

GAHC010196662018



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

**Case No. : WP(C) 6329/2018**

1: DIPEN BORAH AND 59 ORS.  
S/O- ARUN BORAH, R/O- VILL AND P.O- UMRANGSO, DIST- DIMA HASAO,  
ASSAM, PIN- 788931

2: BIPUL SAIKIA  
S/O- KHETRAMOHAN SAIKIA  
R/O- VILL AND P.O- MAIBONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

3: JITU RAJBONGSHI  
S/O- GANESH RAJBONSHI  
R/O- VILL AND P.S- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788829

4: GAJEN PARBASA  
S/O- THOREN PARBOSA  
R/O- VILL CHOTO WASHLINGTHO AND P.O- DIYAMUKH  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

5: RAJMOHAN HAFLONGBAR  
S/O- BATISH HAFLONGBAR  
R/O- VILL ARDHA AND P.O- DIYUNGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 782448

6: RANJIT PHONGLO  
S/O- JOYBLO PHONGLO

R/O- VILL THOUSENPUR AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

7: SATRAJIT BORA  
S/O- GULAB BORAH  
R/O- VILL LANGRIMUKH AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

8: AJIT BASUMATARY  
S/O- RAMESH BASUMATARY  
R/O- VILL LANGRIMUKH AND P.O- DIYUNGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

9: BHASKARJIT BAILUNG  
S/O- LATE DURGA DHAR BAILUNG  
R/O- VILL UMRANGSO NEEPO DIYUNGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

10: ATUL THAKURIA  
S/O- LATE NARAYAN THAKURIA  
R/O- VILL AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

11: MANTU CH ROY  
S/O- LATE LOHIT CHANDRA ROY  
R/O- VILL NEEPCO COLONY P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

12: DIPEN THAPA  
S/O- LATE RAM BAHADUR THAPA  
R/O- NEEPCO  
P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

13: RAJU ROY  
S/O- LATE DURGACHARAN ROY  
R/O- VILL UMRANGSO NEEPCO AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

14: ROBINSON MILLICK  
S/O- LATE DORMEN MILLICK  
R/O- VILL NEEPCO AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

15: MONTU LONGMAILAI  
S/O- NOBIN CHANDRA LONGMAILAI  
R/O- VILL THERVETHPO AND P.O- DIYUNGBRAH  
DIST- DIMA HASAO  
ASSAM  
PIN- 782448

16: KRISHNA BORAH  
S/O- ARUN BORAH  
R/O- VILL DIYUNGBRAHM AND P.O- DIYUNGBRAH  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

17: KRISHNA BORAH  
S/O- JAGURAM BORAH  
R/O- VILL AND P.O- DIYUBGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

18: LALHOITHANG KHELMA  
S/O- ZEISOUMGIR VAICHEI  
R/O- VILL- DORBINSHIP  
P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

19: JOYBEN DIBRAGEDE  
S/O- MOYSINGSHAN DIBRAGEDE  
R/O- VILL MOTI PHONGLO AND P.O- GUNJUNG  
DIST- DIMA HASAO  
ASSAM

PIN- 788819

20: MANJIT DIBRAGEDE  
S/O- SOJENDRA DIBRAGEDE  
R/O- VILL GOBINDA NAGAR AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

21: INDHOM NAIDING  
S/O- LOMENDRA NAIDING  
R/O- VILL SHOTO WASHLING AND P.O- DIYUNGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

22: ABINASH DOIMARI  
S/O- LATE KANDESWAR DOIMARI  
R/O- VILL AND P.O- DAYANGMUKH  
DIST- DIMA HASAO  
ASSAM  
PIN- 788981

23: JAMES RONGMAI  
S/O- LATE MAJALEANGPOW RONGMAI  
R/O- VILL HAGJER NAGARAND P.O- HAGLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

24: DUMANDO HAJONG  
S/O- DEBENDRA HAJONG  
R/O- VILL AND P.O- LANGTING  
DIST- DIMA HASAO  
ASSAM  
PIN- 788832

25: NAILAL THAOSEN  
S/O- SRI SATHIS THOUSAN  
R/O- VILL WASHAI KONG AND P.O- DIYUNGBRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

26: JAHAR THAOSEN  
S/O- SRI JAPAN THOUSEN  
R/O- VILL WASAIKONG AND P.O- DIYUNGBRA  
DIST- DIMA HASAO

ASSAM  
PIN- 788931

27: BISHNU MAGAR  
S/O- KHEMLAL MAGAR  
R/O- VILL NEW TUMBUNG AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

28: JONO KEMPRAI  
S/O- DHANPRANG KEMPRAI  
R/O- VILL LONGMAI AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788829

29: SAHADEV DAS  
S/O- NONIGOPAL DAS  
R/O- VILL JATINGA AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788829

30: PADMESHWAR BORDOLOI  
S/O- NOVOJIT BORDOLOI  
R/O- VILL UMRANGSO NEEPCO AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

31: BABUL BORAH  
S/O- LATE JOGOT BORAH  
R/O- VILL KAYAM BASTI AND P.O- DITTEKCHERRA  
DIST- DIMA HASAO  
ASSAM  
PIN- 788830

32: DAVAJIT BORDOLOI  
S/O- PANIRAM BORDOLOI  
R/O- VILL AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

33: JUNMONI BORAH  
R/O- VILL SANGBAR AND P.O- UMRANGSO  
DIST- DIMA HASAO

ASSAM  
PIN- 788831

34: BHUPEN LASKAR  
S/O- PUNARAM LASKAR  
R/O- VILL AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

35: DHANEN BORDOLOI  
S/O- LELU BORDOLI  
R/O- VILL AND P.O- MAIBONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

36: PABON GOGOI  
R/O- VILL AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

37: NITUL BORAH  
R/O- TILLA BASTI AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

38: TARUN SAIKIA  
S/O- LATE JITEN SAIKIA  
R/O- VILL AND P.O- DAYANGMUKH  
DIST- DIMA HASAO  
ASSAM  
PIN- 782448

39: KHEMLAL KHERSA  
S/O- LATE JOYTHOLAL KHERSA  
R/O- VILL HAFLONG POLICE COLONY AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

40: JANTO THAOSEN  
R/O- VILL LANGMA II AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

41: AMRIT PRADHAN  
S/O- RAM KUMAR PRADHAN  
R/O- VILL JATIA AND P.O- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

42: CHUNGSUOMBUL KHEMA  
S/O- ZEISOUMGIR VAICHEI  
R/O- VILL BANGPIRI AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

43: RAMEN SAIKIA  
S/O- LATE BHUBAN SAIKIA  
R/O- VILL KHANDONG CHECK GATE AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

44: CHUNG SUAMMOI KHOLUM  
S/O- RSJEM KHULUM  
R/O- VILL BANGPHIRI AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

45: THOULIEN HMAR  
S/O- LATE KUPTHANG HMAR  
R/O- VILL AND P.O- MAHUR  
DIST- DIMA HASAO  
ASSAM  
PIN- 788830

46: AJIT SAIKIA  
S/O- LATE ANIL SAIKIA  
R/O- VILL UMRANGSO MARKET AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

47: TAPEN SAIKIA  
S/O- SRI KAMLA SAIKIA  
R/O- VILL AND P.O- DAYANGMUKH  
DIST- DIMA HASAO  
ASSAM

PIN- 782448

48: LALRIATA NGAMALAI  
C/O- LATE KHUPA NGAMLAI  
R/O- VILL NEW SANGBAR AND P.O AND P.S- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

49: DONSIEMLIEN KHELMA  
S/O- LONGJEM KHELMA  
R/O- VILL DORBINSHIP AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

50: BIKASH SINGH  
S/O- EBUNGHAN SINGH  
R/O- VILL RAMNAGAR AND P.O  
P.S- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

51: JANAKI SINGH  
C/O- SUBAL SINGHA  
R/O- VILL BOLDURA AND P.O  
P.S- HAFLONG  
DIST- DIMA HASAO  
ASSAM  
PIN- 788819

52: TAPEN HAZARIKA  
S/O- LATE PROFULA HAZARIKA  
R/O- VILL AND P.O- DAYANGMUKH  
DIST- DIMA HASAO  
ASSAM  
PIN- 782448

53: CHANGSUAMBUL KHELMA  
S/O- L KHELMA  
R/O- VILL DORBINSHIP AND P.O  
P.S- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

54: MANU GOALA

C/O- SATIRAM GOALA  
R/O- VILL HOWER DESWLI BASTI AND P.O- HARNGAJAO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788818

55: CHUNTHANGLAI VAICHAJ  
S/O- ZAISUOMNGIR VAICHEI  
R/O- VILL BANGPIRI AND P.O-NEW SANGBAR  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

56: NARENDRA ROY  
S/O- LATE PARMESWAR ROY  
R/O- NEEPCO COLONY AND P.O- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

57: LIENSUOMNGIS SAITHUVAI  
S/O- LAL KHELMA  
R/O- VILL DORBINSHIP AND P.O  
P.S- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

58: JEMTHANGLEIN KHELMA  
S/O- SUONTIANG LAL KHELMA  
R/O- VILL BANGPHIRI AND P.O- NEW SANGBAR  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

59: LALCHANDAMA NGAMLAI  
S/O- LALRUAIA NGAMLAL  
R/O- VILL MULTAM AND P.O  
P.S- UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788831

60: KANAK BORAH  
S/O- SAVARAM BORAH  
R/O- VILL AND P.O- DAYANGMUKH  
DIST- DIMA HASAO  
ASSAM

PIN- 78244

VERSUS

1:THE STATE OF ASSAM AND 6 ORS  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT OF ASSAM,  
HOME AND POLITICAL DEPTT, JANATA BHAWAN, DISPUR, GUWAHATI-  
781006

2:THE SECRETARY TO THE GOVT OF ASSAM  
FINANCE DEPTT  
JANATA BHAWAN  
DISPUR  
GHY- 06

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE  
AND COMMANDANT GENERAL OF HOME GUARDS  
ASSAM  
GOVT OF ASSAM  
BELTOLA  
GHY- 781028

4:THE DEPUTY COMMISSIONER  
DIMA HASAO  
P.O AND P.S- HAFLONG  
HAFLONG  
DIST- DIMA HASAO  
ASSAM- 788819

5:THE DISTRICT COMMANDANT  
HOME GUARDS DIMA HASAO  
HOME GUARD BRANCH  
OFFICE OF THE DEPUTY COMMISSIONER  
DIMA HASAO  
P.O AND P.S- HAFLONG  
DIST- DIMAHASAO  
ASSAM  
PIN- 788819

6:NORTH EASTERN ELECTRIC POWER CORPORATION LTD.  
REP. BY ITS CHAIRMAN AND MD AND HAVING ITS REGD OFFICE AT  
BROOKLAND COMPOUND  
LOWER NEW COLONY  
LAITUMKHRAH  
SHILLONG- 793003

7:THE GENERAL MANAGER (E/M) / HEAD OF PLANT  
KOPILI HYDRO ELECTRIC PLANT

NEEPCO  
UMRANGSO  
DIST- DIMA HASAO  
ASSAM  
PIN- 788931

8:THE UNION OF INDIA  
REP. BY THE SECRETARY (LABOUR AND EMPLOYMENT) TO THE GOVT  
OF INDIA  
MIN OF LABOUR AND EMPLOYMENT SHRAM SHAKTI BHAWAN  
RAFI MARG  
NEW DELHI- 110001

9:THE CHIEF LABOUR COMMISSIONER(CENTRAL)  
MIN OF LABOUR AND EMPLOYMENT  
GOVT OF INDIA  
JAISALMER HOUSE  
MANSINGH ROAD  
NEW DELHI- 110001

10:THE REGIONAL LABOUR COMMISSIONER(CENTRAL)  
GUWAHATI  
OFFICE OF THE DEPUTY CHIEF LABOUR COMMISSIONER(CENTRAL)  
MIN OF LABOUR AND EMPLOYMENT  
GOVT OF INDIA  
KENDRIYA SHRAM SADAN  
R K MISION ROAD  
BIRUBARI  
GHY- 1

**Advocate for the Petitioner** : MS P D NAIR

**Advocate for the Respondent** : GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 14-09-2018**

Heard Mr. P.D. Nair, learned counsel for the petitioner.

Writ petitioners are serving as Home Guard and have been deployed in the Kopili Hydro Electric Plant of North Eastern Electric Power Corporation Ltd. (NEEPCO).

Mr. Nair submits that his clients are entitled to the benefits of minimum wages as fixed by the Chief Labour Commissioner (Central) but are being deprived of such enhanced wages for no valid reasons.

Mr. S.S. Roy, learned Govt. Advocate appearing for the respondent Nos. 1, 3, 4 and 5 and Mr. B. Gogoi, learned standing counsel, Finance Department appearing for the respondent No. 2 pray for time to obtain instruction in the matter.

Issue notice of motion returnable in 06 weeks.

Since the respondent Nos. 1 to 5 are represented, no formal notice is required to be sent to the said respondents.

However, steps by registered post with A/D for service of notice upon the remaining respondents.

Steps within 07 days from today.

**JUDGE**

GS

**Comparing Assistant**