

GAHC010235522019



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

Case No. : WP(C) 7284/2019

1:ALL ASSAM SOCIAL WELFARE STATISTICAL EMPLOYEES ASSOCIATION
AND 2 ORS.

ASSAM, HOUSE NO. 4, NIRIBIL PATH, 4TH BY LANE (NORTH), PANJABARI
ROAD, P.O. KHANAPARA, P.S DISPUR, GUWAHATI-22, DIST. KAMRUP (M),
REP. BY

2: KAMAL KR. DAS
PRESIDENT ALL ASSAM SOCIAL WELFARE STATISTICAL EMPLOYEES
ASSOCIATION
S/O LT. GOPAP CH. DAS
R/O GANDHI BASTI
SILPUKHURI
GUWAHATI-03
DIST. KAMRUP
ASSAM

3: RAIZAUDDIN AHMED
GENERAL SECRETARY
ALL ASSAM SOCIAL WELFARE STATISTICAL EMPLOYEES ASSOCIATION
S/O LT. ABDUL AZIZ
HOUSE NO. 4
BYLANE NO. 4
OPPOSITE H.S. COLLEGE
PANJABARI ROAD
SIXMILE
P.O. KHANAPARA
GUWAHATI-22
DIST. KAMRUP (M)
ASSA

VERSUS

1:THE STATE OF ASSAM AND 5 ORS.
REP. BY ADDL. CHIEF SECRETARY TO THE GOVT. OF ASSAM, SOCIAL

WELFARE DEPTT. DISPUR, GUWAHATI-6, ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT. DISPUR
GUWAHATI-6
ASSAM

3:THE SECRETARY
TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT. DISPUR
GUWAHATI-6
ASSAM

4:THE DIRECTOR
SOCIAL WELFARE
ASSAM
UZAN BAZAR
GUWAHATI-1
ASSAM

5:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
PERSONNEL (B) DEPTT. DISPUR
GUWAHATI-6
ASSAM

6:THE SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA
GUWAHATI-22
ASSA

Advocate for the Petitioner : MR G BAISHYA
Advocate for the Respondent : SC, PENSION

:: BEFORE ::

HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA

-O R D E R-

04.10.2019

Heard Ms. B Bora, learned counsel for the petitioner. Also heard Mr. D Nath, learned Additional Senior Government Advocate, Assam and Mr. C Baruah, learned Standing Counsel,

APSC for the respondent no. 6.

Mr. Nath is ready with the instruction and as per letter dated 03.10.2019 issued by the Director, Social Welfare, Assam which reads as follows:-

“It is to be mentioned that as per Advertisement dtd. 3/8/2019 issued by the APSC for appointment of 73 nos. of posts of CDPO are earmarked for direct recruitment only as per vide Notification No. SWD.293/2004/49, dtd. 30/09/2013 formulated the “Assam Social Welfare (Recruitment and Promotion) (Amendment) Service Orders, 1994” wherein provision had been made as 60% posts shall be filled up by Direct Recruitment through APSC, 40% Post shall be filled up by promotion from the Assistant Child Development Project Officer (ACDPO)/ Supervisors/ Assistant Superintendent Home and allied cadres/ Statistical assistant/ Field Investigator/ Ministerial Staff of Directorate. As per the provision out of 40%, 34% shall be filled from Supervisors, 4% shall be filled from Statistical assistants, 0.4% shall be filled from Assistant Superintendent Home and Allied Cadres, 0.8% shall be filled from Ministerial Staff of Directorate and 0.8% shall be filled from Field Investigator. (Copy of the Notification enclosed at Annexure “C”).”

Accordingly, list on 25.10.2019 for motion.

The letter dated 03.10.2019 issued by the Director, Social Welfare, Assam is kept on record.

JUDGE

Comparing Assistant