

GAHC010031052026



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

Case No. : WP(C)/1018/2026

NIJWM MUSHAHARY AND 51 ORS.

S/O-LT. JALESWAR MUSHAHARY, AGED ABOUT-37 YEARS, VILL-SUDEMPUR, P.O-KACHUAGAON, DIST-KOKRAJHAR, BTC, ASSAM, PIN-783350

2: MIJUI SH NARZARY
S/O-BUDHIRAM NARZARY
AGED ABOUT-38 YEARS
VILL-NO.2 OXIGURI
P.O-AMTEKA
DIST-CHIRANG BTC
ASSAM
PIN-783393

3: SUSANA BASUMATARY
D/O-BINEN BASUMATARY
AGED ABOUT-37 YEARS
VILL-NO.2 OXIGURI
P.O-AMTEKA
DIST-CHIRANG BTC
ASSAM
PIN-78339

4: DENGKW BASUMATARY
S/O-LT. ANGELUS BASUMATARY
AGED ABOUT-38 YEARS
VILL- VILL-NO.2 OXIGURI
P.O-AMTEKA
DIST-CHIRANG BTC
ASSAM
PIN-78339

5: DEBANAN NARZARY
S/O-LT.HARENDRA NARZARY

AGED ABOUT-37 YEARS
VILL-NEW KAGRABARI
P.O-BAIRALI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783350

6: BIRBAL BASUMATARY
S/O-BIPIN BASUMATARY
AGED ABOUT-38 YEARS
VILL-GORSHINGPARA
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

7: JOITHUL BASUMATARY
1.S/O-KARTIK BASUMATARY
AGED ABOUT-38 YEARS
VILL-KANTHALMARI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

8: TRISHNA BRAHMA
D/O-CHABIN BRAHMA
AGED ABOUT-38 YEARS
VILL-RAJABIL
P.O-RUPAHI
DIST-BAKSA
BTC
ASSAM
PIN-781318

9: GHANSHYAM SWARGIARY
S/O-DHANI RAM SWARGIARY
AGED ABOUT-38 YEARS
VILL-BAGEMARI
P.O-SARUPETA
DIST-BARPETA
ASSAM
PIN-781318

10: MANAMATI BRAHMA

D/O-RAHINI KUMAR BRAHMA
AGED ABOUT-38 YEARS
VILL-UTTER RUNIKHATA
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

11: SARADA GOYARI
11.
C/O-SUPEN GOYARI
AGED ABOUT-37 YEARS
VILL-GOYBARI
P.O-KHAGRABARI
DIST- CHIRANG
BTC
ASSAM
PIN-783394

12: DIPANKAR BASUMATARY
S/O-AREN BASUMATARY
AGED ABOUT-37 YEARS
VILL-CHAPAGURI
P.O-CHAPAGAURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

13: BIRDAO BRAHMA
S/O-BIRON BRAHMA
AGED ABOUT-37 YEARS
VILL-GOYBARI
P.O-KHAGRABARI
DIST-CHIRANG
BTC
ASSAM
PIN-783394

14: BIKRAM BRAHMA
S/O-KAMOLA BRAHMA
AGED ABOUT-37 YEARS
VILL-DIPU
P.O-KASHIKOTRA
DIST-CHIRANG
BTC
ASSAM

PIN-783373

15: BUKUL GAYARI
S/O-BISAN GAYARI
AGED ABOUT-40 YEARS
VILL-CHEMITIAPARA
P.O-THAMNA
DIST-BAKSA
BTC
ASSAM
PIN-781377

16: JYOTISH RAMCHIARY
S/O-CHANDRA RAMCHIARY
AGED ABOUT-38 YEARS
VILL-NO.2 PAKHAMARA
P.O-DHANBIL
DIST-BAKSA
BTC
ASSAM
PIN-781343

17: RENU DAIMARY
C/O-AMERENDRA DAIMARY
AGED ABOUT-37 YEARS
VILL-KAHITAMA
P.O-KAHITAMA
DIST-BAKSA
BTC
ASSAM
PIN-781315

18: RINGSHAR BRAHMA
18.S/O-NIRMAL BRAHMA
AGED ABOUT-37 YEARS
VILL-PANBARI
P.O-PANBARI
DIST-CHIRANG
BTC
ASSAM
PIN-783391

19: ANJIMA HAJOWARY
D/O-TAMASH HAJOWARY
AGED ABOUT-39 YEARS
VILL-SUDEMPURI
P.O-NO.1 CHAPAGURI
DIST-CHIRANG

BTC
ASSAM
PIN-783380

20: JWNGDAO BASUMATARY
S/O-JOGEN BASUMATARY
AGED ABOUT-37 YEARS
VILL-GARAGAON SALBARI KASHIBARI
P.O-GARUBHASA
DIST-CHIRANG
BTC
ASSAM
PIN-783373

