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

Case No. : WP(C)/725/2024

SAJIDA AHMED
W/O- LT ABDUR RAHIM AHMED, VILL AND P.O. KAMALPUR, P.S.
BARPETA, DIST.- BARPETA ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SKILL EMPLOYMENT AND
ENTREPRENEURSHIP DEPARTMENT, DISPUR, GUWAHATI-06

2:THE DIRECTOR OF EMPLOYMENT AND CRAFTSMEN TRAINING
ASSAM
REHABARI
GUWAHATI-08

3:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MOIDAMGAON
BELTOLA
GUWAHATI-29

4:THE DIRECTOR OF PENSION
ASSAM
HOUSEFED COMPLEX
DISPUR
GUWAHATI-06

5:THE SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06

6:THE SUPERINTENDENT OF INDUSTRIAL TRAINING INSTITUTE
GOALPARA
P.O. BALADMARI
P.S. GOALPARA
DISTRICT- GOALPARA
ASSAM
PIN- 783121

7:THE TREASURY OFFICER
BARPETA
P.O. AND P.S. BARPETA
DISTRICT- BARPETA
ASSAM
PIN- 78130

Advocate for the Petitioner : MR. S ISLAM, MR A HAWARI

Advocate for the Respondent : SC, FINANCE, SC, EMPLOYMENT AND CRAFTSMAN
TRAINING,SC, AG,GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR
ORDER

06.02.2026

Heard Mr S Islam, learned counsel appearing for the petitioner. Also heard Mr R K Talukdar, learned counsel who has not received the pension proposal of the petitioner till date.

2. Mr R Borpujari, learned counsel appears for the Finance Department , who has submitted that he is not in a position to obtain instructions from the Treasury Officer because the PPO has not been issued by the office of the Accountant General. Therefore, no pension payment order has been released in favour of the petitioner.

3. Mr S P Das, learned counsel appearing for the Director of Employment and Craftsmen Training.

4. This Court by order dated 16.12.2021, had specifically directed the Director of

Employment and Craftsmen Training to forthwith submit the proposal for family pension and pensionary benefits to the petitioner. Principal Secretary to the Government of Assam, in the Skill Employment and Entrepreneurship Department, had been requested through the learned counsel by the Court to do the needful for consideration of the case of the petitioner for grant of family pension by the appropriate authorities. It was made clear in that order that, in no case, the pension shall be denied again for the same reasons for the amount being due from the deceased husband of the petitioner having not been recovered. Contempt Petition was disposed of. The Deputy Secretary to the Government of Assam, Skill Employment and Entrepreneurship Department had by the letter 5th of February, 2022, conveyed the sanction of the Governor of Assam, for payment of provisional pension in respect of the petitioner. The same amount is being received by the petitioner as per the admissions made in the writ petition itself.

5. On the 14th of July, 2023, the pension papers and Service Book in original in respect of the petitioner, have been forwarded by the Joint Secretary to the Government of Assam, to the Director of Employment and Craftsmen Training, Rehabari, Assam. The Superintendent, ITI, Goalpara, was also forwarded a copy for necessary action. The petitioner is yet to be paid the regular family pension.

6. An affidavit has been filed on behalf of the Commissioner and Secretary, the Director of Employment and Craftsmen Training and the Superintendent of Industrial Training Centre, Goalpara, attested by the Joint Director In-Charge of Craftsmen Training. In the said affidavit, it has been stated that the process for GIS amount had been initiated and the same would be released shortly. This affidavit, which was filed on 09.04.2025, referred to the communication of the Director to the Joint Secretary, with a request to look into the matter and forward the pension papers to the DAG, Assam, if deemed fit and proper. When the pension has not been paid, the matter has come up today again.

7. Mr S P Das, learned counsel for the Employment and Craftsmen Training, has

produced before this Court a letter addressed by the Director to the Secretary to the Government of Assam, Skill Employment and Entrepreneurship Department, issued on 05.09.2025, by which the Director has recorded thus:-

“In this connection, it is to be mentioned that the liabilities reflected in the previously submitted Form-19 may need to be updated in accordance with the records provided in the e-mail dated 17.08.2025 from the Standing Counsel, as received through the Government letter under reference (i). Accordingly, necessary updates may be required to incorporate in the pension proposal in respect of Smti Sajida Ahmed, W/o Late Abdur Rahim Ahmed, Ex-Superintendent, ITI, Goalpara.

Hence, the pension papers may be returned to update the liabilities for further course of action.

Moreover, the Leave Account Statement (LAS) in respect of Late Ahmed, (Ex) Superintendent, ITI Goalpara, as sought by the Government vide letter under reference (ii) is enclosed herewith.”

8. The letter dated 05.09.2025, is kept on record and marked as –‘X’.
9. It appears that this letter has been issued, either being completely oblivious of the orders of this Court passed Contempt Case No. 490/2019 or it has been done with a view to circumvent the said order and delay the process of payment of regular family pension to the petitioner. This Court needs to ascertain the reason for the communication dated 05.09.2025.
10. It is also seen that the affidavit-in-opposition filed on 09.04.2025, by the Joint Director In-Charge, nowhere reflects the order dated 06.12.2021, passed in Contempt Case (Civil) No. 490/2019. Since this Court is of a *prima facie* view that the manner in which the case of the petitioner was handled, would amount to disobeying the orders of this Court passed in the contempt petition and since the writ petition itself contain details

of the orders of the contempt petition and an affidavit has been filed and the communication dated 05.09.2025, also refers to the present writ petition, where a copy of the contempt petition is available, this Court is of the *prima facie* opinion that it is a deliberate attempt on the part of the Joint Director, who has sworn the affidavit, and the Director, who has issued the letter dated 05.09.2025.

11. In such circumstances, this Court directs the Joint Director, namely, Pranjit Das, Son of Late Satish Chandra Das, Joint Director, In-Charge, Craftsmen Training, to appear personally before this Court on **10th of February, 2026**, and Mr Narendra Kumar Shah, the Director of Employment and Craftsmen Training Assam, to appear virtually before this Court on the same day, to explain the reasons and circumstances under which, the affidavit was filed without referring to the orders passed in the contempt case, and the circumstances under which, the order dated 05.09.2025, came to be passed, despite there being specific orders of this Court, not to refer to liabilities of the deceased husband of the petitioner while processing the pension claim of the petitioner.

12. Mr S P Das, learned counsel has vehemently requested the Court that the personal appearance of the aforesaid officers may not be necessary since appropriate steps have been initiated to ensure the compliance of the orders of the Courts. Such compliance, if any, be informed to this Court on **10th of February, 2026**.

13. List this matter again on **13th of February, 2026**.

14. The learned counsel for the respondents would be at liberty to make a mention for listing of this case before the next date fixed, in case, the orders of this Court are complied with in letter and spirit.

JUDGE

Comparing Assistant