

GAHC040015412019



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

Case No. : PIL 21/2019

1:Toko Soni
W/o Toko Togur, resident of Talo village, District Lower Subansiri, AP

VERSUS

1:THE UNION OF INDIA AND 4 ORS.
represented by the Secretary, Ministry of Women and child Development, Govt. of
India, New Delhi

2:THE STATE OF AP
represented by the Commissioner/Secretary
Govt. of AP
Deptt.of Social welfare
Govt. of AP
Itanagar

3:The commissioner and Secretary
Deptt. of Helath and Family welfare
Govt. of AP
Itanagar

4:The Deputy Director
ICDS
Yachuli
Dist. Lower Subansiri
AP

5:The Chief Development Programme Officer
Yachuli
Dist. Lower Subansiri
A

Advocate for the Petitioner : Sunil Mow

Advocate for the Respondent : CGC

Linked Case : PIL 22/2019

1:Likha Denia
W/o Likha Lohit
aged about 29 years
resident of Yazali Village
Dist. Lower Subansiri
AP

VERSUS

1:THE UNION OF INDIA AND 4 ORS.
represented by the Secretary
Ministry of Women and child Development
Govt. of India
new Delhi

2:THE STATE OF AP
represented by the Commissioner and Secretary
Govt. of AP
Deptt. of Social welfare
Govt. of AP
Itanagar

3:The Commissioner and Secretary
Deptt. of Health and Family welfare
Govt. of AP
Itanagar

4:The Deputy Director
ICDS
Yazali
Dist
Lower Subansiri
AP

5:The Child Development Programme Officer
Yazali
Dist. Lower Subansiri
AP

Advocate for the Petitioner : Sunil Mow
Advocate for the Respondent : CGC

BEFORE
HONBLE MR. JUSTICE S.K.MEDHI
HONBLE MRS. JUSTICE MALASRI NANDI

ORDER

29.08.2022

(S.K. Medhi, J.)

The present matters are with regard to financial assistance to the Anganwadi Centres in the State of Arunachal Pradesh.

2. This Court in its order dated 18.08.2022 after recording that in spite of earlier orders and time granted, no response was forthcoming. The observations made in the said order is extracted hereinbelow-

“It is unfortunate that in spite of our earlier orders and time being granted, the authorities in the Central Government is not responding in the manner they are expected to respond.

The authorities in the Central Government are directed to produce the required information on 23.08.2022 as to what financial sanction had been given by them towards the Anganwadi Centers in the State of Arunachal Pradesh.

In the event, on the next date the Respondent authorities fails to provide the required information, the concerned officer in the Ministry of Women and Child Development, Government of India to remain personally present before this Court.

List on 23.08.2022.”

3. On the next date fixed i.e. 23.08.2022, Shri M. Kato, learned ASGI has

submitted that the personal appearance of the officer concerned could not be made as he was under bereavement. This Court however observed that if the concerned officer is in bereavement, any other alternative officer who would be in-charge was to remain personally present, if the information was not made available.

4. The matter was taken up on 25.08.2022 where it was directed to be listed before the next Division Bench. Today, Shri Kato, learned ASGI has made a new submission that the person in-charge of the office is transferred and a new person has taken over charge.

5. Apart from not being inclined to accept the said excuse as the same is a lame one both on the account of wavering stand at different dates, this Court has noted that the information is not to come from any specific individual but from the officer holding the post.

6. However, giving benefit of doubt as no date was fixed, this Court directs that if on the next date, the information is not given to this Court by the learned ASGI, the concerned officer would have to be present personally in continuation of the earlier direction.

7. List these cases on 07.09.2022.

8. It is clarified that if the information is not forthcoming on the said date, the concerned officer has to be present in person before this Court on 07.09.2022 at 10:30 AM.

9. A copy of this order be furnished to Shri M. Kato, learned ASGI during the course of the day.

JUDGE

JUDGE

Comparing Assistant