

GAHC010229432021



undefined

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

Case No. : WP(C)/8061/2022

KAKU MONI SAIKIA AND 51 ORS.
C/ O - KHIRA KANTA SAIKIA
VILL - BEBEJIA
P.O. - BEBEJIA S.O.
P.S. - SADAR
DIST. - NAGAON, ASSAM
PIN- 782142

2: ARIFUR RAHMAN
C/ O - ANTAZ ALI
VILL - JAPARI
P.O. - TAPTOLA
P.S. - BHURAGAON
DIST. - MORIGAON
ASSAM
PIN- 782121

3: GAURI MUCHAHARI
C/ O - TANGLA MUCHAHARI
VILL - AZAD VETERINARY COLLEGE
P.O. - AZAD
P.S. - PANIGAON
DIST. - LAKHIMPUR
ASSAM
PIN- 787032

4: ANANTA KR. GOGOI
C/ O - JOGESH GOGOI
VILL - UTTAR HATICHUNGI GAON
P.O. - NA ALI DHEKIAJULI
P.S. - JORHAT
DIST. - JORHAT
ASSAM
PIN- 785009

5: BHUPEN TAID

C/ O - LAKHINATH TAID VILL - BAIKUNTHAPUR
P.O - LAIMEKURI P.S - JONAI DIST - DHEMAJI
PIN - 787060

6: PAWAN GOGOI

C/O - PURANANDA GOGOI
VILL - DIMUAL GAON
P.O - DHITAIPUKHURI
P.S - SIVASAGAR
DIST - SIVASAGAR
PIN - 7856857.

7: KONGKON JYOTI SHYAM

C/O - BASANTA SHYAM
VILL - BANDOR CHALIA
P.O - BANDOR CHALIA
P.S - TITABOR
DIST - JORHAT
PIN - 785633

8: MANASH JYOTI BARUAH

C/O - SUREN BARUAH
VILL - JALAH (KUTI SUBA)
P.O - PALAGHAR
P.S - TANGLA
DIST - UDALGURI
PIN - 784521

9: ASHIM KALITA

C/O- BHUMIDHAR KALITA
VILL- BARCHARDIA
P.O- KHETRIHARDIA
P.S- HAJU
DIST- KAMRUP (RURAL)
PIN- 781102

10: SANJIT SUTRADHAR

C/O - MATILAL SUTRADHAR
VILL - KATAJHAR PATHAR
P.O - KATAJHAR
P.S - BARPETA ROAD
DIST - BARPETA
PIN - 781315

11: NIPON KR. DEKA

C/O - DILIP KR DEKA

VILL - BARUAHATI GAON
P.O - SONARIGAON
P.S - DHING
DIST - NOGAON
PIN - 782123

12: RINTU DEURI
C/O - RAJ GUYAN DEURI
VILL - BAMCHENIA
P.O - KADAMGURI
P.S - GOGAMUKH
DIST - DHEMAJI
PIN - 787034

13: MRIDUL DAS
C/O - LT. ATUL DAS
VILL - BONGALTOLA
P.O - MAJORKURI
P.S - HAJU
DIST - KAMRUP (RURAL)
PIN - 781102

14: MAHIBUL HQ. PRADHANI
C/O - MOZAMMAL HQ. PRADHANI
VILL - GOBARDHAN PARA
P.O - GOBARDHAN PARA
P.S - BILASHIPARA
DIST - DHUBRI
PIN - 783348

15: LUCH BURAGOHAIN
C/O - KRISHNA BURAGOHAIN
VILL - CHULADHARA
P.O - SILA SAKO
P.S - SIMALUGURI
DIST - SIVASAGAR
PIN - 785686

16: PRANAB KALITA
C/O - MADAN KALITA
VILL - PACHARIA
P.O - PACHARIA
P.S - HAJU
DIST - KAMRUP (RURAL)
PIN - 781104

17: BHASKAR MAHANTA
C/O - LAL MOHAN MAHANTA

VILL - SUTARKUCHI
P.O - ADABARI
P.S - MUKALMUA
DIST - NALBARI
PIN - 781126

18: PALLAV HAZARIKA
C/O - GONGADHAR HAZARIKA
VILL - CHARIA PATHAR GAON
P.O - NAM CHUNGI
P.S - TITABOR
DIST - JORHAT
PIN - 784125

19: DILIP URANG
C/O - PRODIP URANG
VILL - GARAKHIA BAM GAON
P.O - BARBARUAKHAT
P.S - SAPEKHATI
DIST - CHARAIDEO
PIN - 785692

