

PIL 10/2015

BEFORE

HON'BLE THE CHIEF JUSTICE (ACTING) MR. K. SREEDHAR RAO

THE HON'BLE MR. JUSTICE P. K. SAIKIA

(K Sreedhar Rao, CJ (Acting))

Heard the learned counsel for both sides.

The issue for consideration in the present proceeding is limited to ensure hygiene and proper facilities to the devotees visiting Maa Kamakhya temple.

The decision of the Supreme Court in Civil Appeal No. 3276-3278/2013 has upheld the right of Doloi over the management of the religious and secular aspects. It was reported to the Court that the cleanliness and hygiene in Kamakhya Temple is not properly maintained.

The counsel appearing for the Doloi has now filed a list of different categories of employees working under the management of the Doloi, which runs as follows:

FOR CLEANLINESS

Sweepers = 80/90 persons
Safai Karmi = 60 persons

FOR SECURITY

Own Security personnel = 55 persons
Private Security Agency = 10 persons.

HOSPITAL

Doctors = 3 persons
Nurses = 2 persons
Laboratory Assistants = 2 persons
X-ray specialist = 1 person

FOR FREE ANNA SEVA

Cooks = 17 persons for temple

FOR SANSKRIT TOL

Teacher = 1 person
Computer Instructor = 1 person

MISCELLANEOUS

Gardener and Museum Caretaker = 3 persons
Electricians = 4 persons
Carpenter = 1 person
Ambulance Drivers = 2 persons

One donor Sri Pradip Rai, senior advocate, New Delhi, has come up with a proposal of a donation and he is prepared to donate 11 lakhs. For opening a bank account, there was some impediment since it was stated that the Doloi was not cooperating with the Deputy Commissioner. In fact, Rs. 11,000/- is deposited with the ADC, Kamrup(M) for opening an account so that the donations given are properly spent for the purpose. We find that it is not necessary for the Doloi to be made a joint account holder of the account, where donations are received for the development of the temple.

Sri SS Dey, senior counsel also filed a communication received from the Director of Tourism that Central Government has given Rs. 35 crores for the development of the temple. In so far as the amount received towards the development of the temple, the said account should be under the control of the Deputy Commissioner and the developments to be got executed under the supervision of the Deputy Commissioner.

The Supreme Court in its judgment has observed that no statute is framed by the State Government so far to regulate the secular aspect of the temple. If huge developments take place on the hilltop of the temple, it may require a proper and effective management and maintenance. In that regard, it is recommended that the State shall frame proper legislation to regulate the secular activities of the temple.

The Deputy Commissioner is directed to receive the donations given by devotees and public and shall maintain a separate account of such donations and spend the same for developmental activities of the Kamakhya temple. Accordingly, the petit

ion is disposed of.

Register and list the contempt case (suo-moto) after vacation.