

GAHC010054342026



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

Case No. : PIL/26/2026

PRACHURJYA BORBORUAH
SON OF SRI BIJON BORBORUAH, R/O HOUSE NO. 308, BELTOLA BASISTHA
ROAD, BELTOLA, GUWAHATI - 781028, P.O- BELTOLA, P.S - HATIGAON,
DISTRICT- KAMRUP (M), ASSAM

VERSUS

1.THE SECRETARY, DEPARTMENT OF SOCIAL JUSTICE AND
EMPOWERMENT, GOVERNMENT OF ASSAM
DISPUR, ASSAM SECRETARIAT, GUWAHATI, ASSAM- 781006

2:THE SECRETARY
DEPARTMENT OF SOCIAL WELFARE NAGALAND
NAGALAND CIVIL SECRETARIAT KOHIMA NAGALAND- 797004

3:THE SECRETARY
DEPARTMENT OF SOCIAL WELFARE AND TRIBAL AFFAIRS
MIZORAM NEW CAPITAL COMPLEX ROAD KHATLA
MINECO AIZAWL MIZORAM- 796001

4:THE SECRETARY
DEPTT. OF SOCIAL JUSTICE EMPOWERMENT AND TRIBAL AFFAIRS
GOVT. OF ARUNACHAL PRADESH CIVIL SECRETARIAT ITANAGAR
ARUNACHAL PRADESH - 79111

For the Petitioner(s) : Mr. Prachurjya Borboruah, Petitioner-in-Person.

For the Respondent(s) : Ms. S. Sarma, Government Advocate, Assam for
respondent No.1.

: Ms. A. Air, Government Advocate, Nagaland for
respondent No.2.

: Mr. A. Baruah, Advocate for the respondent No.3/State of
Mizoram.

: Mr. A. Chandran, Senior Government Advocate, Arunachal
Pradesh for respondent No.4.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

30.03.2026

(Ashutosh Kumar, CJ)

This Public Interest Litigation has been filed by a practicing Advocate of this Court with the charge that the State Governments of Assam, Nagaland, Mizoram and Arunachal Pradesh have not set up any old-age home in accordance with the mandate under Section 19(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short, "Act of 2007").

The afore-noted provision of the Act of 2007 places a mandatory obligation on every State Government to establish and maintain old-age homes. It requires the States to start by setting up at least one old-age home in each district located at accessible places, with a minimum capacity to house 150 indigent senior citizens. The State also may set up more old age homes, if needed, but according to the petitioner-in-person, the States must begin with this minimum requirement in a phased manner.

The information regarding no such old age home having been set up by the States of Assam, Mizoram, Nagaland and Arunachal Pradesh has been collected through the RTI responses.

Let notice be issued to the afore-noted 4(four) States.

Notice to respondent No.1 is accepted by Ms. S. Sarma, learned Government Advocate, Assam. Ms. A. Air, learned Government Advocate, Nagaland accepts notice on behalf of respondent No.2; Mr. A. Baruah, learned Government Advocate, Mizoram accepts notice on behalf of respondent No.3 and Mr. A. Chandran, learned Senior Government Advocate, Arunachal Pradesh accepts notice on behalf of respondent No.4.

Learned Advocates for the respondents submit that clear response to this petition shall be filed by the next date.

Re-notify on 10.06.2026.

JUDGE

CHIEF JUSTICE

Comparing Assistant