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

Case No. : WP(C)/177/2024

KARPUNPULI DOLEY
D/O- MONESWAR DOLEY,
R/O- HENGRABARI,
P.O.- HENGRABARI,
P.S.- DISPUR, DIST- KAMRUP(M).

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
GENERAL ADMINISTRATIVE DEPARTMENT,
DISPUR, ASSAM.

2:THE DISTRICT COMMISSIONER
KAMRUP(M)
ASSAM.

3:THE H R MANAGER
M/S BALAJI CONSTRUCTION
HOUSE NO. 22
PO AND PS- GEETANAGAR

KAMRUP(M)
GUWAHATI

ASSAM- 781021

Advocate for the Petitioner : MR J PAYENG, MS A PAYENG

Advocate for the Respondent : GA, ASSAM, MR. T C CHUTIA (Sr. GA, ASSAM),MR R SARKAR (r-3),MS. NISHA BEGUM (r-3),MAHIBUR RAHMAN (r-3)

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 22.11.2024

Heard Ms. A. Payeng, learned counsel for the petitioner. Also, heard Mr. R. Sarkar, learned counsel appearing for respondent no. 3 and Mr. R. Dhar, learned Additional Senior Government Counsel appearing for the state respondent.

2. By way of this petition under Article 226 of the Constitution of India, the petitioner is seeking issuance of Aadhar operator/Supervisor certificate. The case of the petitioner is that the petitioner was appointed as Aadhar operator/Supervisor on 04.10.2018 at M/S Balaji Construction Private Ltd which was the service provider to the General Administrative Department of Government of Assam in Kamrup (M) for the project "Aadhar Enrollment" under Unique Identification Authority of India (UIDAI). It is the further case of the petitioner that the registration no. of the petitioner was Aadhar ID KM_SBC389262, station ID is 83005, 83006, 27819 Kamrup EA code 2783. It is the further case of the petitioner that for the last one year or more the petitioner has been approaching all the three authorities for the certificate of a work but they have taken no steps to issue the certificate. Accordingly, this writ petition has been filed.

3. Heard the learned Counsels for both the parties and perused the material available on record.

4. It appears that the affidavit in opposition has been filed by respondent no.3 (The H R Manager, M/S Balaji Construction) wherein in paragraph 7 it has been categorically averred that the respondent no. 3 can issue a working/experience certificate to the petitioner if the same is required by her. Paragraph no. 7 of the aforesaid affidavit in opposition is reproduced hereunder for ready reference.

“ 7. That with regard to the statements made in paragraphs 5-14 of the instant writ petition, the deponent begs to state that though the petitioner was working under the deponent firm, but her selection as Aadhaar Operator/Supervisor was made by Unique Identification Authority of India (UIDAI) by conducting All India Basis examination. It is to be mention here that Unique Identification Authority of India (UIDAI) conducted an All India Basis examination for selection of Aadhaar Operator/Supervisor and accordingly, the petitioner also applied for the said post and after her successful completion in the said examination, Unique Identification Authority of India (UIDAI) issued an Aadhaar Operator/Supervisor Certificate to the petitioner. On the basis of said certificate, the petitioner approached the respondent No.3 (the answering deponent) along with her certificate to appoint her as Aadhaar Operator/Supervisor and the respondent No.3 (the answering deponent) finding her eligible for the post of Aadhaar Operator/Supervisor, engaged her. Therefore, as Unique Identification Authority of India (UIDAI) already issued Aadhaar Operator/Supervisor Certificate, so, the respondent No.3 (the answering deponent) has no any authority to issue Aadhaar Operator/Supervisor Certificate to the petitioner. However, the respondent No.3 (the answering deponent) can only issue a working/experience certificate to the petitioner if required by her.”

5. Ms. A. Payeng, learned counsel for the petitioner submits that the petitioner requires the aforesaid working experience certificate and in view of the said endorsement made by the respondent no. 3, in the aforesaid affidavit in opposition, this writ petition can be disposed of by directing the said respondent to issue the said working/experience certificate.

6. Mr. R. Sarkar, learned counsel for respondent no. 3 similarly submits that this writ petition can be disposed of in view of the paragraph no. 7 of the aforesaid affidavit in opposition.

7. That being so, this Court is of the considered view that this writ petition in the interest of justice can be disposed of with a direction to the respondent no. 3 to issue the requisite working/experience certificate to the petitioner in accordance with law within a period of 1 (one) month from the date of receipt of the certified copy of the Court's order.

8. Ordered accordingly.

9. With the aforesaid observations and directions, this writ petition stands disposed of.

JUDGE