

GAHC010030482025



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

Case No. : WP(C)/811/2025

TULSHI SAIKIA AND 4 ORS.

S/O- LATE BRTHAI SAIKIA, R/O- JAPISAJIA, P.O. AND P.S. JAPISAJIA, DIST.
LAKHIMPUR, ASSAM, PIN- 787031.

2: JAY CHANDRA PAMEHGAM

S/O- LATE KASHINATH PAMEHGAM

R/O- GHAGARMUKH PAMEHGAON

P.O. GOROIMARI

DIST. LAKHIMPUR

ASSAM

PIN- 787032.

3: BIDEAYSWAR DOLEY

S/O- LATE KUKU DOLEY

R/O- BORDUBI MALUWAL

P.O. KUHIARBARI

DIST. LAKHIMPUR

ASSAM

PIN- 787052.

4: ABDUL JALIL

S/O- AYUB ALI

R/O- SENSORE

P.O. ANGERAKHOWA

DIST. LAKHIMPUR

ASSAM

PIN- 787031.

5: MOHAN DEORI

S/O- PADMESWAR DEORI

R/O- VILL.- BARDEURI GAON

DIST. LAKHIMPUR

ASSAM

PIN- 784164

VERSUS

THE STATE OF ASSAM AND 8 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, ENVIROMENT
AND FOREST DEPARTMENT , DISPUR, ASSAM, GUWAHATI-6.

2:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
ASSAM
GUWAHATI-6.

3:THE PRINCIPAL CHIEFCONSERVATOR OF FORESTS AND HEAD OF
FORESTS FORCE
ASSAM
GUWAHATI-08.

4:CONSERVATOR OF FORESTS
UPPER ASSAM SOCIAL FORESTRY CIRCLE
NAGAON
ASSAM

5:THE CHIEF CONSERVATOR OF FORESTS
SOCIAL FORESTRY
ASSAM
BASISTHA
GUWAHATI-29.

6:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

7:THE DIVISION FOREST OFFICER (SF)
LAKHIMPUR DIVISION
LAKHIMPUR
ASSAM
PIN- 787001.

8:THE RANGE FOREST OFFICER
SOCIAL FORESTRY RANGE
NORTH LAKHIMPUR
PIN- 787001.

9:RANGE FOREST OFFICER

JONAI S.F. RANGE

JONAI
PIN- 787060

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

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

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 30.03.2026

Heard Mr. A. Boro, learned counsel for the petitioners. Also heard Mr. I. Borthakur, learned Standing counsel, Forest Department, Assam.

2. By this application, filed under Article 226 of the Constitution of India, the petitioner has alleged illegal action on the part of the respondent authorities in not providing the benefit of minimum pay scale to the petitioner who have been continuously serving under the Forest Department for the last 35 to 38 years.

3. The petitioners have also raised that the respondent authorities have not followed the directions given by the Apex Court in **State of Punjab –Vs- Jagjit Singh and Ors.**, reported in **(2017) 1 SCC 148**.

4. In consonance with the above decision, this Court, by order and judgment dated 08/06/2017, passed in W.A. No. 45/2014, have directed the State Government to pay minimum of the pay scale to the Master Roll Workers, Work Charged Workers and similarly placed employees working since more than 10 years. Petitioners are stated to be the casual workers whose services were not regularized by the authority concerned. However, their services were utilized for many years, and as such, the direction to State Government is made to pay the minimum scale of pay.

5. As such, this Court is also of the view that the casual workers who are otherwise not entitled for regularisation of their services should be paid the minimum scale pay as required under the law.

6. In view of the above, the present case projected by the writ petitioners is accordingly covered by the judgment and order dated 08/06/2017, as mentioned above. Further, any benefits that the writ petitioners are entitled to in terms of the said judgment will, however, be subjected to proper verification and scrutiny of the documents by the respondent authorities.

7. Writ petition is accordingly disposed of. Furthermore, the said exercise may be initiated and concluded within a period of 3 (three) months from the date of receipt of the order.

JUDGE

Comparing Assistant