



Application No.	Application Received on	Date on which copy was made ready	Fees paid (Rs.)	Posting date to Delivery Desk
475275	06/12/2019	11/12/2019	100.00	11/12/2019

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

Case No. : WP(C) 1510/2019

1: PREMCHAN MANDAL AND 8 ORS.
S/O- LT THAKUR DAS MANDAL, CHAIRMAN OF SUB-DIVISIONAL S.C.
DEVELOPMENT BOARD, MORIGAON, R/O- VILL NO. 1 BORPOTHAR, P.O.
TOPTOLA, DIST- MORIGAON, ASSAM, PIN- 782105

2: DEEP DAS
S/O- LT DILIP DAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
NAGAON
R/O- VILL- RAIDONGIA
P.O. AIBHETI
P.S. JAJORI
DIST- NAGAON
ASSAM
PIN- 782003

3: HARESWAR DHUBI
S/O- LT RAGHU NANDAN DHUBI
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
LAKHIPUR
R/O- VILL- URABIL BASRI
P.O. PAILAPOOL
DIST- CACHAR
ASSAM
PIN- 788001

4: ARUN BISWAS
S/O- LT RAMESH CHANDRA BISWAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
SILCHAR
R/O- VILL- ITKHOLA R.K.PALLY
P.O. AND P.S. SILCHAR

Dr.



DIST- CACHAR
ASSAM
PIN- 788001

5: PRABHAT CHANDRA DAS
S/O- AMBARIK DAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
TINSUKIA
R/O- VILL- DOHUTIA CHUK ROAD
P.O. AND P.S. TINSUKIA
DIST- TINSUKIA
ASSAM
PIN- 786125

6: HRISHIKESH DAS
S/O- KRIPESH RANJAN DAS
VICE CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
HOJAI
R/O- LANKA
P.O. LANKA
DIST- HOJAI
ASSAM
PIN-

7: DEBESWAR MORAN
S/O- LT RATNESWAR MORAN
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
DIBRUGGARH
R/O- VILL- BEBEJIA GAON
P.O. AND P.S. LAHOWAL
DIST- DIBRUGARH
ASSAM
PIN- 786010

8: DEEPA HAZARIKA
D/O- INDRA PRASAD HAZARIKA
CHAIRMAN
SUB-DIVISIONAL S.C. BOARD
GHY
BHETAPARA
P.O. BHETAPARA
DIST- KAMRUP (M)
ASSAM

D.
ar.



9: SRI RABIN MANDAL
CHAIRMAN
S.C.DEVELOPMENT BOARD
KALIABOR
S/O- LT RAMAKANTA MANDAL
R/O- VILL- TUBOKJARANI
P.O. DAKHIN BELOGURI
DIST- NAGAON
ASSAM
PIN- 78212

VERSUS

1: THE STATE OF ASSAM AND 10 ORS.
REP. BY THE COMM. AND SECY., TO THE GOVT. OF ASSAM, WPT AND B.C.
DEPTT., DISPUR, GHY-6

2: THE ADDL. CHIEF SECRETARY
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GHY-6

3: THE JOINT SECRETARY
TO THE GOVT. OF ASSAM
WPT AND BC DEPTT.
DISPUR
GHY-6

4: THE DY. COMMISSIONER
MORIGAON
P.O. MORIGAON
DIST- MORIGAON
ASSAM
782105

5: THE DY. COMMISSIONER
NAGAON
P.O. NAGAON
DIST- NAGAON
ASSAM
782105

Dr.



6:THE DY. COMMISSIONER
CACHAR
P.O. SILCHAR
DIST- CACHAR
ASSAM
788001

7:THE DY. COMMISSIONER
TINSUKIA
P.O. TINSUKIA
DIST- TINSUKIA
ASSAM
786125

8:THE DY. COMMISSIONER
HOJAI
P.O. SANKARDEV NAGAR
DIST- HOJAI
ASSAM
782435

9:THE DY. COMMISSIONER
DIBRUGARH
P.O. DIBRUGARH
DIST- DIBRUGARH
ASSAM
786003

10:THE DY. COMMISSIONER
KAMRUP (M)
GHY
DIST- KAMRUP (M)
ASSAM
781001

11:THE DY. COMMISSIONER
BARPETA
P.O. BARPETA
DIST- BARPETA
ASSAM
78130

Advocate for the Petitioner : MR. A DASGUPTA

Dr.



