

GAHC010022302019



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

Case No. : WP(C)/935/2019

PURNA KANTA BRAHMA AND 18 ORS.
S/O- SUBODH BRAHMA, R/O- VILL- NAMJAIPARA, P.O- BOROBABAR, P.S-
BIJNI, DIST- CHIRANG, BTAD, ASSAM

2: JAHAR ALI SHEIK
S/O- LATE ABUL HUSSAIN
R/O- VILL- BATABARI
P.O- BIJNI
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

3: RAM CHANDRA RABHA
S/O- LATE BIBIRAM RABHA
R/O- VILL NO. 1
KHUJRAPGURI
P.O- MONGOLIAN BAZAR (MALIPARA)
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

4: ASAN ALI
S/O- LATE USHMAN ALI
R/O- VILL NO. 2 KAWADI
P.O- PATILADAHA (BAGHORGAN)
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

5: NOBER ALI
S/O- LATE MOYAN ALI

R/O- VILL- DUPURI
P.O- SONAIKOLA
P.S- BIJNI (PANBARI)
DIST- CHIRANG
BTAD
ASSAM

6: NAGEN MUCHAHARY
S/O- LATE ANANDI RAM MUCHAHARY
R/O- VILL- KOPTUPALI
P.O- HANCHARA (BIJNI)
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

7: RANJOY GOYARY
S/O- LATE KHAMINI GOYARY
R/O- VILL NO. 1 BHALATAL
P.O- BHALATAL
P.S- BIJNI
DIST- CHIRANG BTAD
ASSAM

8: KAMALESWAR BASUMATARY
S/O- LATE CENA RAM BASUMATARY
R/O- VILL NO. 1 SILKHAGURI
P.O- BAGORGAON
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

9: ABDUR RAHIM
S/O- LATE SAHABUDDIN
R/O- VILL- BOWPARA
P.O- ALUKHUNDA
P.S- BIJNI(PANBARI)
DIST- CHIRANG
BTAD
ASSAM

10: DANDESWAR MUCHAHARY
S/O- LATE NAKHARSING MUCHAHARY
R/O- VILL- MONESWARI
P.O- CHATIANGURI (BIJNI)
P.S- BIJNI
DIST- CHIRANG

BTAD
ASSAM

11: KHALILUR RAHMAN
S/O- LATE MABARAK ALI
R/O- VILL- DAWAGURI
P.O- BAGORGAON
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

12: KASHEM ALI
S/O- LATE ABUL HUSSAIN
R/O- VILL- BAGORGAON
P.O- BAGORGAON
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

13: ABDUL BAREK
S/O- ALTE KOLIM UDDIN SHEIKH
R/O- VILL NO. 1 MAJRABARI
P.O- BHALATAL
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

14: KAMESWAR BASUMATARY
S/O- LATE KANDURA BASUMATARY
R/O- VILL- NO. 2 CHATIANGURI
P.O- BIJNI
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

15: JAGODISH RAY @ JAGODISH CHANDRA RAY
S/O- THANESWAR RAY
R/O- VILL- PUB KHAMARPARA
P.O- BAGORGAON
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

16: UMA CHARAM BRAHMA
S/O- LATE GEBARAM BRAHMA
R/O- VILL- MAOJIPARA (KHALEPPARA)
P.O- BOROBABAR
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

17: NIREN DHAR
S/O- LATE LALIT DHAR
R/O- VILL NO. 2 CHARAGAON
P.O- HANCHARA (BIJNI)
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSAM

18: AKARA ZAMAN @ AKARUJ JAMAN
S/O- LATE RAJAB ALI
R/O- VILL NO. 1 GORAIMARI
P.O- ALKHUNDA
P.S- PANBARI
DIST- CHIRANG
BTAD
ASSAM

19: MANGALSING BASUMATARY
S/O- LATE TEBRA RAM BASUMATARY @ TEBRA BASUMATARI
R/O- VILL- GAIBARI (NO. DEWANPARA)
P.O- BAGORGAON
P.S- BIJNI
DIST- CHIRANG
BTAD
ASSA

VERSUS

THE STATE OF ASSAM AND 8 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT OF
ASSAM, REVENUE (LR) DEVELOPMENT DEPTT, DISPUR, GUWAHATI, PIN-
781006

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM
FINANCE (ESTT-A) DEPTT
DISPUR
GHY

PIN- 781006

3:THE DIRECTOR
LAND RECORDS AND REVENUE DEVELOPMENT
ASSAM
GUWAHATI
PIN- 781006

4:THE BODOLAND TERRITORIAL COUNCIL
REP. BY THE SECRETARY
LAND RECORDS AND SURVEY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
BTAD
ASSAM
PIN- 783370

