

WP(C) 4246/2009

BEFORE

HON'BLE MRS. JUSTICE ANIMA HAZARIKA

Heard Mr.A.M.Mazumdar learned senior counsel assisted by Mrs.K.Devi Advocate appearing for the petitioners. Also heard Mr.H.Rahman learned State Counsel appearing for the respondents.

Considering the grievance raised in the writ petition and as agreed to by the learned counsel appearing for the parties this writ petition is disposed of at the motion stage itself.

The petitioners belonging to Scheduled Tribe(Plains) community are resident of Majuli Sub-Division of Jorhat District, which is one of the flood affected remote areas of Assam. The Principal Secretary to the Government of Assam, Social Welfare Department vide letter dated 27.7.2009(Annexure-1) conveyed approval of the Governor regarding sanction of large number of Anganwadi Centres in the State including Majuli and upper Majuli ICDS Project but subsequently on 4.9.2009 the Director of Social Welfare, Assam has sought for modification/ alteration of the Anganwadi Centres, more particularly in respect of Majuli and upper Majuli ICDS projects contrary to the guidelines issued by the Government of India from time to time and ignoring the requirement of the locality. Aggrieved by the aforesaid action of the respondent no.4 i.e. Director of Social Welfare Department, Assam the petitioners herein submitted representation on 8.9.2009 before the State authority which are annexed as Annexure-3 series to the instant writ petition. However, the same have evoked no response. Hence aggrieved thereby the petitioners have filed the instant writ petition with a limited prayer for a direction to the respondent authority to dispose of the representation/appeal submitted by the petitioners within time frame. Admittedly several representations have been filed before the respondent authority, which have not been disposed of till date.

In view of the limited prayer so made, the writ petition is disposed of with direction to the petitioners to submit a representation within ten (10) days from today before the respondent No.1 i.e. Principal Secretary to the Government of Assam, Social Welfare Department, Dispur ventilating their grievance therein, with a further direction to respondent no.1 to dispose of the said representation by a speaking order within a period of ten (10) days from the date of receipt of the representation so submitted by the petitioners.

Till disposal of the representation, status-quo as on today with regard to Anganwadi Worker Centres in respect of Majuli and Upper Majuli ICDS Project shall be maintained.

The petitioners shall also submit a certified copy of this order along with a copy of the writ petition before respondent no.1 for doing the needful.