

GAHC010056442026



undefined

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

Case No. : WP(C)/1629/2026

RUPEN BISWA AND 52 ORS.
S/O-LT. KALU BISWA, AGED ABOUT-41 YEARS, VILL-HATISAR FV, P.O-
DEOSRI, DIST-CHIRANG, BTC, ASSAM, PIN-783375

2: LIBLY BASUMATARY
D/O-SUKURSHRI BASUMATARY
AGED ABOUT-38YEARS
VILL-NO.1 CHAPAGURI
P.O-CHAPGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

3: JWNGSHRI BASUMATARY
3.
W/O-BIKASH BASUMATARY
AGED ABOUT-40YEARS
VILL-GWJWNPURI
P.O-CHAPAGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

4: SANTOSH ISLARY
S/O-YAKOB ISLARY
AGED ABOUT-38 YEARS
VILL-HATISAR
P.O-DEOSRI
DIST-CHIRANG
BTC
ASSAM
PIN-783375

5: MILION BASUMATARY
S/O-LIREN BASUMATARY
AGED ABOUT-38 YEARS
VILL-SALBARI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

6: KUSUM NARZARY
c/O-CHALENDRA NARZARY
AGED ABOUT-39YEARS
VILL-SUDEMPUR
P.O-KACHUGAON
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783350

7: DERHASAT GOYARY
S/O-RIPEN GOYARY
AGED ABOUT-38 YEARS
VILL-SALBARI BHURPARA
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

8: EMANUYEL BASUMATARY
S/O-LT. KHIREN BASUMATARY
AGED ABOUT-38YEARS
VILL-SALBARI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

9: AJOY BASUMATARY
9.
S/O-PARESH BASUMATARY
AGED ABOUT-38YEARS
VILL-DEBADANGI
P.O-DEOSRI
DIST-CHIRANG

BTC
ASSAM
PIN-783375

10: MOLAKHI BASUMATARY
D/O-JONAHU BASUMATARY
AGED ABOUT-38YEARS
VILL-SALGURI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

11: SAMUYEL BASUMATARY
S/O-LT. KHIREN BASUMATARY
AGED ABOUT-38YEARS
VILL-SALBARI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

12: HABIL BARA
S/O-LT.SHARAI BARA
AGEDA ABOUT-39 YEARS
VILL-HATISAR F.V.
P.O-DEOSRI
DIST- CHIRANG
BTC
ASSAM
PIN-783375

13: JANATAN CHETRY
S/O-KRISHNA CHETRY
AGED ABOUT- 38 YEARS
VILL-HATISAR F.V.
P.O- DEOSRI
DIST-CHIRANG
BTC
ASSAM
PIN-783375

14: SATISH ISLARY
S/O-YAKUB ISLARY
AGED ABOUT-40 YEARS
VILL-HATISAR F.V.

P.O-DEOSRI
DIST-CHIRANG
BTC
ASSAM
PIN-783375

15: SANJIT BASUMATARY
S/O-PANIRAM BASUMATARY
AGED ABOUT-43YEARS
VILL-PACHIM SALBARI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-7873375

16: SONALI BASUMATARY
D/O-MANGAL CH. BASUMATARY
AGED ABOUT-38 YEARS
VILL-PACHIM SALBARI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

17: KRISTINA BASUMATARY
W/O-ARJUN BASUMATARY
AGED ABOUT-38 YEARS
VILL-SALBARI
F.V
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

18: PRABHAT BASUMATARY
S/O-BAREN BASUMATARY
AGED ABOUT-39 YEARS
VILL-SALBARI
F.V.
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

19: ANANTA ISLARY
S/O-RAHEN ISLRY
AGED ABOUT-38YEARS
VILL-DEBADANGI
P.O-DEOSRI
DIST-CHIRANG
BTC
ASSAM
PIN-783375

20: KEROL MUCHAHARY
S/O-LT. BANKIM MOCHAHARY
AGED ABOUT-40 YEARS
VILL-PARBATJHORA
P.O-KOILAMOILA
DIST-CHIRANG
BTC
ASSAM
PIN-783393

21: NANDIP NARZARY
S/O-CHINTANAN NARZARY
AGED ABOUT-39 YEARS
VILL-DWIMUGURI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

22: BIRAJ BASUMATARY
S/O-SEKAR BASUMATARY
AGED ABOUT-39 YEARS
VILL-GWJWNPURI
NO.1 CHAPAGURI
P.O-CHAPAGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

23: MANIN BASUMATARY
S/O-HARI BASUMATARY
AGED ABOUT-38 YEARS
VILL-MANDARGURI
P.O-MALIVITA
DIST-CHIRANG
BTC

ASSAM
PIN-783393

24: DAOHARU BRAHMA
C/O-BUTHAB BRAHMA
AGED ABOUT-38 YEARS
VILL-NO.1 KACHUBEEL
P.O-PANBARI
DIST-CHIRANG
BTC
ASSAM
PIN-783391

25: SWRANGSAT MUCHAHARY
S/O-LT. SUNIRAM MUCHAHARY
AGED ABOUT-38YEARS
VILL-KALVARTJHORA
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

26: BIRHANG MOSHAHARY
S/O-PREDIK MOSHAHARY
AGED ABOUT-38YEARS
VILL-NO.1 CHAPAGURI
P.O-CHAPAGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783380

27: JIRIMIAH ISLARY
S/O-LT. SIMAN ISLARY
AGED ABOUT-41 YEARS
VILL-BAMUNGAON
P.O-DUTTAPUR F.V.
DIST-CHIRANG
BTC
ASSAM
PIN-783373

28: ANSUMA BASUMATARY
S/O-SRI CHAKRADHAR BASUMATARY
AGED ABOUT-37 YEARS
VILL-BAIRAJHORA
P.O-DUTTAPUR

DIST-CHIRANG
BTC
ASSAM
PIN-783373

29: ANIN BASUMATARY
S/O-HARI BASUMATARY
AGED ABOUT-38 YEARS
VILL-MANDARGURI
P.O-MALIVITA
DIST-CHIRANG
BTC
ASSAM
PIN-783393

30: BIRJON NARZARY
S/O-LT. KADRA NARZARY AGED ABOUT-42 YEARS
VILL-GANDWIBARI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

31: PRANJOY MUSHAHARY
S/O-HOKE MUSHAHARY
AGED ABOUT-38 YEARS
VILL-PASCHIM SALBARI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

32: LACHIT NARZARY
S/O-LT. BINOY NARZARY
AGED ABOUT-38 YEARS
VILL-NO.1 CHEKADANI
P.O-BAIRALI
DIST-KOKRAJHARBTC
ASSAM
PIN-783350

33: PRAKASH NARZARY
S/O-THAJEN NARZARY
AGED ABOUT-38 YEARS
VILL-SALGURI
P.O-RANIPUR

DIST-CHIRANG
BTC
ASSAM
PIN-783375

34: RAJA MUSHAHARY
S/O-SABIN MUSHAHRY
AGED ABOUT-38 YEARS
VILL-BHADRAPUR
P.O-BISHMURI
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783370

35: FAKHAN BRAHMA
S/O-PHUKHA BRAHMA
AGED ABOUT-38 YEARS
VILL-MESTABARI
P.O-PATGAON
DIST-KOKRAJHAR
BTC
ASSAM
PIN-783346

36: PHAILAO DAIMARY
S/O-SRI AMARSING DAIMARY
AGED ABOUT-46 YEARS
VILL-BANDUGURI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

37: TOPA DAIMARY
S/O-LATE AMARSING DAIMARY
AGED ABOUT-36 YEARS
VILL-BANDUGURI
P.O-RUNIKHATA
DIST-CHIRANGBTC
ASSAM
PIN-783375

38: DEWRAJ MUSHAHARY
38.
S/O-SRI SATYA MUSHAHRI
AGED ABOUT-36 YEARS

VILL-GYATIGAON
P.O-BERANGABARI
DIST-CHIRANG
BTC
ASSAM
PIN-781315

39: DWITUN BASUMATARY
S/O-SRI KANTESWAR BASUMATARY
AGED ABOUT-43 YEARS
VILL- BANDUGURI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

40: BENEDRA BASUMATARY
S/O-RABINDRA BASUMATARY
AGED ABOUT-39 YEARS
VILL-BANDUGURI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

41: CHANDALAL NARZARY
S/O-SANKAR NARZARY
AGED ABOUT-41 YEARS
VILL-KATTRIBARI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

42: LAKHIKANTA DAIMARY
42.
S/O-PERNA DAIMARY
AGED ABOUT-41 YEARS
VILL-HATIDHURA F.V.
P.O-KUNGRING
DIST- CHIRANG
BTC
ASSAM
PIN-783375

43: ANDIRA BASUMATARY
D/O-GIRISH BASUMATARY
AGED ABOUT-42 YEARS
VILL-NO.2 KASHIKOTRA
P.O-KASHIKOTRA
DIST-CHIRANG
BTC
ASSAM
PIN-783373

44: ARGA NARZARY
S/O-ANTENG NARZARY
AGED ABOUT-43 YEARS
VILL-DANDUGURI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM
PIN-783375

45: DWMWI BASUMATARY
W/O-TRINATH BASUMATARY
AGED ABOUT-38 YEARS
VILL GENDARGAON
P.O-KASHIKOTRA
DIST-CHIRANG
BTC
ASSAM
PIN-783373

46: BIRASH BASUMATARY
S/O-LT. SUNIL BASUMATARY
AGED ABOUT-39 YEARS
VILL-BORDANGI
P.O-SHANTIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

47: PUSHPA MUSHAHRY
W/O-SAMESH DAIMARY
AGED ABOUT-41 YEARS
VILL-BANDUGURI
P.O-RUNIKHATA
DIST-CHIRANG
BTC
ASSAM

PIN-783375

48: HELEMEN NARZARY
S/O-LT. GOJEN NARZARY
AGED ABOUT-38 YEARS
VILL-BESORBARI
P.O-JOYPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783393

49: SURJON NARZARY
S/O-SAMARSING NARZARY
AGED ABOUT-37 YEARS
VILL-BESORBARI
P.O-UGURI
DIST-CHIRANG
BTC
ASSAM
PIN-783394

50: SINTAMONI ISWARY
50.
C/O-RENJEN ISWARY
AGED ABOUT- 38 YEARS
VILL-NO.2 BURIJHAR
P.O-TUKRAJHAR
DIST-RUNIKHATA
BTC
ASSAM
PIN-783394

51: SAFIRA BORGOYARY
C/O-NIKEL BORGOYARY
AGED ABOUT-38 YEARS
VILL-DWIMUGURI
P.O-RANIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-783375

52: SUSANTO ISWARY
52.
S/O-RENJEN ISWARY
AGED ABOUT-46 YEARS
VILL-NO.2 BHURIJHAR

P.O-TUKRAJHAR
DIST-CHIRANG
BTC
ASSAM
PIN-783394

53: RINGKHANG BASUMATARY
C/O-LONGKESWAR BASUMATARY
AGED ABOUT-46 YEARS
VILL-NO.1 KUSUNGDWISA
P.O-SHANTIPUR
DIST-CHIRANG
BTC
ASSAM
PIN-78337

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 DEPOT OFFICER
BASUGAON DEPOT OFFICER
PIN-783372

10:FOREST RANGE OFFICER

RUNIKHATA RANGE
RUNIKHATA
PIN-783375

11:FOREST RANGE OFFICER
SIDLI RANGE RUNIKHATA
PIN-78339

Advocate for the Petitioner : MR. A BORO, MS TOSHISENLA,I KUMARI,MR H P GUWALA

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

20.03.2026

Heard Mr. A. Boro, learned counsel for the petitioner petitioners. Also heard Ms. N. Choudhury, learned Standing Counsel, BTC.

2. Having regard to the nature of the case projected by the petitioners, the writ petition is taken up for disposal with the consent of the parties.

3. It is the case of the petitioner that due to shortages of manpower between the period of 2006-2007, they have been engaged as casual workers for protection of reserve forest and its forest resources under Chirang Division, Kajalgaon in the Forest Department, BTC. Even since their engagement, they have been working as such till date but have been paid only a meager 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 decision rendered by a Division Bench of this Court in *State of Assam Vs Shri. Upen Das* reported in 2020 (5) GLT 605.

4. 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 petitioner a minimum scale of pay in terms of *Upen Das (supra)*.

5. Ms. N. Choudhury, 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 direction of a Division Bench of this Court in *Upen Das (supra)* 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

2006-2007 which has not been disputed by the respondents.

6. 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 be at liberty to make necessary verifications as may be required. The petitioners be afforded the minimum pay scale as directed 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.

7. Writ petition accordingly stands disposed of.

JUDGE

Comparing Assistant