

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- GOG LAPARA, 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 : 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 SOUMITRA SAIKIA**

ORDER

20-01-2022

These matters are taken up through video conferencing.

Heard Mr. S Borthakur, learned counsel for the petitioner in PIL 78/2012. Also heard Mr. D Saikia, learned Advocate General, Assam, Ms. L Devi and Mr. ABT Haque, learned counsel for the respondents.

With the consent of both the parties, these matters are adjourned for six weeks.

List on **15.03.2022.**

JUDGE

CHIEF JUSTICE

Comparing Assistant