

GAHC010075472025



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

Case No. : WP(C)/2313/2025

CHANDAN KUMAR BORA
SON OF MOHIRAM BORA, JNV DOLOCHUBA, MORIGAON, DIST-
MORIGAON, ASSAM, PIN-782105

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SECONDARY EDUCATION DEPARTMENT,
DISPUR, GUWAHATI- 781006

2:SECRETARY TO THE GOVERNMENT OF ASSAM
SECONDARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI- 781006

3:JOINT SECRETARY TO THE GOVERNMENT OF ASSAM
SECONDARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI- 781006

4:ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY THE SECRETARY JAYANAGAR
KHANAPARA
GUWAHATI- 781002

5:DEPUTY SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAYANAGAR
KHANAPARA
GUWAHATI- 78100

Advocate for the Petitioner : MR G BAISHYA, K BANIK,MS. P DAS
Advocate for the Respondent : SC, SEC. EDU., SC, APSC

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 21.05.2025

Heard Mr. G. Baishya, learned counsel for the petitioner.

Mr. P. B. Dutta, learned Standing Counsel, APSC, on instruction submits that the APSC is not authorized to insert the provision of 4% reservation of PwBD candidate with respect of the recruitment to the post of Inspector of Schools/DEEO/Deputy Director inasmuch as it is the concerned department who is responsible for determining appropriate reservations based on the cadre strength of the post, with proper identification and suitability for Persons with Benchmark Disabilities (PwBD). Accordingly, the Secretary, Assam Public Service Commission by Communication dated 16.05.2025 has written to the Secretary to the Government of Assam, Department of School Education.

Mr. S. M. T. Chistie, learned Standing Counsel, School Education Department, prays for some time to enable him to receive instructions.

Accordingly, list the matter on 28.05.2025.

The Communication dated 16.05.2025 is placed on record.

JUDGE

Comparing Assistant