

GAHC010278512025



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

Case No. : WP(C)/7221/2025

AKBAR ALI AHMED
SON OF LATE NIYAT ALI RESIDENT OF VILLAGE DHUPALPARA PO
MAJGAON DISTRICT BARPETA ASSAM PIN 781313

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM SECONDARY EDUCATION DEPARTMENT
DISPUR GUWAHATI 781006

2:THE DIRECTOR
TO THE GOVT OF ASSAM SECONDARY EDUCATION DEPARTMENT
KAHILIPARA GUWAHATI 781019

3:THE ADDITIONAL PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL CUM CHAIRMAN OF THE DISTRICT
SCRUTINY COMMITTEE BODOLAND TERRITORIAL COUNCIL
SECRETARIAT BODOFA NWGWR KOKRAJHAR BODOLAND TERRITORIAL
REGION ASSAM

4:THE DIRECTOR OF EDUCATION
BODOLAND TERRITORIAL COUNCIL KOKRAJHAR STATION ROAD BTR
DISTRICT KOKRAJHAR ASSAM PIN 783370

5:THE INSPECTOR OF SCHOOLS
BODOLAND DISTRICT CIRCLE MUSHALPUR BAKS

Advocate for the Petitioner : MR. TANUZ KASHYAP, N GAUTAM, MR. R M DEKA, MR. K N CHOUDHURY

Advocate for the Respondent : SC, SEC. EDU., SC. BTC

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO
O R D E R

15.12.2025

Heard Mr. T. Kashyap, learned counsel for the petitioner, who submits that the services of the petitioner has not been provincialised solely on the ground that his name does not appear in the DISE Data. Learned counsel for the petitioner submits that as per the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017, as amended in 2018, there is no requirement that the name of the teacher concerned has to appear in the DISE data in order to be provincialised. He submit that a scrutiny slip had been issued by the District Scrutiny Committee, wherein the name of the petitioner has been shown as Science Teacher and his date of appointment as 01.01.2007. Further, to the query raised by the Director of Secondary Education to the Inspector of Schools of BDC, Mushalpur, it was replied that the petitioner although not included in the DISE data, but has been rendering his service to the satisfaction of all concerned. Under the circumstances, learned counsel submits that the respondents should be directed to provincialise the services of the petitioner.

In view of above, issue notice of motion returnable by four weeks.

Mr. S.M.T Chistie, learned Standing Counsel, Secondary Education Department accepts notice on behalf of respondent Nos. 1 & 2, Mr. B.C Musahary, learned Standing Counsel, BTC accepts notice on behalf of

respondent Nos. 3, 4 and 5. Notice is therefore complete.

Petitioner to serve requisite extra copies of the writ petition to the learned counsel appearing today for the respondents within two days.

Having regard to the projection made by the petitioner, learned counsel for the respondents to obtain instructions by the next date.

List the matter again on 20.01.2026.

JUDGE

Comparing Assistant