21: KAMAL KUMAR BRAHMA
S/O-BICHEN BRAHMA
AGED ABOUT-37 YEARS
VILL-CHOTO ADABARI
P.O-CHORAIKHOLA
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783376

22: BISHNUJIT BRAHMA
S/O-MATURA MAHAN BRAHMA
AGED ABOUT-42 YEARS
VILL-CHAPAGURI
P.O-CHAPAGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

23: TIRUTSING BISMITH
S/O-LT. MAHHESH RANJAN BISMITH
VILL-KASHIBARI
P.O-KHAGRABARI
DIST-CHIRANG
BTC
ASSAM
PIN-783385

24: SWMKHWR BRAHMA
S/O-BIKEN BRAHMA
AGED ABOUT-37 YEARS
VILL-DOGORPARA
P.O-KAGHRABARI

DIST-KOKRAJHAR
BTC
ASSAM
PIN-783372

25: JAGADISH CH BRAHMA
S/O-DHIREN CH. BRAHMA
AGED ABOUT-38 YEARS
VILL-DOGORPARA
P.O-CHAPAGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

26: BURBASAN BASUMATARY
S/O-GEORGIA BASUMATARY
AGED ABOUT-37 YEARS
VILL-SOUTH GENDERGAON
P.O-KASHIKOTRA
DIST-CHIRANG
BTC
ASSAM
PIN-783373

27: PINKURAM BARO
S/O-DARGARAM BARO
AGED ABOUT-37 YEARS
VILL-SALBARI
P.O-SALBARI
DIST-BAKSA
BTC
ASSAM
PIN-781320

28: BANDONA BRAHMA
D/O-JAGESH BRAHMA
AGED ABOUT-37 YEARS
VILL-DULIGAON
VILL-RANCH AIDHAM
P.O- RANCH AIDHAM
DIST-CHIRANG
BTC
ASSAM
PIN-783372

29: TWINKLE BORGOYARY
D/O-AMIYO BORGOYARY

AGED ABOUT-37 YEARS
VILL-CHIRANGKUNGRI
P.O-TUKRAJHAR
DIST-CHIRANG
BTC
ASSAM
PIN-783394

30: SANKANG DAIMAHRY
S/O-LT. BITENDRA DAIMARY
AGED ABOUT-37 YEARS
VILL-CHORAIKHONSRA
P.O-TILOKGAON
DIST-CHIRANG
BTC
ASSAM
PIN-783372

31: MAHESH BASUMATARY
S/O-PARMESWAOR BASUMATARY
AGED ABOUT-37 YEARS
VILL-SANTIPUR BARGAON BARPETA
P.O-SANTIPUR BARAGAON
DIST-CHIRANG
BTC
ASSAM
PIN-783375

32: SOROLA BASUMATARY
D/O-BURENDRA BASUMATARY
AGED ABOUT-38 YEARS
VILL- NO.1 JAMUNAGURI
P.O-BETINI
DIST-CHIRANG
BTC
ASSAM
PIN-783393

33: JULINA HAZOWARY
D/O-DINENDRA HAZOWARY
AGED ABOUT-37 YEARS
VILL-BHORPUR
P.O-JAMBUGURI
DIST- KOKRAJHAR
BTC
ASSAM
PIN-783360

34: MANOJ SWARGIARY
S/O-LT. DINESH SWARGIARY
AGED ABOUT-37 YEARS
VILL-NO.3DIHIRA
P.O-DIHIRA
DIST-BAKSA
BTC
ASSAM
PIN-7813723

35: SIKWNA JWHWLAO NARZARY
C/O-MOHILA NARZARY
AGED ABNOUT-37 YEARS
VILL-JANGSIBARI
P.O-AMTEKA BAZAR
DIST-CHIRANG
BTC
ASSAM
PIN-783397

36: BIKRAM BASUMATARY
S/O-NANDESWAR BASUMATARY
AGED ABOUT-40 YEARS
VILL-SANTIPUR MAJARA BARI
P.O-BARMAZARA
DIST-BAKSA
BTC
ASSAM
PIN-783393

37: SUNDARI HAJOWARY
C/O-T0HOMAS HAJOWARY
AGED ABOUT-42 YEARS
VILL-AMRITPUR
P.O-RAIMONA
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783350

38: DINGA BASUMATARY
C/O-RAMESWAR BASUMATARY
AGED ABOUT-37 YEARS
VILL-BALAPARA
P.O-TUKRAJHAR
DIST-CHIRANG
BTC
ASSAM

PIN-783394

39: DHANIRAM BASUMATARY
S/O-LOMBAR BASUMATARY
AGED ABOUT-37 YEARS
VILL-SOUTH GENDARGAON
P.O-KASHIKOTRA
DIST-CHIRANG
BTC
ASSAM
PIN-783373

