

GAHC010027932020



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

Case No. : I.A.(Civil) 553/2020

1:AA JANAJATI SURAKSHA MANCH SADIYA
REP. BY ITS GENERAL SECRETARY SRI PUNNA BORA GOHAIN OFFICE AT
CHAPAKHOWA LACHIT TINSUKIA, PIN-786157

VERSUS

1:PRODYUT KUMAR BORA
S/O LAKSHIM KANTA BORA, R/O TILIKIAM BEZGAON, P.S PULIBOR, DIST.
JORHAT, ASSAM

2:THE STATE OF ASSAM
REP. HEREIN BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
SACHIVALAYA
DISPUR
GUWAHATI- 781006.

3:THE SECRETARY
TO THE GOVT. OF ASSAM
REVENUE
RELIEF AND REHABILITATION DEPT.
SACHIVALAYA
DISPUR
GUWAHATI

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

5:THE DEPUTY COMMISSIONER
KAMRUP (M)

6:THE DEPUTY COMMISSIONER
KAMRUP
NORTH GUWAHATI

7:THE DEPUTY COMMISSIONER
DHEMAJI
DIST. DHEMAJI

8:THE DEPUTY COMMISSIONER
TINSUKIA
DIST. TINSUKIA

9:THE DEPUTY COMMISSIONER
GOALPARA
DIST. GOALPARA

10:THE DEPUTY COMMISSIONER
MORIGAON
DIST. MORIGAON

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

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

13:THE PRINCIPAL SECRETARY
B.T.C.
KOKRAJHAR
DIST. KOKRAJHAR ASSAM.

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

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

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

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

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

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

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

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

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

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

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

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

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

27:RUHUL AMIN
SON OF LATE SAFIR UDDIN

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

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

Advocate for the Petitioner : MRS. M D CHOUDHURY

Advocate for the Respondent : GA, ASSAM

Linked Case : 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- 783370

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- 784509

Advocate for the Petitioner : MR. N H BARBHUIYA
Advocate for the Respondent : ASSTT.S.G.I.

Linked Case : PIL 78/2012

1: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
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MORIGAON
DIST. MORIGAON.

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S/O- LT. RAJENDRA BASUMATARY
R/O VILL.- SOUTH GANDABIL
V.C.D.C. AMGURI
P.S.- AMGURI
DIST.- CHIRANG
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REP. BY THE PRINCIPAL SECY.
B.T.C.
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DIST.- KOKRAJHAR
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12:THE PRINCIPAL SECY.
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RESIDENT OF VILLAGE - BARBARI
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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.

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

Advocate for the Petitioner : P K GOSWAMI
Advocate for the Respondent : MR.U S BORA

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. AJAI LAMBA
HON'BLE MR. JUSTICE SOUMITRA SAIKIA**

26.02.2020

(Ajai Lamba, C.J.)

List on **6.3.2020.**

JUDGE

CHIEF JUSTICE

Comparing Assistant