

GAHC010089662021



WWW.LIVELAW.IN
THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/32/2021

SYEDA MEHZEBIN RAHMAN
D/O MOTIOR RAHMAN, R/O HOUSE NO. 8, MILANPUR 2ND MASJID ROAD,
CHANDMARI, GUWAHATI-781021

VERSUS

UNION OF INDIA AND 7 ORS.
REPRESENTED BY THE HONORABLE SECRETARY, DEPARTMENT OF FOOD
AND PUBLIC DISTRIBUTION, MINISTRY OF CONSUMER AFFAIRS, FOOD
AND PUBLIC DISTRIBUTION, KRISHI BHAWAN, NEW DELHI, PIN-110001

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI
ASSAM
PIN-781006

3:THE DEPUTY COMMISSIONER
KAMRUP(M)
OFFICE OF THE DEPUTY COMMISSIONER
PAN BAZAR
GUWAHATI
ASSAM
PIN-781001

4:THE DEPUTY DIRECTOR
FOOD

~~WWW.LIVELAW.IN~~

CIVIL SUPPLIES AND CONSUMER AFFAIRS BRANCH
OFFICE OF THE DEPUTY COMMISSIONER
PAN BAZAR
GUWAHATI
ASSAM
PIN-781001

5:GAUHATI MUNICIPAL CORPORATION
REPRESENTED BY ITS COMMISSIONER
PANBAZAR
GUWAHATI
ASSAM
PIN-781001

6:THE ASSAM STATE DISASTER MANAGEMENT AUTHORITY
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
ANCILLARY BLOCK
JANATA BHAWAN
DISPUR
GUWAHATI
ASSAM
PIN-781006

7:ASSAM STATE LEGAL SERVICE AUTHORITY
THROUGH ITS SECRETARY

8:DISTRICT LEGAL SERVICE AUTHORITY
KAMRUP METR

Advocate for the Petitioner : MS. D GHOSH

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 23.12.2021

(N. Kotiswar Singh, J.)

Heard Ms. D. Ghosh, learned counsel for the petitioner. Also heard Mr. R. Dhar, learned Government Advocate, Assam.

2. The matter pertains to issuance of ration cards for households in slum areas of

Uzanbazar, Bharalumukh, Santipur and Bhutnath.

3. It is submitted that though some of the beneficiaries have been identified for the purpose of issuance of ration cards, as because the beneficiaries could not be identified by the concerned Counselor of the respective Municipal Boards, the matter could not be finalized.

4. It is submitted that since the election has not taken place in Gauhati Municipal Corporation, there is no Ward Commissioner who will identify the applicants.

5. We are of the opinion that perhaps the Inspector of Food and Civil Supplies attached to the office of the Deputy Commissioner, Kamrup (M) or any such competent authority as the Deputy Commissioner may deem fit appropriate may identify such beneficiaries in absence of the Ward Commissioner.

6. This direction is issued only as a temporary arrangement.

7. Accordingly, let the Inspector of Food and Civil Supplies or any such competent authority as the Deputy Commissioner may deem fit appropriate, as directed above, may identify the beneficiaries.

8. In this regard, we have also observed that the Secretary, District Legal Service Authority, Kamrup (M) filed an affidavit on 12.07.2021 indicating the exercise undertaken by the para-legal volunteers to identify such beneficiaries in terms of the order passed by this Court on 14.06.2021 where this Court had directed that the Secretary, District Legal Services Authority, Kamrup (Metro) through its Para Legal Volunteers shall identify such families who needs help in the present Covid-19 pandemic and inform the Deputy Commissioner, Kamrup (Metro), who shall after confirmation ensure that such families be given help immediately, in form of food and other day- to- day support promptly.

9. In that view of the matter, Deputy Commissioner, Kamrup(M) will do the needful in respect of such families which have been identified by para-legal volunteers and who fulfill the conditions for grant of such benefit.

10. The Deputy Commissioner, Kamrup (M) shall undertake the aforesaid exercise within 8 weeks by following the *National Food Security Act, 2013* and the guidelines issued in that

regard including on 08.08.2013. WWW.LIVELAW.IN

11. We also make it clear that if the benefits under this Act could not be extended because of any lack of documentation or identification document, the same may be specified before this Court so that appropriate order can be passed.

12. List on 02.03.2022.

13. A copy of this order be furnished to Mr. R. Dhar, learned Government Advocate, Assam.

JUDGE

JUDGE

Comparing Assistant