

GAHC010196662018



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

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

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

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

KOPI LI 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 DEVASHIS BARUAH

ORDER

Date : 15.05.2023

Heard Mr. P.D. Nair, the learned counsel appearing on behalf of the petitioner. Mr. D. Senapati, the learned counsel appears for the NEPCO, Ms. A.

Gayan, the learned C.G.C. appears on behalf of the Union of India and Mr. H. Sarma, the learned Government Advocate appears on behalf of the State-respondents .

2. The learned counsel, Mr. D. Senapati submits that he had only recently obtained a certified copy of the affidavit filed by the respondent Nos. 8, 9 and 10 and as such he may permitted to submit a reply taking into account the stand so taken that the NEPCO is liable to pay the minimum wages as notified by the Central Government in respect to Watch and Ward industry.

3. Taking into account the same, list the matter on 1st of June, 2023.

4. The NEPCO is directed to file their affidavit by 29th of May, 2023.

JUDGE

Comparing Assistant