20: JAYANTA KR. KALITA
C/O - LT. NAGENDRA KALITA
VILL - MAROI
P.O - MAROI
P.S - SIPAJHAR
DIST - DARRANG
PIN - 784125

21: RINKU DAS
C/O-PABITRA DAS
VILL-DADARA
P. O-HAJO
P. S-HAJO
DIST-KAMRUP(R)
PIN-781104

22: NAYAN KALITA
C/O-JADAB KALITA
VILL-PACHARIA
P. O-PACHARIA
P. S-HAJO
DIST-KAMRUP(R)
PIN-781104

23: ANKUR BARMAN
C/O-LAKSHMI BARMAN

VILL-AMONI
P. O-AMONI
P. S-BELSOR
DIST-NALBARI
PIN-781306

24: TARIQUE RAHMAN
C/O- SAHEDUR RAHMAN
AGE-28 YRS
VILL- BADANI AKHIYA
PO- LAWTALA
PS- MUKALMUA
DIST- NALBARI
PIN-781126

25: KHANINDRA HALOI
CO- GOBINDA HALOI
VILL- SUBANSHRI
PO-NARAYANPUR
PS- MUSHALPUR
DIST- BAKSA
PIN-781372

26: BISWAJIT DEKA
CO-GOBINDA DEKA
VILL-HABERIKURA
PO- PUTHIMARI
PS-KAMALPUR
DIST- KAMRUP
PIN-781380

27: RAFIKUL ISLAM
CO- LT. IDRISH ALI
VILL-KHATAKUCHI
PO-CHARCHARIA
PS-SORBHOG
DIST-BARPETA
PIN-781319

28: PORAG BORA
CO-ROHINI BORA
VILL- KATHKATIAGAON.
PO-JAMUNAMUKH
PS-JAMUNAMUKH
DIST-NAGAON
PIN-782428

29: KESHAB THAPA

C/O- JOYBAHADUR THAPA
VILL- KUMALIA
P.O- PANIBHARAL
P.S- BISWANATH CHARIALI
DIST- BISWANATH
PIN- 784176

30: ROFIQUL ISLAM
C/O- NOWSHAD ALI
VILL- BAGHMARA CHAR
P.O- BAGHMARA CHAR
P.S- ALOPATHI CHAR
DIST- BARPETA
PIN- 781127

31: HEMANTA BORGOHAIN
VILL- HARHI CHAPARI
P.O- SAPATIA
P.S- DHAKUAKHANA
DIST- LAKHIMPUR
PIN- 787055

32: PALLABJYOTI SAIKIA
C/O- JIBESWAR SAIKIA
VILL- PHUKAN KHAT
P.O- SINGIA
P.S- SAMAGURI
DIST- NOGAON
PIN- 782140

33: NAYAN MANI SAIKIA
C/O- TARUN SAIKIA
VILL- GABHARA
P.O- DUNI
P.S- SIPAJHAR
DIST- DARRANG
PIN- 784148

34: BHASKAR BASUMATARY
C/O - MOHAN BASUMATARY
VILL - SILIKHAGURI
P.O - JONAI
P.S - JONAI
DIST - DHEMAJI
PIN - 787060

35: DIBAKAR GOGOI
C/O- PRADIP KR. GOGOI

AGE- 31YEARS.
VILL- NAPAM RONGPURIA
P.O- LILABARI
P.S- NORTH LAKHIMPUR
DIST- LAKHIMPUR
PIN- 787051

36: BIHURAM URANG
C/O - BUDHA URANG
VILL - HATAJAN KATHANI PATHAR GAON
P.O - ATHABARI
P.S - GOLAGHAT
DIST - GOLAGHAT
PIN - 785625

37: UTPAL KR. SINGHA
C/O- UDAY SINGHA
VILL- MAHADEVPUR PART 1
P.O- JALALPUR
P.S- KATIGORAH
DIST- CACHAR
PIN- 788816

38: BIKASH YADAV
C/O - RADHESHYAM YADAV
VILL - NIHONG ARONG GAON
P.O - KHERONI
P.S - KHERONI
DIST - WEST KARBI ANGLONG
PIN - 782448

39: KUSHAL HAZARIKA
C/O - UPEN HAZARIKA
VILL - GOROIMARI
P.O - CHAMARAJAN
P.S - DHEMAJI
DIST - DHEMAJI
PIN - 787057

40: SHAHAJAMAL S.K
C/O- ASHRAF ALI S.K
VILL- PATIAL PARA
P.O- BHOWRAGURI
P.S- GOSAIGAON
DIST- KOKRAJHAR
PIN- 783336

41: AMIRUL ISLAM

C/O- LT. SOFIOR RAHMAN
AGE- 27 YEARS
VILL- KUKURMARA PT.2
P.O- RADHAMADHAB HAT
P.S- MANKACHAR
DIST- SOUTH SALMARA
PIN- 783131

