

GAHC010121042023



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

Case No. : PIL/45/2023

PRITOM HAZARIKA AND ANR
S/O- HARENDRA KUMAR HAZARIKA, R/O- MANIK NAGAR, P.O.
JAPORIGOG, P.S. DISPUR, PIN- 781005, GUWAHATI, KAMRUP(M), ASSAM

2: JON JYOTI SARMAH
S/O- LATE JAMINI SARMAH
R/O- KHUTIKATIA
NAGAON
PIN- 782002
DIST. NAGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
ASOM SACHIVALAYA, DISPUR, GUWAHATI, PIN- 781006, KAMRUP(M),
ASSAM

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PERSONNEL DEPARTMENT
ASOM SACHIVALAYA
DISPUR
GUWAHATI
PIN- 781006
ASSAM

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME AND POLITICAL
ASOM SACHIVALAYA
DISPUR
GUWAHATI
PIN- 781006
KAMRUP METRO

ASSAM

4:THE DIRECTOR GENERAL OF POLICE

ASSAM

KAMRUP(M)

GUWAHATI

PIN- 781007

ASSAM

5:THE COMMITTEE CONSTITUTED FOR IMPLEMENTATION
OF ONE MAN INQUIRY COMMISSION HEADED BY JUSTICE (RETD.) B K
SHARMA

RETIRED JUDGE OF HONBLE GAUWHATI HIGH COURT REGARDING
ANOMALIES AND MALPRACTICES IN CONDUCT OF EXAMINATIONS BY
APSC IN CCE- 2013 (REPRESENTED BY ITS MEMBER SECRETARY)
OFFICE OF THE INQUIRY COMMISSION RELATING TO AFFAIRS OF APSC
MAGISTRATE COLONY

1ST FLOOR

HOUSE NO 4

HEDAYATPUR

GUWAHATI-781003

KAMRUP(M)

ASSAM

Advocate for the Petitioner : MR. M K CHOUDHURY, MR. JYOTIRMOY ROY, B SAHA, MR B
P SARMAH, MR. C CHAKRAVARTY, MR. JAYANTA ROY, MR N A MAZARBHUIYA, MR. S H
ZAMAN, MR. M A I HUSSAIN, MR. A R BHUYAN, MR. A BARKATAKI, MR P BHARDWAJ, MR. M
SARMA, MS. ANASUYA C

Advocate for the Respondent : GA, ASSAM, MS. R B BORA, GA(R 1 to 4)

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

24.07.2025

(Ashutosh Kumar, CJ)

This Public Interest Litigation seeks a direction to the respondents for
ensuring timely action of the State authorities in implementing the findings and
recommendations made in the enquiry report, which was submitted on

07.04.2022.

With respect to a combined competitive examination held in the year 2013 by the APSC, it was alleged that several irregularities were committed in concluding the process. There were charges of malpractice and corruption in the selection process. A writ petition was then filed vide PIL No.79/2015 in which a direction was given to the Government of Assam to conduct an enquiry into the alleged misconduct.

In compliance of the afore-noted order passed by this Court, a Committee though was constituted but only in the year 2019, which was headed by a retired Judge of this Court. The Enquiry Committee submitted its report in the year 2022.

It appears that the report has been made public but there is nothing on record to indicate that the recommendations were carried out for maintaining the purity of public examination.

The learned counsel for the petitioners has laid a grievance that the entire report has not been given to him. The counsel for the respondents submits that the same shall be furnished to him within a period of two days. He has further prayed that the matter be taken up on some other day when his senior would be addressing this Court.

List this matter under the same heading on 31.07.2025.

JUDGE

CHIEF JUSTICE

Comparing Assistant