

GAHC010026902026



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

Case No. : WP(C)/1024/2026

HARIKRISHNA BASUMATARY
S/O GOPAL BASUMATARY VILL-CHAIBARI (SIRISHBARI), P.O-DHONBIL,
P.S.- PANBARI, DIST-BAKSA, BTC, ASSAM, PIN-781343

VERSUS

THE STATE OF ASSAM AND 9 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY,
ENVIRONMENT AND FOREST DEPARTMENT, DISPUR, ASSAM, GUWAHATI-
6.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
ASSAM
REHABARI
GUWAHATI-8.

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM FINANCE DEPARTMENT

DISPUR
GUWAHATI-6.

4:THE BODOLAND TERRITORIAL COUNCIL (BTC)

REPRESENTED BY THE PRINCIPAL SECRETARY
KOKRAJHAR
ASSAM
PIN-783370

5:THE SECRETARY

FOREST DEPARTMENT

BTC
ASSAM
PIN783370

6:THE COUNCIL HEAD OF THE DEPARTMENT OF FOREST

KOKRAJHAR
ASSAM
PIN-783370

7:THE CHIEF CONSERVATOR OF FOREST

BTC
KOKRAJHAR
ASSAM
PIN-783370

8:ADDL PRINCIPAL CHIEF CONSERVATOR OF FOREST CUMCOUNCIL
HEAD OF THE DEPARTMENT

FOREST
BTC
KOKRAJHAR
ASSAM
PIN-783370

9:THE CHIEF CONSERVATOR OF FOREST AND FIELD DIRECTOR

MANAS TIGER RESERVE
BARPETA ROAD
ASSAM
PIN-781315

10:FOREST RANGE OFFICER

BHUYANPARA RANGE
MANAS NATIONAL PARK
PIN-78131

Advocate for the Petitioner : MR. A BORO, MS N NEWME,MR H P GUWALA

Advocate for the Respondent : SC, FOREST, SC, BTC,SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

25.02.2026

Heard Mr. A. Boro learned counsel for the petitioner. Also heard Mr. A. Khaund learned Standing Counsel, BTC.

2. The case of the petitioner is that due to shortage of manpower between in the year of 2007, they have been engaged as casual workers for protection of forest and wildlife under the Division in Baksa District, BTC. Even since their engagement, they have been working as such till date but have been paid only a meagre sum of fixed wages. It is the case of the petitioner that they are entitled to get the benefit of minimum pay scale in terms of the decisions rendered by a Division Bench of this Court in "State of Assam Vs. Shri. Upen Das" reported in 2020 (5) GLT 605.

3. The learned counsel for the petitioner submits that the respondent authorities have duly admitted that the petitioner have been rendering their services as casual workers for protection of Manas National Park under Director, Manas Tiger Reserve since 2007. Therefore, the learned counsel for the petitioner submits that since there is no dispute, a direction may be issued to the respondent authorities to pay the petitioner a minimum scale of pay in terms of Upen Das (supra).

4. Mr. A. Khaund, learned Standing Counsel, BTC, on the other hand, submits that the petitioner is only engaged on casual basis and since it is not a substantive appointment, there is no question of granting them the pay scale as claimed by them. It may, however, be seen that the directions passed by the Division Bench of this Court in Upen Das (supra) is that all such Muster Roll

Workers, Worked Charge Workers and similarly placed employees working since the last more than 10 years and not in a sanctioned post should be granted the minimum of pay scale w.e.f. 01.08.2017. Admittedly, the petitioner in the present case are not working against a sanctioned post but are engaged as casual workers since 2007 which has not been disputed by the respondents.

5. Considering the same, the respondent authorities are directed to grant the petitioner the benefit of minimum pay scale in terms of Upen Das (supra). Before granting them such benefit, the respondents will make necessary verification so as to ascertain the entitlement of the benefits of the petitioner to be conferred in terms of Upen Das (supra). The petitioner be afforded the minimum pay scale as directed note above as expeditiously as possible and preferably within a period of 3 (three) months from the date of receipt of a certified copy of this order.

6. This writ petition accordingly stands disposed of.

JUDGE

Comparing Assistant