5:THE DIRECTOR
LAND RECORDS AND SURVEYS
BTC
KOKRAJHAR
BTAD
ASSAM
PIN-

6:THE DEPUTY COMMISSIONER
CHIRANG
P.O
P.S AND DIST- CHIRANG
BTAD
ASSAM
PIN-

7:THE SUB DIVISIONAL OFFICER (C)
BIJNI
P.O AND P.S- BIJNI AND DIST- CHIRANG
BTAD
ASSAM
PIN-

8:THE SUB DIVISIONAL OFFICER(C)
SIDLI
P.O AND P.S- SIDLI
DIST- CHIRANG
BTAD
ASSAM
PIN-

9:THE SUB DIVISIONAL OFFICER (C)
KAJALGAON
P.O AND P.S- KAJALGAON
DIST- CHIRANG
BTAD
ASSAM
PIN

Advocate for the Petitioner : MR. A A R KARIM, MR. A DEB

Advocate for the Respondent : GA, ASSAM,

Linked Case : WP(C)/2112/2019

DAMBRUDHAR BASUMATARY AND 44 ORS.
S/O- LATE MAHIRAM BASUMATARY
R/O. VILL.- GARAGAON SALBARI
P.O. GARUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

2: LACHIT BASUMATARY
S/O LATE DEBEN BASUMATARY
RESIDENT OF VILL. BAIRAJHARA
P.O. DUTTAPUR
P.S. SIDLI
DIST.- CHIRANG
BTAD
ASSAM.

3: BINOD ISLARY
S/O. LATE MODARAM ISLARY
R/O. VILL. AND P.O.- DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

4: UTTAM WARY
S/O LATE BHABEN WARY
R/O. VILL. DOLOGAON

P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

5: GANESH UPADHAY
S/O. LATE SANKAR UPADHAY
R/O. VILL. SOUTH NAMGDOLBARI
P.O. GARUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

6: ANIL CHANDRA BARMAN
S/O. LATE JAGESH BARMAN
R/O.VILL. THUNKUBARI
P.S. AND P.O. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

7: MANORANJAN BARMAN
S/O LATE NARENDRA CHANDRA BARMAN
R/O. VILL. DIPU
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

8: JONA NARZARY
S/O. SRI SODA NARZARY
R/O. VILL. SANPUR
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

9: DAREN NARZARY
S/O. LATE SUNDUR NARZARY
R/O. VILL. KOMABARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

10: DINESH NARZARY
S/O. LATE BINARAM NARZARY
VILL. NO. 2 THALITBARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
(ASSAM).

11: RAJIT NARAYAN BASUMATARY @ RANJIT NARAYAN BASUMATARY
S/O. LATE RAMWSHWAR BASUMATARY
R/O. VILL. NIMAGAON
P.O. AND P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

12: ATUL ISLARY
S/O. LATE PUJARU ISLARY
R/O. VILL. BAMUNGAON
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

13: MUTILAL MUCHAHARY @ MOTILAL MUCHAHARY
S/O. LATE BANGTU MUCHAHARY
R/O. VILL. ANGKORBARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

14: GAREN WARY @ GOREN WARY
S/O. LATE JEBRA WARY
R/O. VILL. SHYAMSINGKILLA
P.O. SHAMPA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

15: PROTAPSING BASUMATARY
S/O. LATE SAWAN BASUMATARY
RESIDENT OF VILL. AMLAIGURI (GORAGAON)

P.O. CHAMPABATI BAZAR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

16: HALKA MUSHAHARY
S/O. LATE SONARAM MUSHAHARY
R/O. VILL. DIPU
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

17: SANDRAI MARDI
S/O. LATE NAYAN MARDI
RESIDENT OF VILL. AMGURI
P.O. GORUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

18: GYANENDRA LAIFANGRY
S/O. LATE BABURAM LAIFANGRY
R/O. VILL. SIMLAGURI
P.O. GURUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

19: HOREN BARMAN
S/O. LATE JOTIN BARMAN
R/O. VILL. NO. 3 DHUPGURI
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

20: DURGA MARDI
S/O. LATE SUPAL MARDI
R/O. VILL. DIPU
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG

BTAD
ASSAM.

