

GAHC010220222012



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

Case No. : 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 the Petitioner : P K GOSWAMI

Advocate for the Respondent : MR.U S BORA

Linked Case : 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- 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

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 : MR. N H BARBHUIYA
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 10 ORS.

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 14-12-2022

R.M. Chhaya, C.J.

At the request of Mr. P.H. Konwar, counsel appearing on behalf of Mr. S. Borthakur, learned counsel for the petitioner in PIL 78/2012, the matters are adjourned to **20.12.2022.**

JUDGE

CHIEF JUSTICE

Comparing Assistant