40: RINGKHANG MUSHAHARY
C/O-MINISWRANG MUSHAHARY
AGED ABOUT-37 YEARS
VILL-NO.2SHIALMARI
P.O-SERFANGURI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783346

41: SUBUNGSAR BRAHMA
S/O-AJIT BRAHMA
AGED ABOUT-37 YEARS
VILL- NO.2 SHIALMARI
P.O-SERFANGURI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783346

42: SUBIR BRAHMA
S/O-SUNILAL BRAHMA
AGED ABOUT-38 YEARS
VILL-BIKRAMPUR
P.O-BENGTOL
DIST-CHIRANG
BTC
ASSAM
PIN-783394

43: ADITYA NARAYAN BASUMATARY
S/O-AJOY BASUMATARY
AGED ABOUT-38 YEARS
VILL-BIKRAMPUR
P.O-RANIPUR
DIST-CHIRANG

BTC
ASSAM
PIN-783375

44: RONJILA NARZARY
D/O-MONESWAR NARZARY
VILL-BURACHARA
P.O-KASHIABARI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783360

45: SWGWMSAR BRAHMA
S/O-JAYANTA BRAHMA
AGED ABOUT-38 YEARS
VILL-NARAYANPUR
P.O-PANBARI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783391

46: GEREMSA BRAHMA
S/O-KAMAL BRAHMA
AGED ABOUT-38 YEARS
VILL-BORAGARI
P.O-DOTMA
DIST- KOKRAJHAR
BTC
ASSAM
PIN-783347

47: LWMSHAR BRAHMA
S/O-PRABIN KUMAR BRAHMA
AGED ABOUT-38 YEARS
VILL-SOUTH GHOSHKHATA
P.O-BONORGAON
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783347

48: MAYA NARZARY
D/O-AJIT KUMAR NARZARY
AGED ABOUT-38 YEARS
VILL-HABRUBIL
P.O-GOSSAIGAON

DIST-KOKRAJHAR
BTC
ASSAM
PIN-783360

49: ROCKEY NARZARY
S/O-HAKIM CH. NARZARY
AGED ABOUT-38 YEARS
VILL-SRIRAMPUR
P.O-RAIMONA
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783350

50: SANTHWO MOCHAHARY
S/O-BALEN MOCHAHARY
AGED ABOUT- 38
VILL-MAKRA PAKRIGURI
P.O-KALYAGAON
DIST-CHIRANG
BTC
ASSAM
PIN-783390

51: MWNTINA NARZARY
C/O- KEBEN NARZARY
AGED ABOUT-39 YEARS
VILL-ANTHAIBARI
P.O-BENGTOL
DIST-CHIRANG
BTC ASSAM
PIN-783394

52: RANU BISHMITH
C/O-MODARAM BRAHMA
AGED ABOUT-37 YEARS
VILL-KASHIABARI
P.O- KAGRABARI
DIST-CHIRANG
BTC
ASSA
PIN-78338

VERSUS

THE STATE OF ASSAM AND 10 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
PIN-783370

6:THE COUNCIL HEAD OF THE DEPARTMENT OF FOREST

BTC
KOKRAJHAR
ASSAM
PIN-783370

7:ADDL PRINCIPAL CHIEF CONSERVATOR OF FOREST CUM COUNCIL
HEAD OF THE DEPARTMENT
FOREST
BTC
KOKRAJHAR
ASSAM
PIN-783370

8:THE DIVISIONAL FOREST OFFICER

CHIRANG DIVISION
KAJALGAON

CHIRANG BTR ASSAM
PIN783385

9:FOREST RANGE OFFICER

RUNIKHATA
CHIRANG
BTC
ASSAM
PIN-783393

10:FOREST RANGE OFFICER

SIDLI
RUNIKHATA
CHIRANG
BTC
ASSAM
PIN-783373

11:FOREST DEPOT OFFICER

BASUGAON DEPOT OFFICER
PIN-78337

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

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

25.02.2026

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

2. The case of the petitioners is that due to shortage of manpower between the period of 2006-2007, they have been engaged as casual workers for protection of forest and wildlife under the Division in Chirang 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 petitioners 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 petitioners submits that the respondent authorities have duly admitted that the petitioners have been rendering their services, in the Forest Department of Chirang, BTC. Therefore, the learned counsel for the petitioners submits that since there is no dispute, a direction may be issued to the respondent authorities to pay the petitioners 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 petitioners are 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 petitioners 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 petitioners 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 petitioners to be conferred in terms of Upen Das (supra). The petitioners 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