21: JOLESWAR KUJUR
S/O. LATE FIDRICH KUJUR
R/O. VILL. DIPU
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

22: AROBINDRA MUCHAHARY
S/O. LATE HABANG MUCHAHARI
R/O. VILL. KALABARI
P.O. AND P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

23: RAJEN MUCHAHARY
S/O. LATE LOBAR MUCHAHARY
R/O. VILL. SOULMARI
P.O. AND P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

24: JOGOR BASUMATARY
S/O. LATE PARSING BASUMATARY
R/O. VILL. DANGSHIBARY
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

25: BIJENDRA MUCHAHARY
S/O. LATE SOMBAM MUCHAHARY
R/O. VILL. BHAORAGURI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

26: JOHRSING NARZARY
S/O. LATE DAREN NARZARY

R/O. VILL. DADURI BIL
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

27: DAOKE MUCHAHARY
S/O LATE GALOR MUCHAHARY
R/O. VILL. THOSOBARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

28: PERKHAO DAIMARY @ PERKAO DWYMARY
S/O. GOJEN DWYMARY
R/O. VILL. DHOLAPARA
P.O. DUTTAPUR
DIST. CHIRANG
BTAD
ASSAM.

29: TORONI BASUMATARY
S/O. LATE RUMAL BASUMATARY
R/O. VILL. JAMBUBARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

30: RAMWENDA BASUMATARY
S/O LATE KATIRAM BAUMATARY
R/O. VILL. POSCHIM GASLABARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

31: MOHEN NARZARY
S/O. MAORIYA NARZARY
R/O. VILL. NO. 1 THALITBARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG

BTAD
ASSAM.

32: NOGEN BASUMATARY
S/O. SRI DEBORSING BASUMATARY
R/O. VILL. SELEKHAGURI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

33: KOKEN NARZARY @ KAKHEN NARZARY
S/O. LATE CHANDRA NARZARY
R/O. VILL. EAST GARLABARI
P.O. DUTTAPUR
P.S. BASUGAON
DIST. CHIRANG
BTAD
ASSAM.

34: BIJOY SING MUCHAHARY
S/O. LATE ANDA MUCHAHARY
R/O. VILL. SOUTH BATABARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

35: BAHADUR CHAMPRAMARY
S/O. LATE SUREN CHAMPRAMARY
R/O. VILL. NO. 1 BATTABARI
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

36: SWITO BASUMATARY @ SAITYA BASUMATARY
S/O. HODOM BASUMATARY
R/O. VILL. GENDERGAON
P.O. KASHIKOTRA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

37: DHOJEN RABHA
S/O LATE MANIK RABHA
R/O. VILL. TILOKGAON
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

38: RAJEN GOYARY
S/O. LATE GOPAL GOYARY
R/O. VILL. DHOROMPUR
P.O. DUTTAPUR
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

39: MUSLAM UDDIN AHMED
S/O. LATE AZOR ALI
R/O. VILL. AND P.O. MOZABARI
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

40: DEOBAHADUR CHETRY
S/O. LATE RAMBAHADUR CHETRY
R/O. VILL. GURUBHASA NEPALPARA
P.O. GURUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

41: RENJEN EKKA
S/O. LATE KADRU EKKA
R/O. VILL. NO. 1 NAGDARBARY
P.O. GARUBHASA
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

42: SAMAI MURMU
S/O. BAJEL MURMU
R/O. VILL. CHANDPUR
P.O. GARUBHASA

P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

43: INDRA MOHAN NARZARY
S/O. LATE SUNIRAM NARZARY
R/O. VILL. NORTH DEOLGURI
P.O. RAMCHAIDHAM
P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

44: TIMICWARAN WARY
S/O. LATE ANDA WARY
R/O. VILL. BATABARI
P.O. GARUBHASA
P.S. SIDLI
DIST.- CHIRANG
BTAD
ASSAM.

45: LALMOHAN BASUMATARY
S/O. LATE KATINATH BASUMATARY
R/O. VILL. NO. 2 BHALATAL
P.O. BHALATAL
P.S. BIJNI
DIST. CHIRANG
BTAD
ASSAM.
VERSUS

THE STATE OF ASSAM AND 8 ORS.
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM
REVENUE (L.R.) DEVELOPMENT DEPTT.
DISPUR
GUWAHATI- 781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE (ESTT.- A) DEPTT.
DISPUR
GUWAHATI- 781006.

3:THE DIRECTOR

LAND RECORDS AND REVENUE DEVELOPMENT

ASSAM
GUWAHATI- 781006.

4:THE BODOLAND TERRITORIAL COUNCIL
REP. BY THE SECRETARY
LAND RECORDS AND SURVEY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
BTAD
ASSAM- 783370.

5:THE DIRECTOR

LAND RECORDS AND SURVEYS
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
BTAD
ASSAM- 783370.

