

GAHC010009952011



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

WP(C)/130/2016

SADIQ RAHMAN and 12 ORS
S/O. M RAHMAN
R/O. ISLAMPUR
NEAR MASJID
GHY.-781007
DIST. KAMRUP M
ASSAM.

VERSUS

THE STATE OF ASSAM AND 9 ORS
REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
FINANCE TAXATION DEPTT.
DISPUR
GHY.-06.

Advocate for : MR. A CHETRY
Advocate for : SC
FINANCE and TAXATION appearing for THE STATE OF ASSAM AND 9 ORS

Linked Case : WP(C)/4319/2021

SHANTANU DHAR AND ANR
S/O LATE SHANTI RANJAN DHAR
R/O HOUSE NO. 19
HARBALA ROAD
ULUBARI
GUWAHATI-781007
DIST-KAMRUP(M)

ASSAM

2: ANIL KUMAR JALAN
S/O PUSHKAR DUTTA JALAN
R/OI FLA NO. 4C
PROTECHVIEW
HENGRABRI ROAD
P.O.-DISPUR
GUWAHATI
ASSAM-781006
VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM
DISPUR
GUWAHATI-6

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06

4:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
PERSONNEL (B) DEPARTMENT
DISPUR
GUWAHATI-06

5:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
LEGISLATIVE DEPARTMENT
DISPUR
GUWAHATI-06

6:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
DISPUR
GUWAHATI-06

7:KAMALESWAR LAHARY
DEPUTY COMMISSIONER OF TAXES
O/O THE COMMISSIONER OF TAXES
ASSAM
KAR BHAVAN
DISPUR
GUWAHATI-06

Advocate for : MR G BAISHYA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/6385/2015

MOTILAL TALUKDAR and 2 ORS.
S/O. LT. ANURAM TALUKDAR
BAMUNBARI
BHAWANIPUR
DIST. BARPETA
ASSAM. PRESENTLY RESIDING AT AGRICULTURAL COLONY
ULUBARI
GHY.-07. DIST. KAMRUP M
ASSAM.

2: SRI PRADIP KR. BARUAH

S/O. LT. JOY RAM GOGOI
R/O. GANPATI ENCLAVE
JATIA
KAHILIPARA
GHY.-19.

3: SANJAI KR. MAHANTA

S/O. LT. N.N. MAHANTA
KOLONGPAR
AMALAPATTY
NAGAON
ASSAM. PRESENTLY RESIDING AT B-2
PARADISE APARTMENT
A.K. SINHA PATH
GHY.-03
DIST. KAMRUP M
ASSAM.
VERSUS

THE STATE OF ASSAM AND 11 ORS
REP. BY THE SECY.
IRRIGATION DEPTT.
DISPUR
GHY.-06
DIST. KAMRUP M
ASSAM.

2:THE SECY.

GOVT. OF ASSAM
WPT DEPTT.
DISPUR
GHY.-06.
3:SRI GHANA SONOWAL

THE THEN EXECUTIVE ENGINEER
TINSUKIA DIVN. IRRIGATION
TINSUKIA-786125
ASSAM.
4:SRI DIMBA NATH MILI

THE THEN EXECUTIVE ENGINEER
JORHAT DIVN. IRRIGATION
JORHAT.
5:PABITRA KR. MEDAK

THE THEN EXECUTIVE ENGINEER T.C.
DIBRUGARH CIRCLE IRRIGATION
DIBRUGARH-786001
ASSAM.
6:SRI SUMIT DAS

THE THEN EXECUTIVE ENGINEER
DIPHU DIVN. IRRIGATION
DIPHU
DIST. KARBI ANGLONG
PIN-782460
ASSAM.
7:JOYBINON LONGMAILAI

THE THEN EXECUTIVE ENGINEER
CACHAR INVESTIGATION DIVN. IRRIGATION
SILCHAR-788001
ASSAM.
8:BABUL CH. SONOWAL

THE THEN EXECUTIVE ENGINEER
CHAMPAMATI DIVN.
IRRIGATION
DHALIGAON
DIST. BONGAIGAON.
9:HEMANTA KR. MILI

THE THEN EXECUTIVE ENGINEER

IRRIGATION
LOWER ASSAM CADA
CHANDMARI
GHY.-781003
ASSAM.
10:SRI MANORANJAN BRAHMA

THE THEN EXECUTIVE ENGINEER
DHANSIRI CANAL-2 DIVN.
IRRIGATION
UDALGURI
DIST. UDALGURI
PIN-784505
ASSAM.
11:SRI RUPAL BORA

THE THEN EXECUTIVE ENGINEER
RANGIA DIVN.IRRIGATION
RANGIA
DIST. KAMRUP
PIN-781354
ASSAM.
12:SRI MRIGEN BORO

THE THEN EXECUTIVE ENGINEER
SUKLA DIVN.IRRIGATION
GOESWAR
DIST. BAKSA
PIN-781366
ASSAM.

Advocate for : MR.S K GOSWAMI
Advocate for : MRH BETALAR- 6-9 and 12R- 8
9and12 appearing for THE STATE OF ASSAM AND 11 ORS

Linked Case : WP(C)/5419/2019

PRADIP KUMAR BARUAH AND 2 ORS.
S/O- LATE JOY RAM GOGOI
GANAPATI ENCLAVE
FLAT NO. J-2
KAHILIPARA
GUWAHATI
DIST- KAMRUP (M)
ASSAM

2: DEBAJYOTI CHOUDHURY
S/O- LATE N C CHOUDHURY
PRESENT R/O- H NO.8
KUMARPARA
RUPNAGAR
BHARALUMUKH
GHY- 9
DIST- KAMRUP(M)
ASSAM

3: SANJAY KUMAR MAHANTA
S/O- LATE NRIPENDRA NATH MAHANTA
R/O- PARADISEAPARTMENT
FLAT NO. B-2
PARADISE APARTMENT
AK SINHA PATH
R G BARUAH ROAD
GHY- 3
DIST- KAMRUP
ASSAM
VERSUS

THE STATE OF ASSAM AND 14 ORS
REP. BY THE SECRETARY TO THE GOVT OF ASSAM
IRRIGATION DEPTT
DISPUR
GUWAHATI- 06

2:PRINCIPAL SECRETARY
TO THE GOVT OF ASSAM
IRRIGATION DEPTT
DISPUR
GUWAHATI- 06

3:JOGEN BAISHYA
SUPDT ENGINEER
NORTH KAMRUP CIRCLE
IRRIGATION
NALBARI

4:AJIT KR SARKAR
DEPUTY CHIEF ADMINISTRATOR
UPPER ASSAM CAD AUTHORITY
KATIMARI
NAGAON

5:DHIRAJ SAIKIA
DIRECTOR DESIGN
MINOR IRRIGATION
OFFICE OF THE CHIEF ENGINEER
IRRIGATION

CHANDMARI
GUWAHATI- 03
6:BHAIRAB KEOT
DEPUTY CHIEF ENGINEER
MINOR
OFFICE OF THE CHIEF ENGINEER
IRRIGATION
CHANDMARI
GHY- 3
7:GHANA SONOWAL
SUPDT ENGINEER
DIBRUGARH CIRCLE
IRRIGATION
DIBRUGARH
ASSAM
8:DIMBA NATH MILI
DIRECTOR DESIGN
OFFICE OF THE ADDL CHIEF ENGINEER
ZONE-II
IRRIGATION
TEZPUR
ASSAM
9:JOYBINON LONGMALAI
SUPDT ENGINEER
DIPHU CIRCLE
KARBI ANGLONG
ASSAM
10:PABITRA KR MEDAK
SUPDT ENGINEER
IRRIGATION
NORTH LAKHIMPUR CIRCLE
LAKHIMPUR
ASSAM
11:SUMIT DAS
SUPDT ENGINEER
SILCHAR CIRCLE
IRRIGATION
SILCHAR
ASSAM
12:BABUL CH SONOWAL
SUPDT ENGINEER
GOALPARA CIRCLE
IRRIGATION
GOALPARA
ASSAM
13:HEMANTA KR MILI
DEPUTY ADMINISTRATOR
LOWER ASSAM CABA

CHANDMARI
GHY- 3
14:MONORANJAN BRAHMA
SUPDT ENGINEER
MANGALDOI CIRCLE
IRRIGATION
MANGALDOI
ASSAM
15:MRIGEN BORO
SUPDT ENGINEER
GUWAHATI CIRCLE
IRRIGATION
ULUBARI
GUWAHATI

Advocate for : MR. S K GOSWAMI
Advocate for : SC
IRRIGATION appearing for THE STATE OF ASSAM AND 14 ORS

Linked Case : WP(C)/5623/2021

JAYANTA KUMAR MEDHI
S/O LATE BIRESWAR MEDHI
SUPERINTENDING ENGINEER
OFFICE OF THE CHIEF ENGINEER (PHE) WATER
ASSAM
HENGRABARI
GUWAHATI 36
R/O HOUSE NO. 64
TARUN NAGAR
MAKHYA PATH
GUWAHATI 781005

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECY.
PUBLIC HEALTH ENGINEERING DEPTT.
JANATA BHAWAN
B BLOCK
DISPUR
GUWAHATI
PIN781006

2:THE COMMISSIONER AND SECY.

PUBLIC HEALTH ENGINEERING DEPTT.

JANATA BHAWAN

B BLOCK

DISPUR

GUWAHATI

PIN 781006

3:THE CHIEF ENGINEER (PHE)

WATER

ASSAM

HENGRABARI

GUWAHATI

PIN 781036

4:THE SELECTION COMMITTEE

REPRESENTED BY ITS CHAIRMAN

THE CHIEF SECY.

ASSAM

DISPUR

GUWAHATI 6

5:THE SECY. TO THE GOVT. OF ASSAM

DEPTT. OF WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES

DISPUR

GUWAHATI 781006

6:BILLYA MANGAL ROY

ADDITIONAL CHIEF ENGINEER (PHE)

OFFICE OF THE ADDITIONAL CHIEF ENGINEER CUM DIRECTOR

BTAD

KOKRAJHAR

ASSAM

PIN 783370

7:BHABEN HAZARIKA

ADDL. CHIEF ENGINEER (PHE)

OFFICE OF CHIEF ENGINEER (PHE)

WATER

ASSAM

HENGRABARI

GUWAHATI 36

Advocate for : MR M CHANDA

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3482/2020

TABURAM PEGU AND 2 ORS.

S/O LT. KHAGESWAR PEGU
ADDITIONAL SUPERINTENDENT OF POLICE
2
I/C 6 ABNN KATHAL
SILCHAR
DIST. CACHAR
PIN-788005
ASSAM

2: AMITABH BASUMATARAY
APS
S/O LT. AMRITLAL BASUMATARY
R/O GOSSAIGAON
WARD NO. 4
DIST. KOKRAJHAR
PIN-783360
BTAD
ASSAM

3: PANKAJ KUMAR KAKATI
APS
S/O SATYA NATH KAKATI
R/O TOWN RAHA
WARD NO. 2
DIST. NAGAON
ASSAM-782103
VERSUS

THE STATE OF ASSAM AND 8 ORS.
REP .BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI-781006

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT. GOVT. OF ASSAM
DISPUR
GUWAHATI-781006
ASSAM

3:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT. DISPUR
GUWAHATI-781006
ASSAM

4:THE SECRETARY
TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT. DISPUR
GUWAHATI-781006

ASSAM
5:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI-781001

ASSAM
6:THE ADDITIONAL DIRECTOR GENERAL OF POLICE ADMINISTRATION
ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI-781001

ASSAM
7:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM
DEPTT. FOR WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES (WPT
AND BC)
DISPUR
GUWAHATI-781006

ASSAM
8:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
PERSONNEL (B) DEPTT. DISPUR
GUWAHATI-781006

9:THE JUDICIAL REMEMBRANCER AND SECRETARY
TO THE GOVT. OF ASSAM
JUDICIAL DEPTT. JUDICIAL BRANCH
DISPUR
GUWAHATI-781006

Advocate for : MR D K DAS
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 8 ORS.

Linked Case : WP(C)/4148/2012

DR. MRINAL BARMAN and 3 ORS
S/O- LT. PRITHARAM BARMAN
R/O- KOINADHARA UDAY NAGAR
KHANAPARA
GHY- 22
DIST.- KAMRUP M.

2: BHABA SARMAH
S/O- LT. RAJANI KANTA SARMA
VILL.- MADHUPUR
P.O.- CHARIALI

DIST.- SONITPUR
ASSAM.

3: DR. H.K. DUTTA
S/O- LT. NANDESWAR DUTTA
HINDUGAON
WARD NO. 4
NORTH LAKHIMPUR
ASSAM.

4: BHUPENDRA KR. DUTTA
S/O- LT. KALI RAM DUTTA
VILL.- KHARIPARA-GOPAL BAZAR
P.O.- GOPAL BAZAR
DIST.- NALBARI
PIN- 781353.
VERSUS

THE STATE OF ASSAM AND 14 ORS
REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
AGRICULTURE DEPTT.
DISPUR
GHY- 6.

2:THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
AGRICULTURE DEPTT.
DISPUR
GHY- 6.

3:THE DIRECTOR OF AGRICULTURE
ASSAM
KHANAPARA
GHY- 22.

4:THE PRINCIPAL SECY.
PERSONNEL A DEPTT.
GOVT. OF ASSAM
DISPUR
GHY- 6.

5:SACHINDRA PATHAK
DDA FTS
KHETRI
KAMRUP

6:ANANDA CH. KARMAKAR
DAO
KOKRAJHAR

7:KISHORI MOHAN MANI SA
DAO
KARBI ANGLONG
DIPHU

8:TENESWAR DEURI
DDA
FTS
CHARIDUAR
SONITPUR
9:RUPAK KR. BORA
DAO

DIBRUGARH
10:MUNUA PRASAD RAWNEER
DAO
BARPETA
11:KAILASH CH. DAS
DAO
SIVSAGAR
12:RABINDRA NATH DOLEY
DDA FTS

CHAKULIBORIA
N. LAKHIMPUR
13:JAYMAL BARMAN
DAO
MORIGAON
14:PRABIN KR. HAZARIKA
DDA FTS
GELAPUKHURI
TINSUKIA
15:DAYAL CH. KRO
DAO

SONITPUR

Advocate for : MR.A SARMA
Advocate for : MR.R DUBEYR-9
12
13
14
16 and 17 appearing for THE STATE OF ASSAM AND 14 ORS

Linked Case : WP(C)/7576/2018

KHAGENDRA NATH BARO
S/O LATE KRISHNA RAM BARO
R/O NAPTI PARA
P.O. BARKOLA CHOWKA
DIST. UDALGURI (BTAD)

ASSAM
PIN - 784509

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
WATER RESOURCE DEPARTMENT

DISPUR
GUWAHATI - 781006.

2:THE CHIEF ENGINEER

WATER RESOURCE DEPARTMENT
CHANDMARI
GUWAHATI - 781003.
3:THE EXECUTIVE ENGINEER

MANGALDAI WATER RESOURCE DIVISION

MANGALDAI- 784525.
4:SMTI. LILAWATI HAZARIKA
SR. JUNIOR ASSISTANT
OFFICE OF THE EXECUTIVE ENGINEER
MANGALDAI WATER RESOURCE DIVISION
MANGALDAI- 784525.

Advocate for : MR. P K ROYCHOUDHURY

Advocate for : SC

WATER RESOURCE appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : WP(C)/5870/2016

DHIRAJ SAIKIA and 2 ORS
S/O. SRI BHABA TARANI SAIKIA
R/O. H.NO.-1
CHITRABON PATH KALYANI NAGAR
KAHILIPARA-19
DIST. KAMRUP M
ASSAM.

2: SRI AJIT KR. SARKAR

S/O. LT. NOBIN CHANDRA SARKAR

R/O. H.NO.-404
SATGAON ROAD
BAGHORBARI
GHY.-171
DIST. KAMRUP M
ASSAM.

3: SRI JOGEN BAISHYA

S/O. LT. ADIT BAISHYA
R/O. SOBAN CHAH
P.O. KHETRIHARDIA
P.S. HAZO
GHY.-781102
DIST. KAMRUP R
ASSAM.
VERSUS

THE STATE OF ASSAM AND 10 ORS
REP. BY CHIEF SECRETARY TO THE GOVT. OF ASSAM
SECRETARIAT
DISPUR
GHY.-06.

2: THE SECRETARY
TO THE GOVT. OF ASSAM
IRRIGATION DEPTT.
SECRETARIAT
DISPUR
GHY.-06.

3: THE COMMISSIONER and SECY.
TO THE GOVT. OF ASSAM
WELFARE OF PLAIN BRIBES and BACKWARD CLASSES DEPTT.
DISPUR
GHY.-06.

4: THE SECRETARY
TO THE GOVT. OF ASSAM
JUDICIAL DEPTT.
DISPUR
GHY.-06.

5: THE PRINCIPAL SECRETARY

PERSONNEL B DEPTT.
GOVT. OF ASSAM
DISPUR
GHY.-06.

6: SRI GOLESWAR PHUKAN
SUPERINTENDING ENGINEER CIVIL

DIBRUGARH CIRCLE
IRRIGATION DEPTT. HEAD QUARTER
DIST. DIBRUGARH
PIN-
7:SRI TRAILOKYA KR. BHUYAN

DY. CHIEF ENGINEER
IRRIGATION DEPTT.
OFFICE OF THE CHIEF ENGINEER CHANDMARI
GHY.-781003
DIST. KAMRUPM
ASSAM.
8:SRI HEMA KANTA HAZARIKA

SUPERINTENDING ENGINEER CIVIL
IRRIGATION DEPTT.
NAGAON CIRCLE
DIST. NAGAON
ASSAM.
9:HEM CHANDRA BARUAH

SON OF LATE LAKSHI RAM BARUAH
HOUSE NO. 16
BYE LANE NO. 8/1
LACHIT NAGAR
GUWAHATI- 781007.
10:SRI DILIP BORA

DEPUTY CHIEF ADMINISTRATOR
UPPER ASSAM
CAD AUTHORITY
NAGAON
PIN-782001.
11:SRI PRADIP KUMAR BORUAH
DIRECTOR DESIGN
O/O. THE ADDITIONAL C.E.I. ZONE-V
SILCHAR-788006.

Advocate for : MR.A BHATTACHARYA
Advocate for : MR. P MAHANTA appearing for THE STATE OF ASSAM AND 10
ORS

Linked Case : WP(C)/5169/2016

GOBIN CH. DASTIDAR and 2 ORS.
S/O- LT. TILAK MOHAN DASTIDAR

R/O- QUARTER NO. VIII M 15/1
DISPUR SUPERMARKET QUARTER COMPLEX
DISPUR
GHY- 6.

2: SMT. GEETA KUNDU CHAKRABORTY
D/O. BEPIN CHAKRABORTY
R/O. NIRMALAYA
HOUSE NO. 42
MADHAVDEVPUR ROAD
ULUBARI
P.O. REHABARI
GUWAHATI
PIN. 781008.

3: SRI HIRANYA KUMAR GAYAN
S/O. LT. HARANATH GAYAN
R/O. GANAPATI ENCLAVE
NEAR DPI
KAHILIPARA
GUWAHATI-781019.
VERSUS

THE STATE OF ASSAM AND 10 ORS
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM
DISPUR
GHY- 6.

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
WELFARE OF PLAINS and BACKWARD CLASSES DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
SECRETARIAT ADMINISTRATION DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PERSONNELB DEPARTMENT
DISPUR
GUWAHATI-6.

5:MUKUT CHANDRA MALAKAR
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY
ASSAM HUMAN RIGHTS COMMISSION
BHANGAGARH
GUWAHATI
PIN. 781005.

6:MORAMI PAYENG

SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY
URBAN DEVELOPMENT DEPARTMENT
DISPUR
GUWAHTI-6.

7:BIPASA KHERKATARY
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

8:BIBHA PEGU MEDOK
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY
COOPERATION DEPARTMENT
DISPUR
GUWAHATI-6.

9:DIPEN CHANDRA SAIKIA
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY. GENERAL ADMINISTRATION
DEPARTMENT
GUWAHATI-6.

10:GUNA RAM INGTY
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY. ENVIRONMENT AND FOREST
DEPARTMENT
DISPUR
GUWAHATI-6.

11:NABIN CHANDRA INGTY
SUPERINTENDENT
PRESENTLY POSTED AS UNDER SECRETARY. AGRICULTURE DEPARTMENT
DISPUR
GUWAHATI-6.

Advocate for : MR.M K CHOUDHURY

Advocate for : MR.G Y KHANR-7

8

9and11 appearing for THE STATE OF ASSAM AND 10 ORS

Linked Case : WP(C)/5575/2014

SANJAI KUMAR MAHANTA
S/O LT. NRIPENDRA NATH MAHANTA
R/O B-2
PARADISE APARTMENT
A.K. SINHA PATH

5TH WEST BY LANE
R.G. BARUAH ROAD
GHY-3
DIST- KAMRUP METRO
ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS
REP. BY SECY. TO THE GOVT. OF ASSAM
IRRIGATION DEPTT
DISPUR
GHY-6
KAMRUP METRO
ASSAM

2:GHANA SONOWAL
EXECUTIVE ENGINEER
TINSUKIA DIVISION
IRRIGATION
TINSUKIA-786125
ASSAM

3:DIMBA NATH MILI
EXECUTIVE ENGINEER T.C.
NAGAON CIRCLE
IRRIGATION
NAGAON-782001
ASSAM

4:PABITRA KUMAR MEDAK
EXECUTIVE ENGINEER T.C.
DIBRUGARH CIRCLE
IRRIGATION
DIBRUGARH-01
ASSAM

5:SUMIT DAS
EXECUTIVE ENGINEER
DIPHU DIVISION
IRRIGATION
DIPHU
DIST- KARBI ANGLONG
PIN-782460
ASSAM

6:JOYBINON LONGMAILAI
EXECUTIVE ENGINEER T.C.
CACHAR CIRCLE
IRRIGATION
SILCHAR-788001

ASSAM
7: BABUL CH. SONOWAL
EXECUTIVE ENGINEER
CHAMPAMATI DIVISION
IRRIGATION
DHALIGAON
DIST- DIBRUGARH
8: HEMANTA KUMAR MILI
EXECUTIVE ENGINEER
IRRIGATION
LOWER ASSAM
CADA
CHANDMARI
GHY-3
ASSAM
9: MANORANJAN BRAHMA
EXECUTIVE ENGINEER
DHANSIRI CANAL- 2 DIVISION
IRRIGATION
UDALGURI
DIST- UDALGURI
PIN-784505
ASSAM
10: RUPAL BORA
EXECUTIVE ENGINEER
RANGIA DIVISION
IRRIGATION
RANGIA
DIST- KAMRUP
PIN-781354
ASSAM
11: MRIGEN BORO
EXECUTIVE ENGINEER
SUKLA DIVISION
IRRIGATION
GORESWAR
DIST- BAKSA
PIN-781366
ASSAM

Advocate for : MR. M MORE
Advocate for : SC
IRRIGATION appearing for THE STATE OF ASSAM AND 10 ORS

Linked Case : WP(C)/2967/2020

INDRAJIT KOULI
S/O- LT. ROMESH MOHAN KOULI
PERMANENT R/O- H.NO. 3
ANANDAPUR
HENGRABARI
GHY
KAMRUP (M)
ASSAM
PIN- 781006 AND OFFICE ADDRESS AT OFFICE OF THE ADDL. CHIEF
ENGINEER
KOKRAJHAR W.R. CIRCLE
KOKRAJHAR
ASSAM
783370

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR
ASSAM
GHY-6

2:THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR
ASSAM
GHY-6

3:THE SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR
ASSAM
GHY-6

4:THE DY. SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR
ASSAM
GHY-6

5:IVY GOHAIN DASGUPTA
ADDL. CHIEF ENGINEER
OFFICE OF THE ADDL. CHIEF ENGINEER
DIBRUGARH
W.R. ZONE
DIBRUGARH- 786001

6:SHANKAR KR. PATHAK
SUPERINTENDING ENGINEER

OFFICE OF THE SUPERINTENDING ENGINEER
SOUTHERN ASSAM WR CIRCLE
CHANDMARI
GUWAHATI-3
DIST. KAMRUP (M)
ASSAM.

Advocate for : MR. D R GOGOI
Advocate for : SC
WATER RESOURCE appearing for THE STATE OF ASSAM AND 5 ORS.

Linked Case : WP(C)/2999/2020

PRANAB KUMAR TURUNG
S/O- LATE LECHAM TURUNG
ADDDL CHIEF ENGINEER
CACAHR AND HILLS WATER RESOURCES DEPTT
SILCHAR
R/O- NO. 1
GADHAKOROI GAON
P.O AND P.S- SARUPATHAR
DIST- GOLAGHAT
PIN- 785601
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM
DISPUR
GUWAHATI- 781006
ASSAM

2:THE ADDL CHIEF SECRETARY
TO THE GOVT OF ASSAM
WATER RESOURCES DEPTT
DISPUR
GHY- 781006
ASSAM

3:THE ADDL CHIEF SECRETARY
TO THE GOVT OF ASSAM
DEPTT FOR THE WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES
(WPT AND BC)
DISPUR
GUWAHATI- 781006

ASSAM
4:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM
PERSONNEL (B) DEPTT
DISPUR
GUWAHATI- 781006

5:THE LEGAL REMEMBRANCER AND SECRETARY TO THE GOVT OF
ASSAM
JUDICIAL DEPTT
JUDICIAL BRANCH
DISPUR
GHY- 781006

6:THE SECRETARY
TO THE GOVT OF ASSAM
WATER RESOURCES DEPTT
DISPUR
GUWAHATI- 781006

7:IVY GOHAIN DAS GUPTA
ADDL CHIEF ENGINEER
R/O- QTR NO. 74
CHANDMARI WATER RESOURCES COLONY
P.O- CHANDMARI
GUWAHATI- 781003

8:ABANI MOHAN HAZARIKA
ADDL CHIEF ENGINEER
AWRMI
OFFICE OF THE ADDL CHIEF ENGINEER
WATER RESOURCES DEPTT
BASISTHA
GUWAHATI- 781029
ASSAM

Advocate for : MR. D K DAS
Advocate for : SC
WATER RESOURCE appearing for THE STATE OF ASSAM AND 7 ORS

Linked Case : WP(C)/770/2018

HITESH DEV SARMA AND 5 ORS
S/O. LATE MADHAB CH. SARMA
R/O. HOUSE NO. 4
7TH BYE LANE
ZOO NARENGI ROAD
GUWAHATI-781021

2: DEVAJYOTI HAZARIKA

ACS
S/O. LATE LALIT KUMAR HAZARIKA
R/O. HOUSE NO. 4
DEBDARU PATH
BEHIND MLA HOSTEL
DISPUR
GUWAHATI-781006

3: SEEMA REKHA BHUYAN
ACS
W/O. LATE RAJIB KUMAR BHUYAN
R/O. HOUSE NO. 26
ARJUN PATH
NIZARAPAR
CHANDMARI
GUWAHATI-781003.

4: MRIDUL KR. MAHANTA
S/O. LATE BEDAKANTA MAHANTA
R/O. 44
MILANPUR ROAD
MILANPUR
CHANDMARI
GUWAHATI-781021

5: SYED ISFAQUR RAHMAN
S/O. LATE BEDAKANTA MAHANTA
RESIDENT OF 44
MILANPUR ROAD
MILANPUR
CHANDMARI
GUWAHATI-781021

6: GAUTAM TALUKDAR
S/O. LATE HARAMOHAN TALUKDAR
R/O. HOUSE NO. 8
NEAR NO. 2 MILANPUR MASJID
MILANPUR
CHANDMARI
GUWAHATI-21
VERSUS

THE STATE OF ASSAM AND 13 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
PERSONAL (A) DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES DEPARTMENT
DISPUR
GUWAHATI-06

4:THE SECRETARY TO THE GOVERNMENT OF ASSAM
JUDICIAL DEPARTMENT
DISPUR
GUWAHATI-06

5:THE SELECTION BOARD/ DEPARTMENTAL PROMOTION COMMITTEE
CONSTITUTED FOR CONSIDERING PROMOTION TO THE ACS
SELECTION GRADE
REPRESENTED BY ITS MEMBER SECRETARY
THE SECRETARY TO THE GOVT. OF ASSAM
PERSONNEL (A) DEPARTMENT
DISPUR
GUWAHATI-781006.

6:THE UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA
MINISTRY OF PERSONNEL
PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING
NORTH BLOCK
NEW DELHI-110001

7:THE UNION PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY
DHOLPUR HOUSE
SHAHJAHAN ROAD
NEW DELHI-110069

9:HONMILEE TERONPI
ACS (SR-89)
PRESENTLY SERVING AS SECRETARY TO THE GOVT. OF ASSAM
SKILL
EMPLOYMENT AND ENTREPRENEURSHIP DEPARTMENT
ASSAM SECRETARIAT
DISPUR GUWAHATI-781006

10:ROBINSON MUCHAHARI
ACS (SR-89)
PRESENTLY SERVING AS THE SECRETARY
BODOLAND TERRITORIAL COUNCIL
BTAD
KOKRAJHAR
IN THE RANK OF ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM.
11:BHOGESWAR SHYAM

ACS(SR-89)
PRESENTLY WORKING AS ADDITIONAL SECRETARY TO THE GOVT. OF
ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006

12:JURIE DEKA THAKUR
ACS (DR-92)
PRESENTLY SERVING AS ADDITIONAL SECRETARY TO THE GOVT. OF
ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006

13:UMANANDA DOLEY
ACS (DR-92)
PRESENTLY SERVING AS DIRECTOR
WELFARE OF PLAINS
TRIBES AND BACKWARD CLASSES
AND MANAGING DIRECTOR
APTDC
IN THE CADRE OF ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006

14:PRABHATI THOUSEN
ACS (DR-92)
PRESENTLY SERVING AS DIRECTOR
BORDER PROTECTION AND DEVELOPMENT
IN THE CADRE OF ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006

15:BINITA PEGU
ACS (DR-92)
PRESENTLY SERVING AS DIRECTOR
FINANCIAL INSPECTIONS AND ADDITIONAL SECRETARY
WPT AND BC DEPARTMENT
IN THE CADRE OF ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR GUWAHATI-781006

Advocate for : MR. M K CHOUDHURY

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 13 ORS

Linked Case : WP(C)/5295/2013

BISWAJIT KUMAR NATH and 4 ORS
S/O LT. K.N. NATH
R/O NIRUPAM APARTMENT
ABC
GHY-5
DIST- KAMRUP METRO
ASSAM

2: RUPAM DAS
S/O LT. K.K. DAS
R/O RAJGARH ROAD
GUWAHATI
DIST- KAMRUP METRO
ASSAM

3: PURANJOY GOSWAMI
S/O LT. RAM GOSWAMI
R/O CHENIKUTHI
GHY-3
DIST- KAMRUP METRO
ASSAM

4: PRASANNAJIT SAIKIA
S/O LT. P.C. SAIKIA
R/O DHANNWA NAPAR
TEZPUR
DIST- SONITPUR
ASSAM

5: PRATUL SARMA
S/O SRI BASUDEV SARMA
R/O JATIA
KAHILIPARA ROAD
GUWAHATI
DIST- KAMRUP
ASSAM
VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
AGRICULTURE DEPARTMENT
DISPUR
GHY-6

2: THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

AGRICULTURE DEPARTMENT

DISPUR

GHY-6

3:THE DIRECTOR OF AGRICULTURE

ASSAM

KHANAPARA

GHY-22

4:THE PRINCIPAL SECRETARY

PERSONNEL A DEPARTMENT

GOVT. OF ASSAM

DISPUR

GHY-6

5:HIREN DAS

PRESENTLY WORKING AS ASSTT. EXECUTIVE ENGINEER

AGRICULTURE DEPARTMENT

GUWAHATI

DIST- KAMRUP

ASSAM

6:HIREN BORO

PRESENTLY WORKING AS ASSTT. EXECUTIVE ENGINEER

AGRICULTURE DEPARTMENT

GUWAHATI

DIST- KAMRUP

ASSAM

7:RANBIR KAKATY

PRESENTLY WORKING AS ASSTT. EXECUTIVE ENGINEER

AGRICULTURE DEPARTMENT

GUWAHATI

DIST- KAMRUP

ASSAM

8:MADHAB DOLEY

PRESENTLY WORKING AS ASSTT. EXECUTIVE ENGINEER

AGRICULTURE DEPARTMENT

GUWAHATI

DIST- KAMRUP

ASSAM

9:RAMSING HANSE

PRESENTLY WORKING AS ASSTT. EXECUTIVE ENGINEER

AGRICULTURE DEPARTMENT

GUWAHATI

DIST- KAMRUP

ASSAM

Advocate for : MR.A SARMA

Advocate for : MR. D SARMAH (R5) appearing for THE STATE OF ASSAM AND 8

ORS

Linked Case : WP(C)/1006/2018

DILIP BORA
DEPUTY CHIEF ADMINISTRATOR
UPPER ASSAM CAD AUTHORITY
NAGAON
ASSAM
PIN- 782001

VERSUS

THE STATE OF ASSAM AND 14 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
IRRIGATION DEPARTMENT
DISPUR
GUWAHATI-6
ASSAM

2:THE DEPUTY SECRETARY (E)
GOVT OF ASSAM
IRRIGATION DEPTT
DISPUR
GUWAHATI

3:THE CHIEF ENGINEER
(MINOR)
IRRIGATION DEPTT
CHANDMARI
GHY- 3

4:LOHIT CHANDRA PATHAK
SECRETARY TO THE GOVT OF ASSAM
IRRIGATION DEPTT
DISPUR
GUWAHATI-6

5:M M BORO
CHIEF ENGINEER
IRRIGATION DEPTT
OFFICE OF THE CHIEF ENGINEER
CHANDMARI
GUWAHATI-3

6:BIMALA KANTA DOLEY
ADDL C E
ZONE-II
JORHAT
ASSAM

7:NAKUL CHANDRA BISWAS

CSD (1)
BTAD
KOKRAJHAR
8:BROJEN MALAKAR
CHAIRMAN CUM MD
LOWER ASSAM CAD AUTHORITY
GHY- 3
9:ACHYUT KUMAR DAS
ADDL. CE
ZONE I (1)
BARPETA
10:DIMBA NATH MILI
ADDL CE (I/C)
ZONE-III
TEZPUR
11:JOYBINAN LANGMAILAI
DIRECTOR DESIGN
O/O THE ADDL CE (1)
DIPHU
12:GHANA SONOWAL
SUPERINTENDING ENGINEER
GOALPARA INVESTIGATION CIRCLE
13:DHIRAJ SAIKIA
S/O- SRI BHABA TARANI SAIKIA
R/O- H NO.1
CHITRABON PATH
KALYANI NAGAR
KAHILIPARA-19
DIST- KAMRUP(M)
ASSAM
14:AJIT KUMAR SARKAR
S/O- LATE NOBIN CHANDRA SARKAR
R/O- H NO. 404
SATGAON ROAD
BAGHORBARI
GHY- 171
DIST- KAMRUP(M)
ASSAM
15:JOGEN BAISHYA
S/O- LATE ADIT BAISHYA
R/O- SOBANCHAH
P.O- KHETRIHARDIA
P.S- HAJO
GUWAHATI- 02
DIST- KAMRUP(R)
ASSAM

Advocate for : MR. S K GOSWAMI

Advocate for : SC
IRRIGATION appearing for THE STATE OF ASSAM AND 14 ORS.

Linked Case : WP(C)/5715/2016

ANIL KUMAR JALAN and 3 ORS
S/O PUSHKAR DUTTA JALAN R/O FLAT NO. 4C
PROTECHVIEW
HENGRABARI ROAD
P.O. DISPUR
GUWAHATI
ASSAM- 781006.

2: SMTI. VARSHATY DAS
W/O SRI GAUTAM BAISHYA R/O GEETANAGAR
P.S. GEETANAGAR DIST.KAMRUP
ASSAM.

3: SRI SHANTANU DHAR
S/O LT. SANTI RANJAN DHAR R/O HOUSE NO. 19
HARBALA ROAD
ULUBARI GUWAHATI - 781007
KAMRUP M
ASSAM.

4: SRI SUBRATA CHAKRABORTY
S/O LT. S.K. CHAKRABORTY R/O SWAHID DILIP HAJURI ROAD
SARUMATARIA
GUWAHATI DIST. KAMRUP M
ASSAM.
VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI- 781006.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
FINANCE TAXATION DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE COMMISSIONER AND SECRETARY TO THE
GOVT. OF ASSAM
DEPARTMENT OF WPT and BC
DISPUR

GUWAHATI - 781006.
4:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
PERSONNEL B DEPARTMENT
DISPUR

GUWAHATI- 781006.
5:SMTI. SNEHLATA NOKREK STP
ASST. COMMISSIONER OF TAXES
DHUBRI ZONE
DIST. DHUBRI
ASSAM
PIN - 783301.

6:SRI SAR -ET- HANSE
ASSTT. COMMISSIONER OF TAXES
GOLAGHAT ZONE
DIST. GOLAGHAT- 788626

7:SRI KAMALESWAR LAHARY
ASSTT. COMMISSIONER OF TAXES
NAGAON ZONE
DIST. NAGAON
ASSAM- 782440.

8:SRI PADMADHAR DAS
ASSTT. COMMISSIONER OF TAXES
DIBRUGARH ZONE
DIST. DIBRUGARH
ASSAM- 786184.

Advocate for : MR.N BARUAH
Advocate for : MRH BETALAR- 5and7 appearing for THE STATE OF ASSAM AND
7 ORS

Linked Case : WP(C)/623/2017

SMT. SARMISTHA BARUA and 7 ORS.
D/O. LT. BIKASH KUMAR BARUA
R/O. HOUSE NO. 12
SANKAR BHAWAN
HATIGAON
GUWAHATI
DIST. KAMRUP M
ASSAM
PIN-781038.

VERSUS

THE STATE OF ASSAM and 9 ORS.
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM
HAVING HIS OFFICE AT DISPUR
GHY.-781006
DIST. KAMRUP M
ASSAM.

2:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
HAVING HIS OFFICE AT DISPUR
GUWAHATI-781006.

3:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
PERSONNEL DEPTT.
HAVING HIS OFFICE AT DISPUR
GUWAHATI-781006
DIST. KAMRUP M
ASSAM.

4:THE DIRECTOR GENERAL OF POLICE
ASSAM

HAVING HIS OFFICE AT ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI-781001
DIST KAMRUP METRO
ASSAM.

5:THE ADDITIONAL DIRECTOR GENERAL OF POLICE ADMINISTRATION
ASSAM

HAVING HIS OFFICE AT ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI-781001
DIST KAMRUP METRO
ASSAM

6:SRI SURJEET SINGH PANESAR

7:SRI BOLIN DEURI

8:SRI INOM SAIKIA

9:SRI LAMHAO DOUNGEL

10:SRI JAGADISH DAS

service on resp. nos. 6 to 10 through the resp. no. 5 i.e. the THE ADDITIONAL
DIRECTOR GENERAL OF POLICE ADMINISTRATION
ASSAM
HAVING HIS OFFICE AT ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI-781001
DIST KAMRUP METRO
ASSAM.

Advocate for : MR.M P SHARMA
Advocate for : MR R SENSUA appearing for THE STATE OF ASSAM and 9 ORS.

Linked Case : WP(C)/3129/2020

PRANAB KUMAR TURUNG
S/O-LATE LECHAM TURUNG
ADDL CHIEF ENGINEER
CACHAR AND HILLS WATER RESOURCESS DEPTT
SILCHAR
R/O- NO. 1
GANDHAKOROI GAON
P.O AND P.S- SARUPATHAR
DIST- GOLAGHAT
PIN- 785601
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM
DISPUR
GUWAHATI- 781006
ASSAM

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT OF ASSAM
WATER RESOURCES DEPTT
DISPUR
GHY- 06
ASSAM

3:THE ADDL CHIEF SECRETARY
TO THE GOVT OF ASSAM
DEPTT OF WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES (WPT
AND BC) DISPUR

GHY- 06
ASSAM
4:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM
PERSONNEL (B) DEPTT
DISPUR
GUWAHATI- 781006
5:THE LEGAL REMEMBRANCER ND SECRETARY
TO THE GOVT OF ASSAM
JUDICIAL DEPTT
JUDICIAL BRANCH
DISPUR
GUWAHATI- 781006
6:THE SECRETARY
TO THE GOVT OF ASSAM
WATER RESOURCES DEPTT
DISPUR
GUWAHATI- 781006
7:IVY GOHAIN DAS GUPTA
ADDL CHIEF ENGINEER
R/O- QTR NO. 74
CHANDMARI WATER RESOURCES COLONY
P.O- CHANDMARI
GUWAHATI- 781003
8:THE MEMBER OF THE SELECTION BOARD
WATER RESOURCES DEPTT
FOR SELECTION TO THE POST OF CHIEF ENGINEER FOR THE YEAR 2020
REP. BY ITS CHAIRMAN AND OTHER MEMBER
WATER RESOURCES DEPTT
CHANDMARI
GUWAHATI- 781003

Advocate for : MR. D K DAS
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 7 ORS.

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

02.08.2022

Heard the learned counsel appearing for all the parties.

2. In course of the hearing it has been taken note of that the OM dated 12.03.2002 provides that consequent upon the amendment of Article 16(4A) by the Constitution (Eighty-Fifth Amendment) Act, 2001, 'it has been decided' that the principles providing therein for fixation of seniority of the reserved candidates vis-à-vis the general candidates in promotional posts shall be followed. One of the principles in the second paragraph thereof that 'Scheduled Caste and Scheduled Tribe Government servants shall on their promotion by virtue of rule of reservation/roster, to be entitled to consequential seniority'. In other words, a reading of the OM dated 12.03.2002 shows that there is a decision to provide for a consequential seniority under Article 16(4A) which is understandably an enabling provision.

3. The State respondents may produce the relevant note sheets and the records pertaining to any such decision that may have been taken particularly to enable the Court to arrive at its satisfaction whether there exists any such decision and if yes in what manner such decision was arrived at.

4. The records of the Personnel(B) Department whose Commissioner and Secretary had issued the OM dated 12.03.2002 as well as the records, if any, of the Cabinet which led to any such decision be produced. Further the OM dated 03.08.2016 provides that it depicts the review of Government policy of reservation for promotion with reference to some High Court judgments. Accordingly it has to be understood that the OM dated 12.03.2002 also provides

for a Government policy for reviewing some earlier policy. Consequently the relevant note sheets and the materials leading to in what manner the decision provided in the OM dated 03.08.2016 be produced. Similarly, the records pertaining to the OM dated 29.12.2014 be also produced.

5. List for further hearing on 04.08.2022.

JUDGE

Comparing Assistant