

GAHC010077342019



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

Case No. : PIL/22/2019

1. THE NORTH EAST HERITAGE FOUNDATION AND ANR.
H.O. WARD NO.8, KOKRAJHAR TOWN, P.O. KOKRAJHAR, P.S. AND DIST-
KOKRAJHAR, ASSAM- 783370, REP. BY ITS DIRECTOR, SHRI RAJKUMAR
PRITHVIRAJ NARAYAN DEV MECH, AGED ABOUT 21 YEARS, S/O- PRADIP
NARAYAN DEV MECH, PERMANENT R/O- GOGLAPARA, BASUGAON
WARD NO. 1, P.O. AND P.S. BASUGAON, DIST- CHIRANG, BTAD, ASSAM-
783372

2: THULUNGA BASUMATARY
S/O- DASARAT BASUMATARY
EXECUTIVE DIRECTOR NORTH EAST HERITAGE FOUNDATION
PERMANENT R/O- CHANDRAPUR P.O. HALTUGAON P.S. AND DIST-
KOKRAJHAR ASSAM- 78337

VERSUS

1. THE UNION OF INDIA AND 10 ORS.
TO BE REP. BY THE SECY., MINISTRY OF HOME AFFAIRS, INDIA, NORTH
BLOCK, NEW DELHI- 110001

2:THE CHIEF ELECTION COMMISSIONER
ELECTION COMMISSION OF INDIA NIRVACHAN SADAN
ASHOKA ROAD NEW DELHI- 110001

3:THE STATE OF ASSAM TO BE REP. BY THE COMM. AND SECY. TO THE
GOVT. OF ASSAM HOME AND POLITICAL DEPTT. DISPUR GHY-6

4:THE CHIEF ELECTORAL OFFICER
ASSAM DISPUR GHY-6

5:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT. DISPUR GHY-6

6:THE BODOLAND TERRITORIAL COUNCIL (BTC)
REP. BY THE PRINCIPAL SECY. BTC KOKRAJHAR ASSAM- 783370

7:THE SECRETARY
LAND REVENUE AND DISASTER MANAGEMENT
BTC KOKRAJHAR ASSAM- 783370

8:THE DY. COMMISSIONER
KOKRAJHAR P.O. KOKRAJHAR ASSAM- 783370

9:THE DY. COMMISSIONER
CHIRANG P.O. KAJALGAON ASAM- 783385

10:THE DY. COMMISSIONER
BAKSA P.O. MUSHALPUR ASSAM- 781377

11:THE DY. COMMISSIONER
UDALGURI P.O. UDALGURI ASSAM- 78450

Advocate for the Petitioner : MR. N H BARBHUIYA

Advocate for the Respondent : ASSTT.S.G.I.

Linked Case : I.A.(Civil)/2213/2019

RAJKUMAR PRITHVIRAJ NARAYAN DEV MECH
AGED ABOUT 22 YEARS, S/O PRADIP NARAYAN DEV MECH
DIRECTOR NORTH EAST HERITAGE FOUNDATION PRESENT ADDRESS
WARD NO. 8 P.O. AND P.S. KOKRAJHAR DIST. KOKRAJHAR BTAD
ASSAM 783370 PERMANENT ADDRESS GOGLAPARA (W/N-1) P.O. AND P.S.
BASUGAON DIST. CHIRANG BTAD ASSAM 783372

VERSUS

1. THE UNION OF INDIA AND 10 ORS.
TO BE REPRESENTED BY THE SECY. MINISTRY OF HOME AFFAIRS
INDIA NORTH BLOCK NEW DELHI 110001

2:THE CHIEF ELECTION COMMISSIONER
ELECTION COMMISSION OF INDIA NIRVACHAN SADAN
ASHOKA ROAD NEW DELHI- 110001

3:THE STATE OF ASSAM TO BE REP. BY THE COMM. AND SECY. TO THE
GOVT. OF ASSAM HOME AND POLITICAL DEPTT. DISPUR GHY-6

4:THE CHIEF ELECTORAL OFFICER
ASSAM DISPUR GHY-6

5:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT. DISPUR GHY-6

6:THE BODOLAND TERRITORIAL COUNCIL (BTC)
REP. BY THE PRINCIPAL SECY. BTC KOKRAJHAR ASSAM- 783370

7:THE SECRETARY
LAND REVENUE AND DISASTER MANAGEMENT
BTC KOKRAJHAR ASSAM- 783370

8:THE DY. COMMISSIONER
KOKRAJHAR P.O. KOKRAJHAR ASSAM- 783370

9:THE DY. COMMISSIONER
CHIRANG P.O. KAJALGAON ASAM- 783385

10:THE DY. COMMISSIONER
BAKSA P.O. MUSHALPUR ASSAM- 781377

11:THE DY. COMMISSIONER
UDALGURI P.O. UDALGURI ASSAM- 784509

Advocate for : MR. N H BARBHUIYA
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 10 ORS.

Linked Case : PIL/78/2012

PRODYUT KUMAR BORA
S/O SRI LAKSHMIKANTA BORA R/O TILIKIAM
BEZGAON P.S. PULIBOR DIST. JORHAT ASSAM.

VERSUS

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

2:THE SECRETARY TO THE GOVT. OF ASSAM
SACHIVALAYA DISPUR GUWAHATI- 781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM
WELFARE OF PLAINS TRIBES AND BACKWARD CLASS DEPT.
SACHIVALAYA DISPUR GUWAHATI- 781006.

4:THE DEPUTY COMMISSIONER
KAMRUP METRO.

5:THE DEPUTY COMMISSIONER
KAMRUP NORTH GUWAHATI.

6:THE DEPUTY COMMISSIONER
DHEMAJI DIST. DHEMAJI.

7:THE DEPUTY COMMISSIONER
TINSUKIA DIST. TINSUKIA.

8:THE DEPUTY COMMISSIONER
GOALPARA DIST. GOALPARA.

9:THE DEPUTY COMMISSIONER
MORIGAON DIST. MORIGAON.

10:MARKUSH BASUMATARY
S/O- LT. RAJENDRA BASUMATARY
R/O VILL.- SOUTH GANDABIL V.C.D.C. AMGURI P.S.- AMGURI
DIST.- CHIRANG BTAD ASSAM.

11:THE B.T.C.
REP. BY THE PRINCIPAL SECY.
B.T.C. KOKRAJHAR DIST.- KOKRAJHAR ASSAM.

12:THE PRINCIPAL SECY.
B.T.C. KOKRAJHAR ASSAM.

13:NOOR MAHAMMAD
SON OF LATE ABDUL KARIM
RESIDENT OF VILLAGE – AMARAGURI P.O. JALAKIA BARI P.S.
LAHORIGHAT DISTRICT – MORIGAON ASSAM.

14:MUSLEM UDDIN
SON OF LATE JUBED ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

15:MAHAMMAD ALI
SON OF LATE SADAR ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

16:JAHED ALI
SON OF LATE MAJAM ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

17:NAZRUL ISLAM
SON OF LATE OCHAM ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

18:ANSARUL ISLAM
SON OF LATE IZZAT ALI

RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

19:NUR UDDIN
SON OF LATE IZZAT ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

20:RAMJAN ALI
SON OF LATE JANAB ALI
RESIDENT OF VILLAGE - BARBARI P.O. BARBARI P.S. LAHORIGHAT
DISTRICT - MORIGAON ASSAM.

21:MD. KHAJAL UDDIN
SON OF LATE JAHUR ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

22:JABED ALI
SON OF LATE MANNAS ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI P.S. LAHORIGHAT DISTRICT – MORIGAON ASSAM.

23:ABDUL ZALIL CHOUDHURY
SON OF LATE FAIZUDDIN AHMED
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

24:FAKAR UDDIN
SON OF LATE ABDUL HALIM
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

25:SAFIR UDDIN
SON OF LATE ABDUL JABBAR
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

26:RUHUL AMIN
SON OF LATE SAFIR UDDIN
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

27:AKTAR HUSSAIN
SON OF HASMOT ALI
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT DISTRICT - MORIGAON ASSAM.

28:SRI JOHN DAS
S/O SRI NAKUL CHANDRA DAS
VILL.- UZIRBARI P.O.-THAMNA PIN-781377
DISTRICT - BAKSA (BTAD) ASSAM.

29:SRI MADHAB RAJBONSHI
SON OF SRI ANORAM RAJBONSHI
VILLAGE AND P.O.- MERKUCHI
P.S.- BARAMA DISTRICT- BAKSA ASSAM PIN-781346.

Advocate for : P K GOSWAMI
Advocate for : MR.U S BORA appearing for THE STATE OF ASSAM AND 8 ORS

- B E F O R E -
HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA
HON'BLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

Date : 03-02-2021
(Sudhanshu Dhulia, CJ)

List this case on **17th February, 2021.**

JUDGE

CHIEF JUSTICE

Comparing Assistant