6:THE DEPUTY COMMISSIONER
CHIRANG
P.O.
P.S. AND DIST.- CHIRANG
BTAD
ASSAM.

7:THE SUB-DIVISIONAL OFFICER (C)
BIJNI
P.O. AND P.S. BIJNI
DIST. CHIRANG
BTAD
ASSAM

8:THE SUB-DIVISIONAL OFFICER (C)
SIDLI
P.O. AND P.S. SIDLI
DIST. CHIRANG
BTAD
ASSAM.

9:THE SUB-DIVISIONAL OFFICER (C)
KAJALGAON
P.O. AND P.S. KAJALGAON
DIST. CHIRANG
BTAD
ASSAM.

Advocate for : MR. A A R KARIM

Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 8 ORS.

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

27.02.2026

Heard Mr. A. A. R. Karim learned counsel for the petitioners. Also heard Mr. B. Bora, learned Government Advocate for State, Mr. S. Dutta, learned Standing Counsel for Revenue, Mr. N. R. Sarma, learned Standing Counsel for BTC and Mr. A. Chaliha, learned Standing counsel for Finance.

2. The writ petitioners were selected as honorary Gaon Buras of their respective villages in Chirang District as per the resolutions taken by villagers and have been working for more than 10 years efficiently to the satisfaction of the villagers and the Departmental Authorities. There was a decision taken by the Department prescribing the age limit of Gaon Buras from 21 to 40 years for General and 45 years for SC/ ST Category and that the applicant must have passed class 10th examination for the post of Gaon Bura. However, this notification provided that these criteria shall not be applicable for those Gaon Buras who had already appointed earlier.

3. Since the petitioners are not allowed to participate in the Selection Process they approached this Court earlier by filing WP(C) No. 2054/ 2017 seeking relaxation from age and qualification and to participate in the Selection process. The writ petition came to be disposed of permitting the Respondents to file their representation before the authorities. After due consideration of the representation, the authority extended the age participation from 45 to 50

years, but did not relaxed qualification of passing class 10th examination.

4. Subsequent thereto, on 10.12.2018 second advertisement was published dated 10th April, 2018, cancelling the earlier advertisement and inviting applications for filling up of 172 posts of Gaon Bura under the Chirang District including the post in which the petitioners are presently working as honorary/ adhoc basis. Being aggrieved the present writ petition has been filed seeking direction to set aside the advertisement/ alternatively permit the writ petitioner to participate in the selection process by relaxation of their education and qualification of class 10th pass.

5. Notices were issued in the matter and during the pendency of the writ petition it was submitted by the learned Standing Counsel BTC that the BTC authorities have taken a decision to cancel all advertisement published in the year 2016, 2017 and 2018 due to the grounds mentioned therein. The copy of this order dated 22.12.2025 is placed before the Court and which is extracted below:-

” In the interest of public service and in view of report submitted by the Director, Land Records & Surveys, BTC vide Memo No. BTC/DLR-39/GB(Pt-2)/2022/3, dated 26.11.2024 with regard to upto date report on Gaonbura/Gaon Pradhan appointment which was initiated vide advertisement published in the year 2016-2017&2018, the Bodoland Territorial Council is pleased to cancel all such advertisements published in the year 2016-2017&2018 due to following grounds:

(a). Revenue Circle wise evaluation sheets to be signed by the Chairman of the Committee were not found.

(b). In some cases 2-3 individual members had also not signed the evaluation sheets.

(c). No compilation sheets of evaluation signed by the Chairman and

Members of the Selection Committee are found.

(d). Though viva-voice was conducted, evaluation and compilation of marks were not done and thus the selection process was not complete.

(e). The most of the Committee Members including the Chairman who were Govt. Officials have retired and it is practically not possible to complete the incomplete process with the existing records of interview which are incomplete.

(f). Moreover, almost six years have elapsed since the conduct of interview. In the meantime more and more vacancies have resulted requiring fresh initiative to fill up these vacancies.

The Sr. Standing Counsel of BTC be communicated the decision accordingly for taking necessary step before the Hon'ble Court for all Gaon Bura Cases.

This order shall come into force with immediate effect."

6. In view of this clear order passed by the Secretary BTC, Kokrajhar, cancelling all the advertisement no further cause is alive in this writ petition and accordingly the same stands close and disposed of.

7. Interims order, if any, will stands merged and the writ petitioners will be permitted to continue as honorary Gaon Buras till such time the BTC Authorities takes steps as per the procedure prescribed for appointment of Gaon Buras.

8. Accordingly this writ petition is disposed of.

JUDGE

Comparing Assistant