42: SUREN URANG
C/O- LT. PUNU URANG
VILL- LAKWA MOHAN DEODHAI
P.O- LAKWA
P.S- SIMALUGURI
DIST- SIVASAGAR
PIN- 785698

43: MANASH PRATIM SAIKIA
C/O- PRASANTA SAIKIA
VILL- GHARMARA
P.O- GAMDHIA TINIALI
P.S- GHILAMARA
DIST- LAKHIMPUR
PIN- 787058

44: PRANJAL DOLEY
C/O- LANKESWAR DOLEY
VILL- MOWKHUWA
P.O- JALBHARI
P.S- DHAKUWAKHANA
DIST- LAKHIMPUR
PIN- 787055

45: RITU KR. SONOWAL
C/O- BHUBAN SONOWAL
AGE- 34 YEARS.
VILL- KADAM KACHARI
P.O- CHARAIMORIA
P.S- BOGINADI
DIST- LAKHIMPUR
PIN- 787032

46: AKASH JYOTI BORAH
C/O- PULIN BORAH
VILL- LACHIT NAGAR
P.O- DEMOW
P.S- DEMOW
DIST- SIVASAGAR
PIN- 785662

47: JYOTISH DEY
C/O- NARENDRA DEY
AGE - 33 YEARS.
VILL- SALAIPARA
P.O- CHAPAI CHOWKA
P.S- MANGALDOI
DIST- DARRANG
PIN- 784529

48: ASIF KARIM
C/O- LT. ABDUL ALI
VILL- NOONMATI
P.O- HOWLY
P.S- BARPETA
DIST- BARPETA
PIN- 781316

49: JOWAHAR BEY
C/O- MONIRAM BEY
VILL- KARBI BLOCK PATHARIJAN
P.O- PABHOI
P.S- BISWANATH CHARIALI
DIST- BISWANATH
PIN- 784174

50: SARIF UDDIN AHMED
C/O- MD. DAROG ALI
VILL- LOHARKATHA
P.O- LOHARKATHA
P.S- MUKALMUA
DIST- NALBARI
PIN- 781126

51: JAYANTA HAZOWARY
C/O- AJOY HAZOWARY
VILL- BALIJAN KACHARI
P.O- BHANGAMANDIR
P.S- DHEKIAJULI
DIST- SONITPUR
PIN- 784112

52: HIROKJYOTI NATH
C/O- DRUPAD CH. NATH
VILL- NAYAPARA
P.O- LAKHIGANJ
P.S- SAPATGRAM
DIST- DHUBRI

PIN- 78334

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, HOME (B)
DEPARTMENT, GOVT. OF ASSAM, DISPUR, GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY

GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE DIRECTOR GENERAL OF POLICE

ASSAM
ULUBARI
GUWAHATI-07.

4:SPECIAL DGP CUM DIRECTOR OF FIRE AND EMERGENCY SERVICES

PANBAZAR
GUWAHATI-1.

5:THE ADDITIONAL DIRECTOR GENERAL OF POLICE CUM DIRECTOR OF
FIRE AND EMERGENCY SERVICES

PANBAZAR
GUWAHATI-1

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate), MR. K SINGHA,MR. K M
MAHANTA,MR S GAUTAM

Advocate for the Respondent : GA, ASSAM, SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 09-12-2025

Heard Mr. K.K. Mahanta, learned Sr. counsel assisted by Mr. K.M. Mahanta, learned
counsel for the petitioner. Also heard Mr. Mr. B. Gogoi, learned Addl. AG, Assam appearing

for the State/ respondent.

During the course of the hearing in the matter it was brought to the notice of this Court that the proposal submitted by the ADGP-cum-Director of Fire and Emergency Services, through the Home & Political Department, with regard to the enhancement of the pay scale of the petitioners, in pursuance to the observations made in this connection by the Anomaly Committee constituted in the matter, on consideration came to be rejected by the Finance Department vide a note dated 04-07-2022 by only stating that the Finance (PRU) Department was not in a position to agree with the up-gradation and require the matter to be placed before the next Pay Commission.

On a query made by this Court, Mr. Gogoi has submitted that it cannot be categorical stated that in the State there was no enhancement made in respect of any service for which there was no original recommendation made for such enhancement by the Pay Commission concerned. Mr. Gogoi submits that he would have his instruction from the authorities of the Finance Department as to whether they would reconsider the proposal in respect of the employees serving under the Special Director, Fire and Emergency Services in terms of the detailed proposal as submitted in the matter in pursuance to the observations made by the Anomaly Committee constituted in pursuance to the recommendation made by the 7th Assam Pay and Productivity Pay Commission.

It is provided that the pendency of the present matter would not be bar for the authorities of the Finance Department to revisit the proposal submitted in the matter, which was not agreed to be considered in terms of the note dated 04-07-2022, available

at Annexure-H to the affidavit filed by respondent No. 2 in the present proceeding.

As agreed to by the learned counsel for the parties, Registry to list this matter again on 20-01-2026.

JUDGE

Comparing Assistant