

GAHC030003112025



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

Case No. : WP(C)/54/2025

Sh. Z.R. Thafala and 2 Ors.

S/o Z.R. Chullova R/o Vengthar, Kolasib 2: Sh. Lalthanmawia Ralte
S/o R/ Thangliana (L) R/o Nursery Veng
Kolasib

3: Sh. Malsawmtluanga Fanai

S/o Vanlalsiama (L)
R/o Meisatla
Siah

VERSUS

State of Mizoram and 3 Ors.

R/b Chief Secretary, Govt, of Mizoram 2:Commissioner/Secretary to the Govt. of
Mizoram
Rural Development Department
Aizawl

3:State Level Advisory Committee-cum-Governing Body of State Institute
of Rural Development and Panchayati Raj
Mizoram r/b its Chairman

4:Director

State Institute of Rural Development and Panchayati Raj
Durtlang Leitan
Mizora

Advocate for the Petitioner : Mr A.R. Malhotra

Advocate for the Respondent : Addl. AG/GA, Mizoram for R 1&2

ORDER
BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

26.05.2025

Heard Mr. A.R. Malhotra, learned counsel for the petitioners, who submits that despite the petitioners having been made to hold the posts of Principal of Extension Training Centre under the State Institute of Rural Development (SIRD), which is a society registered under the Mizoram Societies Registration Act, 2005, the petitioners have not been given the salary of Principal of Extension Training Centre.

2. The petitioners' counsel submits that the petitioner No. 1 was appointed as Assistant Director/Core Faculty (Agriculture) on 21.07.2011 in the scale of pay of Rs. 15,600 – 39,100 + GP 5400. The petitioner No. 2, on the other hand, was appointed as Assistant Director/Core Faculty (Economics) on 28.07.2011 and the petitioner No. 3 was appointed as Assistant Director/Core Faculty (Community Development) on 03.10.2013 under the SIRD.

3. The petitioners were thereafter transferred and posted as Principals of Extension Training Centre (ETC), Kolasib, Thingsulthliah and Pukpui on provisional status, vide Office Order dated 20.04.2017. Thereafter, vide Office Order dated 05.07.2022 issued by the Director, SIRD, the petitioners were posted as Principals of Extension Training Centre (ETC) on substantive basis within the co-terminus framework of the ETCs.

4. The petitioners' counsel submits that despite the petitioners having been posted as Principals of Extension Training Centre (ETC) on provisional basis on

20.04.2017 and on substantial basis from 05.07.2022, the petitioners have not been paid the pay scale of the Principal.

5. Issue notice, returnable in 4 (four) weeks.

6. Ms. Lalnunhloi, learned Government Advocate accepts notice on behalf of the respondent Nos. 1 & 2.

7. Petitioners to take steps for service upon the respondent Nos. 3 & 4 by registered post with A/D within 3 (three) days.

8. The issue needs to be considered carefully, inasmuch as, as per the existing Rules, it appears that the promotional post of a Core Faculty Member is Senior Core Faculty Member. It has also been submitted by the petitioners' counsel that there is no Service Rules or Recruitment Rules pertaining to the post of Principal of Extension Training Centre (ETC) as on date. Also, the earlier Principals of Extension Training Centre (ETC) were Senior Core Faculty Members, which is the promotional post of the petitioners. The pay scale of Senior Core Faculty Member and the pay scale of the Principal of Extension Training Centre (ETC) could also have to be looked into.

9. It has also been submitted by the petitioners' counsel that there are Core Faculty Members under the Central Fund and Core Faculty Members under the State Fund. As such, the issue to be considered as whether the Core Faculty Members under the Central Fund can be transferred to posts under the State Fund and *vice versa*. Also, whether the post of Principal of Extension Training Centre (ETC) could be open to both the Core Faculty Members, under the Central Fund and State Fund, and whether the post of Principal can be filled up by Core Faculty Members and also by Senior Core Faculty Members.

10. List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant