

GAHC010077342019



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

Case No. : PIL/22/2019

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

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 GOG LAPARA (W/N-1)
P.O. AND P.S. BASUGAON
DIST. CHIRANG
BTAD
ASSAM 783372

VERSUS

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
ASSAM- 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

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

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

Date : 17.02.2021

(Sudhanshu Dhulia, CJ)

Ms. R. R. Borah, learned counsel for the petitioners prays for an adjournment of the matter for two weeks.

Adjournment allowed.

List on 08.03.2021.

JUDGE

CHIEF JUSTICE

Comparing Assistant