



GAHC010015702020



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

Case No. : WP(C)/462/2020

MARJAN BEGUM

WORKING AS ASSTT. TEACHER (SCIENCE) SINCE 1997 IN THE JUNGLE
BLOCK HIGH SCHOOL, D/O- LT. MOTOSIN ALI TALUKDAR, W/O-
SHAZUDDIN LASKAR, R/O- VILL. DOBOKA NALA, P.O. JUNGLE BLOCK,
P.S- DOBOKA, DIST. NAGAON, ASSAM, PIN- 782428.

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, EDUCATION
(SECONDARY) DEPTT., DISPUR, GHY.-06.

2:THE SECY. TO THE GOVT. OF ASSAM
EDUCATION (SECONDARY) DEPTT.
DISPUR
GHY-06.

3:THE DY. SECY. TO THE GOVT. OF ASSAM
SECONDARY EDUCATION DEPTT.
DISPUR
GHY.-06.

4:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GHY.-19.

5:THE INSPECTOR OF SCHOOLS
NAGAON DISTRICT CIRCLE (NDC)
DIST.- NAGAON
ASSAM
PIN- 782001.



6:THE HEAD MASTER
JUNGLE BLOCK HIGH SCHOOL
P.O. JUNGLE BLOCK
DIST. NAGAON
ASSAM
PIN- 782428.

7:MD. AHMED ALI TALUKDAR
S/O- LT. MOTOSIN ALI TALUKDAR
R/O- VILL. DOBOKA NALA
P.O. JUNGLE BLOCK
P.S.- DOBOKA
DIST.- NAGAON
ASSAM
PIN- 782428

Advocate for the Petitioner : MD. S ALOM

Advocate for the Respondent : SC, SEC. EDU.

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

11-02-2021

Heard Mr. S. Alom, learned counsel for the petitioner and Mr. R. Mazumder, learned Standing counsel, Secondary Education Department for the respondent Nos. 1 to 5. Also heard Mr. A. J. Atia, learned counsel for the respondent No. 6.

It is submitted by Mr. Alom, learned counsel for the petitioner that after the order dated 23.11.2015 passed in WP(C) No. 5330/2012, the District Level Scrutiny Committee, Nagaon for Secondary Education on 30.07.2016 recommended the name of the petitioner along with one Abdul Khaleque for consideration of provincialisation of their services under the provisions of the Assam Venture Educational Institutions (Provincialisation of Services) Act, 2011 amended in the year, 2012 while the said Act was in force. But the respondent in the Secondary Education Department has not yet provincialised the service of the petitioner. Hence this writ petition.

Mr. Mazumder, learned Standing counsel, Secondary Education Department has placed before the Court that the issue regarding requirement of subject of Mathematics for the post of Science



Teacher or requirement of seniority of Science Teacher having B.Sc. degree was before the Hon'ble Division Bench in some of the writ petitions and very recently, the said issue has been adjudicated by the Hon'ble Division Bench.

In view of the above, on the next date, Mr. Mazumder, learned Standing counsel, Secondary Education Department shall apprise the Court as to when the State Level Scrutiny Committee for Secondary Education will consider the recommendation of the District Level Scrutiny Committee for Secondary Education, Nagaon dated 30.07.2016 whereby the name of the petitioner was recommended for provincialisation of her service who is serving in Jungle Block High School, district Nagaon.

List this matter on **23.03.2021**.

JUDGE

Comparing Assistant