Advocate for the Respondent :

Linked Case : WP(C) 3778/2018

1: PREMCHAN MANDAL AND 5 ORS.
S/O. LATE THAKUR DAS MANDAL
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
MORIGAON
VILLAGE- NO. 1 BORPOTHAR
P.O. TOPTOLA
DISTRICT- MORIGAON
ASSAM
PIN- 782105.

2: DEEP DAS
S/O. LATE DILIP DAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
NAGAON
VILLAGE RAIDONGIA
P.O. AIBHETI
P.S. JAJORI
DISTRICT- NAGAON
ASSAM
PIN- 782003.

3: HARESWAR DHUBI
S/O. LATE RANGHU NANDAN DHUBI
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
LAKHIPUR
VILLAGE- URABIL BASTI
P.O. PAILAPOOL
DISTRICT- CACHAR
ASSAM
PIN- 788001.

4: ARUN BISWAS
S/O LATE RAMESH CHANDRA BISWAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
SILCHAR
VILLAGE- ITKHOLA
R.K. RALLY
P.O. AND P.S. SILCHAR
DISTRICT- CACHAR

Dr.



ASSAM
PIN- 788001.

5: PRABHAT CHANDRA DAS
S/O. AMBARIK DAS
CHAIRMAN OF SUB-DIVISIONAL S.C. DEVELOPMENT BOARD
TINSUKIA
VILLAGE- DOHUTIA CHUK ROAD
P.O. AND P.S. TINSUKIA
DISTRICT- TINSUKIA
ASSAM
PIN- 786125.

6: RANJIT BISWAS
C/O. SRI SUDHIR RANJAN BISWAS
VILLAGE- 1 NO. RAMNAGAR
P.O. BHALUKMARI
DISTRICT- HOJAI
ASSAM
PIN- 782442.
VERSUS

1:THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM
WPT DEPARTMENT AND BC DEVELOPMENT
ASSAM
DISPUR
GUWAHATI-6.

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM
WPT DEPARTMENT AND BC DEVELOPMENT
ASSAM
DISPUR
GUWAHATI-6.

3:THE DEPUTY COMMISSIONER
NAGAON
P.O.
P.S. AND DISTRICT- NAGAON
ASSAM
PIN- 782003

4:THE DEPUTY COMMISSIONER
CACHAR
P.O.
P.S. AND DISTRICT CACHAR

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Dr.



ASSAM
PIN- 788001.

5:THE DEPUTY COMMISSIONER
MORIGAON
P.O.
P.S. AND DISTRICT- MORIGAON
ASSAM
PIN- 782105.

6:THE DEPUTY COMMISSIONER
TINSUKIA
P.O.
P.S. AND DISTRICT- TINSUKIA
ASSAM
PIN- 786125.

Advocate for the Petitioner : MR. A M BARBHUIYA
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 3637/2019

1:JEN DAO AND 17 ORS.
S/O- SRI UMESH DAO
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
SADIYA
R/O- VILL- 7 NO. SHANTIPUR
P.O. SHANTIPUR
P.S. SADIA
PIN- 786157
DIST- TINSUKIA
ASSAM

2: KAMESWAR PATAR
S/O- LT NARESWAR PATAR
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
MORIGAON
R/O- VILL- NAHULA
P.O. JAGIROAD
P.S. JAGIROAD
PIN- 782410
DIST- MORIGAON
ASSAM

Dr.



3: PURNA KANTA DEORI
S/O- LT KANEKASAWR DEORI
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD SADIYA
R/O- VILL- KAPOWPATHAR DEORIGAON
P.O. CHAPAKHOWA
P.S. SADIYA
PIN- 786157
DIST- TINSUKIA
ASSAM

4: DEBA KANTA PANGING
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
SIVASAGAR
S/O- AKHAY PANGING
R/O- LIGIRIBARI
P.O. BESANGMUKH

DIST- SIBSAGAR
ASSAM

5: KHUDESWAR PEGU
S/O- KATOWAL PEGU
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
NORTH LAKHIMPUR
R/O- VILL- HARIDAH (JAMUGURI)
P.O. BONPURIA
P.S. BIHPURIA
DIST- LAKHIMPUR
ASSAM
PIN- 784165

6: CHANDRA SHEKHAR MILI
S/O- MR. KANTA MILI
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
DHEMAJI
R/O- VILL- KARICHUK MIRI PATHAR
P.O. DHEMAJI
P.S. DHEMAJI
DIST- DHEMAJI
ASSAM

7: BIPUL BASUMATARY
S/O- LT BILAM BASUMATARY

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CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
JONAI
R/O- VILL- BURABHAKAT
P.O. SIMEN CHAPORI
DIST- DHEMAJI
ASSAM
PIN- 787061

8: PRADIP KUMAR BARO
S/O- DOBBI RAM BORO
CHAIRMAN
SUB DIVISIONAL S.T. DEVELOPMENT BOARD
RANGIA
R/O- VILL- JALJALI
P.O. DWARKUCHI
P.S. RANGIA
PIN- 781376
DIST- KAMRUP (R)
ASSAM

9: KHUDESWAR PEGU
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
NORTH LAKHIMPUR
P.O. AND P.S. LAKHIMPUR
DIST- LAKHIMPUR
ASSAM

10: RAKESH PEGU
CHAIRMAN
PIC
ITDP BOARD
DHAKUAKHANA
P.O. AND P.S. LAKHIMPUR
DIST- LAKHIMPUR
ASSAM

11: ROHIB CH. BORO
CHAIRMAN
PIC
ITDP BOARD
TEZPUR P.O. AND P.S. TEZPUR
DIST- SONITPUR
ASSAM

12: LOTUS BASUMATARY
CHAIRMAN



SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
GOLAGHAT
P.O. AND P.S. GOLAGHAT
DIST- GOLAGHAT
ASSAM

13: JAMES NARZARY
CHAIRMAN
PIC
ITDP BOARD
GOLAGHAT
P.O. AND P.S. GOLAGHAT
DIST- GOLAGHAT
ASSAM

14: KAMAL KUTUM
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
BOKAKHAT
P.O. AND P.S. GOLAGHAT
DIST- GOLAGHAT
ASSAM

15: BHABANI PRASAD RABHA
CHAIRMAN
PIC
ITDP BOARD
KAMRUP
P.O. AND P.S. AMINGAON
DIST- KAMRUP
ASSAM

16: SAILEN REGON
CHAIRMAN
PIC
ITDP BOARD
BOKAKHAT
P.O. AND P.S. GOLAGHAT
DIST- GOLAGHAT
ASSAM

17: MANOJ BASUMATARY
CHAIRMAN
SUB-DIVISIONAL S.T. DEVELOPMENT BOARD
KAMRUP
P.O. AND P.S. AMINGAON
DIST- KAMRUP
ASSAM

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18: PANINDRA BORDOLOI
S/O- LT GELARAM BORDOLOI
CHAIRMAN
PIC ITDP BOARD
MORIGAON
R/O- VILL- TENGAGARI
P.O. EJABARI
P.S. MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105
VERSUS

1:THE STATE OF ASSAM AND 11 ORS.
THROUGH THE COMM. AND SECY.
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GHY-6

2:THE ADDL. CHIEF SECRETARY
TO THE GOVT. OF ASSAM
WPT AND B.C.DEPTT.
DISPUR
GHY-6

3:THE JOINT SECRETARY
TO THE GOVT. OF ASSAM
WPT AND BC DEPTT.
DISPUR
GHY-6

4:THE DIRECTOR
WELFARE OF SCHEDULED CASTES
ASSAM
SARUMOTORIA
DISPUR
GHY-6

5:THE DY. COMMISSIONER
MORIGAON
P.O. MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105

6:THE DY. COMMISSIONER

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SIVASAGAR
P.O. SIVASAGAR
DIST- SIVASAGAR
ASSAM
PIN- 785640

7:THE DY. COMMISSIONER
LAKHIMPUR
P.O. NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSAM
PIN- 787001

8:THE DY. COMMISSIONER
TINSUKIA
P.O. TINSUKIA
DIST- TINSUKIA
ASSAM
PIN- 786001

9:THE DY. COMMISSIONER
DHEMAJI
P.O. DHEMAJI
DIST- DHEMAJI
ASSAM
PIN-

10:THE DY. COMMISSIONER
SONITPUR
P.O. TEZPUR
DIST- SONITPUR
ASSAM
PIN-

11:THE DY. COMMISSIONER
KAMRUP
P.O. AMINGAON
NORTH GUWAHATI
DIST- KAMRUP
ASSAM
PIN-

12:THE DY. COMMISSIONER
GOLAGHAT
DIST- GOLAGHAT
ASSAM
PIN-



Advocate for the Petitioner : MR. R MAJUMDAR
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4213/2018

1: PRASENJIT TALUKDAR
S/O. LT. DHONIRAM TALUKDAR
CHAIRMAN
SUB-DIVISIONAL S.C. BOARD
BARPETA
VILL. BISHNUPUR
P.O. VELLA
DIST. BARPETA
ASSAM.

VERSUS

1: THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR

2: THE ADDL. CHIEF SECRETARY
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR

3: THE DEPUTY COMMISSIONER
BARPETA
P.O. BARPETA
DIST. BARPETA
ASSAM

Advocate for the Petitioner : MS. A AHMED
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4316/2018






1:DEBESWAR MORAN
S/O- LATE RATNESWAR MORAN
CHAIRMAN
SUB DIVISIONAL SC BOARD
DIBRUGARH
R/O- VILL- BEBEJIA GAON
P.O AND P.S- LAHOWAL
DIST- DIBRUGARH
ASSAM
PIN- 786010

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 06

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT OF ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 06

3:THE DEPUTY COMMISSIONER
DIBRUGARH
P.O- DIBRUGARH
DIST- DIBRUGARH
ASSAM
PIN- 786001

Advocate for the Petitioner : MR. A AHMED
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4053/2018

1:DEEPA HAZARIKA
D/O. INDRA PRASAD HAZARIKA
CHAIRMAN
SUB-DIVISIONAL S.C. BOARD
GUWAHATI
BHETAPARA
P.O. BHETAPARA



DIST. KAMRUP (M)
ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMM. AND SECY.
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GHY.

2:THE ADDL. CHIEF SECRETARY
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GHY.

3:THE DY. COMMISSIONER
KAMRUP (M)
GUWAHATI DISTRICT KAMRUP (M)
ASSAM.

Advocate for the Petitioner : MS. A AHMED
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4987/2018

1:MONUJ KUMAR ROY
CHAIRMAN
S.C. DEVELOPMENT BOARD

HAILAKNADI

S/O LT. MONORANJAN ROY
R/O VII- KALINAGAR PART-III

P.O. KALINAGAR
PS. PANCHGRAM
DIST. HAILAKANDI
ASSAM
PIN - 788801.







VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM

WPT AND B.C. DEPARTMENT
DISPUR
GUWAHATI- 781006.

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM

WPT AND B.C. DEPARTMENT
DISPUR
GUWAHATI -781006.

3:THE DEPUTY COMMISSIONER
HAILAKANDI
PO. HAILAKANDI

DIST. HAILAKANDI
ASSAM
PIN - 788151.

Advocate for the Petitioner : MS. A AHMED
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 3567/2019

1:PREMCHAN MANDAL AND 9 ORS.
S/O- LATE THAKUR DAS MANDAL
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
MORIGAON

R/O- VILL NO.1 BORPOTHAR
P.O- TOPTOLA
DIST- MORIGAON
ASSAM
PIN- 782105

2: DEEP DAS
S/O- LATE DILIP DAS
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
NAGAON

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R/O- VILL- RAIDONGIA
P.O- AIBHETI
P.S- JAJORI
DIST- NAGAON
ASSAM
PIN- 782003

3: HARESWAR DHUBI
S/O- LATE RAGHU NANDAAN DHUBI
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
LAKHIPUR
R/O- VILL- URABIL BASRI
P.O- PAILAPOOL
PIN- 788001

4: ARUN BISWAS
S/O- LATE RAMESH CHANDRA BISWAS
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
SILCHAR
R/O- VILL- ITKHOLA R K PALLY
P.O AND P.S- SILCHAR
DIST- CACHAR
ASSAM
PIN- 788001

5: PRABHAT CHANDRA DAS
S/O- AMBARIK DAS
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
TINSUKIA
R/O- VILL- DOHUTIA CHUK ROAD
P.O AND P.S- TINSUKIA
DIST- TINSUKIA
ASSAM
PIN- 786125

6: HRISHIKESH DAS
S/O- KRIPESH RANJAN DAS
VICE CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD
HOJAI
R/O- LANKA
P.O- LANKA
DIST- HOJAI
ASSAM
PIN-

7: DEBESWAR MORAN
S/O- LATE RATNESWAR MORAN
CHAIRMAN OF SUB DIVISIONAL SC DEVELOPMENT BOARD



DIBRUGARH
R/O- VILL- BEBEJIA GAON
P.O AND P.S- LAHOWAL
DIST- DIBRUGARH
ASSAM
PIN- 786010

8: DEEPA HAZARIKA
D/O- INDRA PRASAD HAZARIKA
CHAIRMAN SUB DIVISIONAL SC BOARD
GUWAHATI
BHETAPARA
P.O- BHETAPARA
DIST- KAMRUP (M)
ASSAM

9: KULESWAR BORA
CHAIRMAN SUB DIVISIONAL SC BOARD
LAKHIMPUR
P.O AND P.S- NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSAM
787001

10: RABIN MANDAL
CHAIRMAN SC DEVELOPMENT BOARD
KALIABOR
S/O- LATE RAMAKANTA MANDAL
R/O- VILL- TUBOKIJJARAN
P.O- DAKHIN BELOGURI
DIST- NAGAON
ASSAM
PIN- 782120
VERSUS

1: THE STATE OF ASSAM AND 12 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT OF
ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 781006

2: THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT OF ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 781006

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3:THE JOINT DIRECTOR
TO THE GOVT OF ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 781006

4:THE DIRECTOR
WELFARE OF SCHEDULED CASTES
ASSAM
SARUMOTORIA
DISPUR
GUWAHATI- 06

5:THE DEPUTY COMMISSIONER
MORIGAON
P.O- MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105

6:THE DEPUTY COMMISSIONER
NAGAON
P.O- NAGAON
DIST- NAGAON
ASSAM
PIN- 782001

7:THE DEPUTY COMMISSIONER
CACHAR
P.O- SILCHAR
DIST- CACHAR
ASSAM
PIN- 788001

8:THE DEPUTY COMMISSIONER
TINSUKIA
P.O- TINSUKIA
DIST- TINSUKIA
ASSAM
PIN- 786001

9:THE DEPUTY COMMISSIONER
HOJAI
P.O- SANKARDEV NAGAR
DIST- HOJAI
ASSAM
PIN- 782435

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10:THE DEPUTY COMMISSIONER
DIBRUGARH
P.O- DIBRUGARH
DIST- DIBRUGARH
ASSAM
PIN- 786003

11:THE DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI
DIST- KAMRUP (M)
ASSAM
PIN- 781001

12:THE DEPUTY COMMISSIONER
LAKHIMPUR
P.O- NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSAM
PIN- 787001

13:THE DEPUTY COMMISSIONER
BARPETA
P.O- BARPETA
DIST- BARPETA
ASSAM
PIN- 781301

Advocate for the Petitioner : MR. R MAZUMDAR
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4358/2018

1:KHOKAN DEBNATH
CHAIRMAN
OBC DEVELOPMENT BOARD
HOJAI
S/O. LATE HAKRISHNA DEBNATH
R/O. VILLAGE- DHALPUKHURI
P.O. PADUM PUKHURI
DISTRICT- HOJAI
ASSAM
PIN- 782435.

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(Handwritten signature)



VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GUWAHATI- 781006

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
WPT AND B.C. DEPTT.
DISPUR
GUWAHATI - 781006.

3:THE DEPUTY COMMISSIONER
HOJAI
P.O. HOJAI
DIST. HOJAI
ASSAM
PIN- 782435.

Advocate for the Petitioner : MS. AAHMED
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4362/2018

1:RABIN MANDAL
S/O- LATE RAMAKANTA MANDAL
R/O- VILL- TUBOKIJARANI
P.O- DAKHIN BELOGURI
DIST- NAGAON
ASSAM
PIN- 782120

VERSUS

1:THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
WPT AND BC DEPTT
DISPUR
GUWAHATI- 781006

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT OF ASSAM

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WPT AND BC DEPTT
DISPUR
GUWAHATI- 781006

3:THE DEPUTY COMMISSIONER
NAGAON
P.O- NAGAON
DIST- NAGAON
ASSAM
PIN- 782120

Advocate for the Petitioner : MRS. A AHMED
Advocate for the Respondent : GA
ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 05-12-2019

Heard Mr. A. Dasgupta, learned senior counsel for the petitioners assisted by Ms. A. Ahmed. Also heard Mr. R. Dhar for the State respondents.

1. Though there are different prayers made in the different writ petitions, the basic issue to be decided in all the above writ petitions is whether the term of office of the Sub-Divisional SC/ST/OBC/MOBC Development Boards, constituted vide notifications made in the year 2015, would be for a term of 3 years or 5 years.
2. The petitioners' counsel submits that the petitioners are the Chairman of various Sub-Divisional Development Boards which were constituted in the year 2015 within the State of Assam, vide various orders/notifications issued in the year 2015. The orders/notifications constituting the Development Boards were made in pursuance to the Notification dated 20.02.2014, wherein it was stipulated that the term of office was to be for a term not exceeding 5 years. However, the orders constituting the various Development Boards in the year 2015 stipulated that the term of office of Boards shall not exceed 3 (three) years. Thereafter, the Development Boards were dissolved by the State respondents on 20.10.2016,



prior to completion of their term of office. The challenge made to the dissolution of the Development Boards before the Single Bench were all dismissed. The judgments of the Single Bench were thereafter challenged in appeal by way of various writ appeals, the lead case being W.A No. 419/2016. The Division Bench thereafter set aside the judgment of the Single Bench and the dissolution of the Development Boards. The Development Boards were thus re-instated and are continuing to function till date. He submits that subsequent to the notification constituting the various Development Boards, the Notification dated 20.02.2014 has been modified vide Notification dated 06.11.2017, wherein the Development Boards are to function at the pleasure of the Government. The petitioners' counsel submits that as the various Development Boards, in which the petitioners are the Chairman, should be allowed to function for a period of 5 years, which would be in consonance with the Notification dated 20.02.2014 and not at the pleasure of the Government.

3. Mr. R. Dhar, the learned counsel for the State respondents, on the other hand, submits that the orders constituting the Development Boards in the year 2015, have clearly stipulated that the term of office is for 3 years and as on date, 3 years have already expired. He further submits that while clause 1(IV) of the Notification dated 20.02.2014 provides that the term of office of a Development Board should not exceed 5 years, the said clause 1(IV) had been modified by another Notification dated 12.09.2014 whereby, the maximum term of office of a Development Board was reduced to 3 years. He also submits that in addition to the fact that the term of office of a Development Board cannot be for more than 3 years, the respondents vide Notification dated 06.11.2017 has added another rider/condition to the term of office of a Development Board, to the extent that the life of the Development Board shall now also be at the pleasure of the Government. He submits that while the petitioners have challenged the said Notification dated 06.11.2017, there is no challenge to the orders constituting the Development Boards and the Notification dated 12.09.2014, which has modified clause 1(IV) of the Notification dated 20.02.2014, by reducing the maximum term/tenure of office of the Development Boards from 5 years to 3 years.

4. I have heard the learned counsels for the parties.

5. Clause-1(IV) of the Notification dated 20.02.2014 is reproduced below:-



**Term of Office:**

The term of office of the Board shall not exceed five years. The term of office shall be reckoned with from the date of notification continuing the Board. Provided that, if the Government is of the opinion that circumstances so exist whereby the orderly conduct of business of the Board is possible, the Govt. may by notification dissolve the board."

The term of office of a Development Board, as per Clause-1(IV) of the Notification dated 20.02.2014 states that it shall not exceed 5 years.

6. The affidavit-in-opposition filed by the State respondents in WP(C) No. 1510/2019 contains a Notification dated 12.09.2014, by which Clause-1(IV) of the Notification dated 20.02.2014 has been modified. The modification of Clause-1(IV) of the notification dated 20.02.2014 by the Notification dated 12.09.2014 is as follows:-

"No. TAD/BC/440/2013/13: In partial modification to this Department's earlier Notification No. TAD/BC/440/2013/12. dtd. 20.02.2014, the Clause 1(IV) and the Clause (IV) have been altered as below:

1. Constitution of the PIC/Development Board for SC/ST/OBC:

(v) The prospective candidates will have to make an application for appointment as Chairman/Members and submit the same to the Government in the WPT & BC Department along with the recommendation from the Deputy Commissioner/Minister (in-charge) concerned as per the formal prescribed at Annexure-A.

IV. Term of Office:

The term of office of the Board shall not exceed three (3) years. The term of office shall be reckoned with from the date of notification continuing the Board. Provided that, if the Government is of the opinion that circumstances so exist, whereby the orderly conduct of business of the Board is not possible, the Govt. may



by notification dissolve the Board.

This Notification dated 12.09.2014 has not been put to challenge by the petitioners till date. Thus while the earlier Notification dated 20.02.2014 had provided that the term of the Development Board could not exceed 5 years, the cap has been reduced to 3 years by the Notification dated 12.09.2014.

7. The Development Boards, in which the petitioners are Chairman, were constituted vide orders issued in the year 2015, in pursuance to the Notification dated 20.02.2014 and the term of office of the Boards as per the notifications constituting the Development Board stated that its term shall not exceed 3 years. The Notifications constituting the various Development Boards in the year 2015 have not been challenged by the petitioners. Accordingly, the term of office of the various Boards had expired in the year 2018.

8. The dissolution of the Development Boards just one year after its constitution, which had been challenged earlier, had resulted in the dissolution orders being set aside by the Division Bench of this Court in W.A No. 419/2016 etc, vide a common Judgment & Order dated 09.03.2017. In the said judgment & order of the Division Bench of this Court, the modification of Clause-1(IV) of the Notification dated 20.02.2014, vide Notification dated 12.09.2014 has been taken note of and recorded i.e., the reduction of the maximum term of office of a Development Board from 5 years to 3 years. The Division Bench however did not make any further comments or observations in respect of the reduction of the maximum term of office of a Development Board from 5 years to 3 years. The dissolution of the Development Boards had been set aside by the Division Bench only on the ground that the Government had not formed an opinion that circumstances existed whereby, the orderly conduct of business of the Board was not possible. As such, the issue before the Division Bench in W.A No. 419/2016 etc., was not with regard to whether the term of the Development Boards was 5 years or 3 years. It was only with regard to whether the Government had formed an opinion, prior to dissolving the Development Board, before expiry of its term. In the present writ petitions, the prayers made by the writ petitioners varies. In some cases, they have prayed for quashing the Notification dated 06.11.2017 issued by the Addl. Chief Secretary to the Govt. of Assam, wherein the term of the Development Board would be at the pleasure of

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the Government while in other writ petitions, they have prayed for directing the Government authorities to include the petitioners as one of the members of the Committees for selecting deserving persons, as beneficiaries in respect of goods/aid/materials, to be distributed by the Government. In some of the writ petitions, the petitioners have prayed for setting aside and quashing the Notification dated 20.02.2019, which is the very basis for constitution of the Development Boards. Be that as it may, the core issue to be decided in all the writ petitions is whether the term of the Development Boards have expired and whether their term of office is for 5 years or 3 years.

9. A perusal of WP(C) No. 3778/2018 shows that the petitioner therein had made a challenge to the Notification dated 06.11.2017, by which the term of office of a Development Board as provided in the notification dated 20.02.2014 and notification dated 12.09.2014 was modified, so that the term of office of a Development Board was at the pleasure of the Government. The contents of the Notification dated 06.11.2017 are reproduced below:-

"In partial modification to the Department's earlier Notification No. TAD/BC/440/2013/12, dated 20.02.2014 and No. TAD/BC/440/2013/13, dated 02/09/2014, the Governor of Assam is pleased to modify the Clause 1(IV) of the guidelines relating to constitution of SC/ST/OBC Development Boards at the SDWO offices and constitution of PIC in ITDP offices as follows:

IV. Term of Office: The development boards for welfare of SC, ST and OBC, PIC-ITDPs shall function during the pleasure of the Government. The Chairman/Vice-Chairman and members of the boards shall hold their position in the board at the pleasure of the State Government. The State Government may change the Chairman/Vice Chairman or any member of any board at any time.

It will come into force with immediate effect."

There seems to be a typing error as the above notification dated 06.11.2017 states that the notifications dated 20.02.2014 and 02.09.2014 have been modified. As there is no notification dated 02.09.2014 being bandied about by any of the parties, it appears that the same relates to the notification dated 12.09.2014, which reduced the maximum term of office of a

Development Board to 3 years. Thus, the date "02.09.2014" shall have to be read as "12.09.2014".

10. The above being said, the fact remains that the constitution of the Development Boards, in which the petitioners are the Chairman, had been constituted vide various notifications/orders in the year 2015, wherein it was clearly stipulated in the concerned notifications/orders that the term of office shall not exceed three years, which would be in consonance with the Notification dated 20.02.2014 and the Notification dated 12.09.2014. As stated earlier, the Notification dated 20.02.2014 had been modified by a subsequent Notification dated 12.09.2014, which put a cap on the term of office of a Development Board to 3 years. As per the Notification dated 06.11.2017, the term of office of a Development Board would be at the pleasure of the Government. On a harmonious construction of the notifications dated 20.02.2014, 12.09.2014 and 06.11.2017, the term of office of Development Board would have to be interpreted to mean that the term of office shall not exceed 3 years and it shall also be at the pleasure of the Government. However, the notification dated 06.11.2017 cannot have any application to the case of the petitioners, as the term of office of the Development Boards constituted in the year 2015 are governed by the notifications/orders constituting the Boards, which have not been cancelled/withdrawn and are still valid. As the orders constituting the various Development Boards in the year 2015, stipulating that the term of office of the Development Boards shall not exceed 3 years and the Notification dated 12.09.2014 have not been challenged by the petitioners till date, the petitioners do not have any right to claim that the term of the Development Boards should be 5 years. As the term of office of the Development Boards have expired in the year 2018, the Development Boards in which the petitioners are working as Chairman cannot function as such any longer. The petitioners are also functus officio due to the expiry of the term of the Development Board.

11. In view of the reasons stated above, the writ petitions are dismissed. All interim orders passed earlier stand vacated.



Edl- Michael Zothankhuma

JUDGE



Dvi
11.12.2019
Comparing Assistant

CERTIFIED TO BE TRUE COPY

Phanimdha Devi Goswami

Date: *11-12-2019*

Admin. Section (Judicial)

Copying Section

Gauhati High Court

Authorised U/S 70, Act 1, 1872