

GAHC010145842025



2026:GAU-AS:4077

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

Case No. : WP(C)/4250/2025

RANAJIT DAS
R/O- KRISHNA NAGAR,
P.O- BINNAKANDI T.E, P.S LAKHIMPUR,
DIST- CACHAR, ASSAM, PIN-788126

VERSUS

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

2:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA-19
GUWAHATI

3:INSPECTOR OF SCHOOLS
CACHAR SILCHAR ASSAM

4:STATE LEVEL SCRUTINY COMMITTEE
REP. BY THE DIRECTOR OF SECONDARY EDUCATION
ASSAM KAHILIPARA
GUWAHATI-19

5:DISTRICT LEVEL SCRUTINY COMMITTEE
REP. BY THE DISTRICT COMMISSIONER
CACHAR
PIN-78800

Advocate for the Petitioner : MD AMINUL ISLAM, MR. L R MAZUMDER

Advocate for the Respondent : SC, SEC. EDU., GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 20.03.2026

Heard Mr. P. P. Dutta, learned Standing Counsel, Secondary Education Department for the State respondents. No one appears for the petitioner on call.

2. The petitioner has filed this writ petition seeking a direction to the respondent authorities for provincialization of his service in terms of the Assam Education (Provincialization of Services of Teachers and Re-organization of Educational Institutions) Act, 2017 (in short, 'the Act of 2017').

3. The petitioner was appointed as Assistant Teacher in Aswini Kumar High Court in the district of Cachar by the Managing Committee of the school on 02.07.2010.

4. In terms of the Act of 2017, the Headmaster of Aswini Kumar High Court prepared a list of teachers with enrolment for three years with academic qualification, experience etc., of the staffs of the school, whereby the name of the petitioner was also mentioned. Accordingly, the District Scrutiny Committee of Cachar district, after verification of the records, has recommended for provincialization of the services of the staffs of the said school including the petitioner.

5. Thereafter, the State Level Scrutiny Committee has prepared the final list for provincialization of the services of the teachers of Aswini Kumar High Court,

in which the name of the petitioner has wrongly been excluded.

6. Being aggrieved, the petitioner approached this Court by filing WP(C) 4382/2022 and this Court, vide order dated 25.07.2022, disposed of the writ petition with a direction to file an appeal before the Appropriate Authority in terms of the provisions of the Act of 2017.

7. On the appeal by the petitioner, as directed by this Court, the Secretary to the Government of Assam, Department of School Education, by order dated 31.08.2023 has held that the provincialization of the service of the petitioner shall be processed on receipt of the required report/proposal from the Directorate of School Education, Assam. Finally, the case of the petitioner has been processed for provincialization of his service, which is yet to be completed.

8. Mr. P. P. Dutta, learned Standing Counsel, Secondary Education Department submits that since the petitioner is found to be entitled for provincialization of his service, his case has been recommended to the competent authority, after the approval of the Highest Executive Authority of the State for creation of post and the matter is under consideration before the Finance Department, which may take some time. Therefore, he submits that the case of the petitioner will be considered and appropriate order will be passed on according clearance from the Finance Department.

9. Having considered that the grievance of the petitioner for provincialization of his service has already been processed, which is currently pending before the

Finance Department, after completion of the required formalities, I deem it appropriate to dispose of the writ petition with hope and trust that the process for provincialization of the service of the petitioner shall be completed expeditiously by the respondent authorities.

10. With the above observation, this writ petition is accordingly disposed of.

JUDGE

Comparing Assistant