were initially appointed as Anganwadi workers in their respective Anganwadi Centres in pursuance to a process of selection. The petitioners contend that since the date of their initial appointment, they have been discharging their duties and accordingly, by now they have completed more than 30 years of service, however, their cases for promotion/upgradation to the cadre of Supervisor in terms of a circular dated 28.04.1995 reserving 25% posts in the cadre of Supervisor for promotion/upgradation amongst the persons working as Anganwadi workers have not been considered by the respondents.

The petitioners have by referring to an order dated 21.07.2004, by which, in respect of the persons similarly situated like the petitioners herein,

this Court had disposed of the writ petition being WP(C) No. 4040/2002, directing the respondent authorities to examine and verify the claims of the petitioners for upgradation from the post of Angawadi workers to the post of Supervisor in terms of the relevant regulations/guidelines, contended that similar consideration is also required to be directed to be so made in respect of them.

In view of the above position, the petitioners herein, in the event they have not been promoted to the cadre of Supervisor during the pendency of the present proceedings, are directed to approach the Director of Child Development and Women Empowerment, Assam (erstwhile Directorate of Social Welfare Assam), by way of filing a representation, stake a claim for their promotion/upgradation to the cadre of Supervisor against the 25% posts reserved in the said cadre for upgradation from the Anganwadi workers.

The Director of Child Development and Women Empowerment, Assam (erstwhile Directorate of Social Welfare Assam), on receipt of such representations from the petitioners shall verify the claim of the petitioners in the light of the policy in place for the purpose of promotion/upgradation of existing Anganwadi workers to the cadre of Supervisor and thereafter, shall cause due consideration to be made for such promotion/upgradation in respect of the petitioners herein, strictly, in accordance with the policy in place and also by considering the cases of other similarly situated persons.

On such representation being filed and a certified copy of this order being enclosed, the Director of Child Development and Women Empowerment (Directorate of Social Welfare), Assam, shall consider and

dispose of the representations in terms of the direction contained hereinabove within a period of 3(three) months from the date of receipt of such representations along with a certified copy of this order.

With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant