

GAHC010025292016



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

**Case No. : WP(C)/5636/2016**

PUWAT CHANDRA UWARI and 7 ORS  
S/O- LT. BIREN UWARI, VILL.- DHEKIAJULI WARD NO. 5, P.O. and P.S.-  
DHEKIAJULI, DIST.- SONITPUR- 784110, ASSAM.

2: LAKHENDRA NATH SONOWAL  
S/O- LT. KANTESWAR SONOWAL  
VILL.- HATIGAON  
LAKHIMI NAGAR  
P.O.- HATIGAON  
P.S.- DISPUR  
DIST.- KAMRUP M- 781038  
ASSAM.

3: NITAI CHANDRA BORDOLOI  
S/O- LT. CHEPETA BORDOLOI  
VILL.- OUJARI  
P.O.- BAGHARA  
P.S. and DIST.- MORIGAON  
ASSAM- 782105.

4: HARIDAS BORDOLOI  
S/O- LT. KHARGESWAR BORDOLOI  
VILL.- NA-BHETI  
MORIGAON WARD NO. 10  
P.O.  
P.S. and DIST.- MORIGAON  
ASSAM- 782105.

5: INDRA NATH DOLEY  
S/O- LT. BAPUNG DOLEY  
VILL.- MAHMORA  
P.O. and P.S.- JONAI  
DIST.- DHEMAJI  
ASSAM- 787060.

6: KARJUN CHANDRA PAIT  
S/O- LT. HOLIRAM PAIT  
VILL.- MIGANG  
DO LUNG ROTKEY  
P.O. and P.S.- JONAI  
DIST.- DHEMAJI  
ASSAM- 787060.

7: NABIN CHANDRA RAMCHIARY  
S/O- LT. CHAULIA RAMCHIARY  
VILL.- BARBARI  
HOUSE NO. 3  
HENGRAVARI JUNIOR COLLEGE ROAD  
P.O.- HENGRAVARI  
P.S.- DISPUR  
DIST.- KAMRUP M  
ASSAM - 781036.

8: DHIREN CHANDRA BORDOLOI  
S/O- LT. KEMAN CHANDRA BORDOLOI  
VILL. and P.O. - BHOMORAGURI  
P.S.- MIKIRBHETA  
DIST.- MORIGAON  
ASSAM- 782016

#### VERSUS

THE STATE OF ASSAM AND 4 ORS  
THROUGH THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,  
WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES DEPTT.,  
DISPUR, GHY- 6, ASSAM.

2:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM  
PLANNING AND DEVELOPMENT DEPTT.  
DISPUR  
GHY- 6  
ASSAM.

3:THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
DISPUR  
GHY- 6  
ASSAM.

4:THE DIRECTOR  
WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES  
ASSAM

RUKMINIGAON  
P.O.- DISPUR  
GHY- 6  
ASSAM.

5:ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
REP. BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
DISPUR  
GHY- 5  
ASSAM

**Advocate for the Petitioner : MR.R K JAIN**

**Advocate for the Respondent : SC, FINANCE**

Linked Case : WP(C)/512/2023

PAKHILA DAS RAMCHIARY  
W/O- LT. HARAKANTA RAMCHIARY ANGARDHOWA  
P.O. ANGARDHOWA  
DIST.- BAKSA  
ASSAM  
PIN- 781344

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH THE COMM. AND SECY.  
GOVT. OF ASSAM  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.  
DISPUR  
GHY-06  
ASSAM

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
FINANCE DEPTT.

DISPUR  
GHY-06  
ASSAM

3:THE DIRECTOR  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.

RUKMINIGAON

P.O. DISPUR

GHY-06

ASSAM

4:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.

REP. BY ITS MANAGING DIRECTOR

GANESHGURI CHARIALI

DISPUR

GHY-05

ASSAM

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Advocate for : MR. A NATH

Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/1899/2023

BASHUDHAR CHOUDHURY  
S/O LT. SASTI CHOUDHURY  
R/O VILL-SARUFUL CHAKI (RAMCHA)  
P.O.-GORESHWAR  
P.S.-GORESHWAR  
DIST-TAMULPUR (ASSAM)

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
DEPARTMENT OF TRIBAL AFFAIRS (PLAINS)  
DISPUR  
GUWAHATI-6

2:THE DIRECTOR

DEPARTMENT OF TRIBAL AFFAIRS (PLAINS)

RUKMINIGAON

GUWAHATI

3:THE MANAGING DIRECTOR

THE ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LIMITED

DISPUR

GANESHGURI CHARIALI

GUWAHATI-781005

DIST- KAMRUP (M)

ASSAM

4:THE BRANCH MANAGER

ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LIMITED  
CYCLE FACTORY  
FATASIL  
GUWAHATI-  
DIST-KAMRUP (M)  
ASSAM

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Advocate for : MR. P DEKA  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/891/2021

PRASAD CHANDRA BORDOLOI AND 5 ORS  
S/O. LT. PADMA KANTA BORDOLOI  
R/O. HOUSE NO.7  
NIRIBILI PATH  
NIHAR BYE LANE GHORAMARA  
P.O. BELTOLA  
P.S. BASISTHA  
DIST. KAMRUP(M)  
ASSAM.

2: DHANESWAR SHYAM  
S/O. LT. K. SHYAM  
R/O. BATAHGULI  
P.O. PANJABARI  
P.S. SATGAON  
GUWAHATI  
ASSAM.

3: NABIN CHANDRA DOLOI  
S/O. LT. DHARMESWAR DOLOI  
R/O. BATAHGULI  
P.O. PANJABARI  
P.S. SATGAON  
GUWAHATI  
ASSAM.

4: BINDU RABHA  
D/O. DHAN KUMAR RABHA  
R/O. RUPNAGAR  
P.O. AND P.S. BHANGAGARH  
GUWAHATI  
ASSAM.

5: SMT. IREEN BASUMATARY  
D/O. KHARGESWAR BASUMATARY  
VILL. BALAPAR  
P.O. LAHORIGHAT  
P.S. PALASHBARI  
DIST. KAMRUP  
ASSAM.

6: GANESH BORO  
S/O. NABIN BORO  
R/O. ULUBARI  
NEAR SARANIA PATH  
P.O. ULUBARI  
P.S. PALANBAZAR  
VERSUS

THE STATE OF ASSAM AND 4 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES  
DISPUR  
GUWAHATI-06.

2:THE COMMISSIONER AND SECY.  
TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
DISPUR  
GUWAHATI-06.

3:THE DIRECTOR OF WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES

ASSAM  
RUKMINIGAON  
P.O. DISPUR  
GUWAHATI-06.

4:THE ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
REP. BY ITS MANAGING DIRECTOR  
GANESHGURI  
DISPUR  
GUWAHATI-06.

5:THE MANAGING DIRECTOR

ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
GANESHGURI  
DISPUR  
GUWAHATI-06.

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Advocate for : MR D KALITA  
Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 4 ORS

Linked Case : WP(C)/4508/2022

BIRALA BRAHMA  
W/O LATE LAL BAHADUR UZIR  
VILL-HATIMATHA  
WARD NO. 8  
P.O.-KOKRAJHAR  
DIST-KOKRAJHAR  
BTAD  
ASSAM  
PIN-783370

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES  
DEPARTMENT  
DISPUR  
GUWAHATI-781006

2:AS PER ORDER DATED 18.07.2022  
RESP. NO. 2 IS STRUCK OFF.  
3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF  
ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-781006  
4:THE DIRECTOR  
WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES  
ASSAM  
RUKMINIGAON  
P.O.-DISPUR  
GUWAHATI-781006  
5:THE ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
REPRESENTED BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
GUWAHATI-781005  
ASSAM

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Advocate for : J U AHMED  
Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 4 ORS

Linked Case : WP(C)/5664/2022

UTTAR CHANDRA DEORI  
SON OF LATE DHIRSING DEORI

VILLAGE- PURANAKAKI BAZAR

P.S.- KAKI

DISTRICT - HOJAI

ASSAM  
PIN- 782442.

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
DEPARTMENT OF WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES  
(W.P.T. AND B.C.)  
DISPUR  
GUWAHATI- 781006.

2:THE MANAGING DIRECTOR  
ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.

GANESHGURI CHARIALI  
DISPUR

GUWAHATI- 781005.

3:THE BRANCH MANAGER

ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
NAGAON BRANCH

DISTRICT- NAGAON  
ASSAM.

PIN- 782001.

4:THE COMMISSIONER AND SECRETARY  
TO THE GOVERNMENT OF ASSAM  
FINANCE DEPARTMENT.

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Advocate for : MR. P J SAIKIA

Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : WP(C)/5268/2022

SMT. BINA PANI DEORI  
W/O. LT. MARQUISH BASUMATARY  
R/O. FLAT- A  
705  
UTTARAYAN GREENS  
KERAKUCHI  
NEAR HOCKEY STADIUM  
GUWAHATI-781034.

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES DEPTT.  
DISPUR  
GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
DISPUR  
GUWAHATI-781006.  
3:THE DIRECTOR

WELFARE OF PLAINS TRIBES AND OTHER BACKWARD CLASSES  
ASSAM  
RUKMINIGAON  
P.O. DISPUR  
GUWAHATI-781006.

4:THE ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.  
REP. BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
GUWAHATI-781005  
ASSAM.

-----  
Advocate for : J U AHMED  
Advocate for : SC  
WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : WP(C)/509/2023

SUREN CHANDRA RONGPI  
S/O- (L) RUPESWAR RONGPI  
VILL- BATAKUCHI  
P.O. DIGARU  
P.S. SONAPUR  
DIST.- KAMRUP (M)  
ASSAM  
PIN- 782401

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH THE COMM. AND SECY.  
GOVT. OF ASSAM  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.  
DISPUR  
GHY-06  
ASSAM

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
FINANCE DEPTT.

DISPUR  
GHY-06  
ASSAM

3:THE DIRECTOR  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.  
RUKMINIGAON

P.O. DISPUR  
GHY-06  
ASSAM

4:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.  
REP. BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
DISPUR  
GHY-05  
ASSAM

-----  
Advocate for : MR A NATH

Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/4503/2021

PADMESWARI SONOWAL  
W/O DHARMESWAR SONOWAL

VILLAGE MILAN NAGAR  
W/O NO. 5 PO AND PS BIHPURIA  
DIST LAKHIMPUR  
ASSAM 787001

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES  
DISPUR GUWAHATI 781006

2:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM

FINANCE DEPT. DISPUR GUWAHATI 06

3:THE DIRECTOR

WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES  
ASSAM

RUKMINIGAON

PO DISPUR

GUWAHATI 06

ASSAM

4:THE ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LIMITED

REPRESENTED BY ITS MANAGING DIRECTOR

GANESHGURI

DISPUR

GUWAHATI 06

ASSAM

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Advocate for : MS. D SONOWAL

Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/1799/2023

PHULESWAR BORO  
S/O- LATE SONA RAM BORO  
R/O- VILL.- KHOLAKHUTI  
P.O. DIPOTA  
SONITPUR  
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH THE COMMISSIONER AND SECRETARY  
GOVERNMENT OF ASSAM  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES  
DEPARTMENT  
DISPUR  
GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-781006  
ASSAM  
3:THE DIRECTOR

WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES  
DEPARTMENT  
RUKMINIGAON  
P.O. DISPUR  
GUWAHATI-781006  
ASSAM  
4:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.

REPRESENTED BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
DISPUR  
GUWAHATI-781005  
ASSAM

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Advocate for : MR A NATH  
Advocate for : SC  
APTDC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/1167/2021

JINA NEOG  
W/O- LT. DILIP KUMAR NEOG  
R/O- AATILA GAON  
P.O. JORHAT  
P.S. JORHAT  
DIST.- JORHAT  
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
THROUGH THE COMM. AND SECY.  
GOVT. OF ASSAM  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.  
DISPUR  
GHY-06  
ASSAM

3:THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
FINANCE DEPTT.

DISPUR  
GHY-06  
ASSAM

4:THE DIRECTOR  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES DEPTT.  
RUKMINIGAON  
P.O. DISPUR  
GHY-06  
ASSAM

5:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.  
REP. BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
DISPUR  
GHY-05  
ASSAM

-----  
Advocate for : MR A NATH  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : WP(C)/1830/2023

RABIN BORO  
S/O (L) BOLORAM BORO  
R/O VILL-KHUCHURABARI  
P.O.-KHELMATI  
SONITPUR  
ASSAM  
PIN-784153

VERSUS

THE STATE OF ASSAM AND 3 ORS

THROUGH THE COMMISSIONER AND SECRETARY  
GOVERNMENT OF ASSAM  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES  
DEPARTMENT  
DISPUR  
GUWAHATI-781006  
ASSAM

2:TEH COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT

DISPUR  
GUWAHATI-781006  
ASSAM

3:THE DIRECTOR  
WELFARE OF PLAINS TRIBE AND OTHER BACKWARD CLASSES  
DEPARTMENT

RUKMINIGAON  
P.O.-DISPUR  
GUWAHATI-781006  
ASSAM

4:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.

REPRESENTED BY ITS MANAGING DIRECTOR

GANESHGURI CHARIALI  
DISPUR  
GUWAHATI-781005  
ASSAM

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Advocate for : MR A NATH

Advocate for : SC

WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/6435/2022

DASILA DAS AND 2 ORS  
W/O- LATE PRADIP KUMAR DAS

KAMAR GAON

P.O.- KAMAR GAON

DIST.- DIBRUGARH  
ASSAM.  
PIN- 786614.

2: SMTI. MALATI SONOWAL  
W/O- LATE JIBAN CH. SONOWAL

GOBINDAPUR

P.O.- PANITOLA

DIST.- TINSUKIA  
ASSAM

PIN- 786183.

3: SMTI. MANAMATI BASUMATARY HAZARIKA  
W/O- LATE SUNIL KUMAR HAZARIKA

BISHNU NAGAR  
NATUN NIRMALI GAON

P.O.- MILAN NAGAR

DIST.- DIBRUGARH  
ASSAM

PIN- 786003.  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH THE COMMISSIONER AND SECRETARY

GOVERNMENT OF ASSAM

WELFARE OF PLAINS TRIBE AND BACKWARD CLASSES DEPARTMENT

DISPUR  
GUWAHATI- 781006  
ASSAM.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT

DISPUR  
GUWAHATI- 781006  
ASSAM.

3:THE DIRECTOR  
WELFARE OF PLAINS TRIBES AND BACKWARD CLASSES DEPARTMENT  
RUKMINIGAON  
P.O.- DISPUR

GUWAHATI- 781006  
ASSAM.

4:ASSAM PLAINS TRIBE DEVELOPMENT CORPORATION LTD.

REPRESENTED BY ITS MANAGING DIRECTOR

GANESHGURI CHARIALI

DISPUR  
GUWAHATI- 781005

ASSAM.

-----  
Advocate for : MR A NATH  
Advocate for : SC  
WPT AND BC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/566/2023

CHITTARANJAN BARUAH  
S/O- (L) SACHI MOHAN BARUAH  
VILL AND P.O- MATHWANI  
P.S- NAAHARKATIA  
DIST- DIBRUGARH  
ASSAM  
PIN- 786610

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH THE COMMISSIONER AND SECRETARY  
GOVT OF ASSAM  
WPT AND OBC DEPTT  
DISPUR  
GHY- 781006  
ASSAM

2:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM  
FINANCE DEPTT  
DISPUR  
GUWAHATI- 781006  
ASSAM  
3:THE DIRECTOR  
WPT AND OBC DEPTT  
RUKMINIGAON  
P.O- DISPUR  
GHY- 781006  
ASSAM  
4:ASSAM PLAIN TRIBE DEVELOPMENT CORPORATION LTD

REP. BY ITS MANAGING DIRECTOR  
GANESHGURI CHARIALI  
DISPUR  
GHY- 781005  
ASSAM

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Advocate for : MR A NATH  
Advocate for : SC  
FINANCE appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/1821/2023

RAMESH SAIKIA  
SON OF LATE MOHESWAR SAIKIA

RESIDENT OF VILL. JYOTI NAGAR

P.O.- ARADHAL  
P.S.- DHEMAJI

DIST.- DHEMAJI  
PIN- 787057

STATE- ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM

TRIBAL AFFAIRS DEPTT.

DISPUR  
GUWAHATI-6

DISTRICT- KAMRUP  
ASSAM.

2:THE DIRECTOR  
TRIBAL AFFAIRS  
ASSAM  
RUKMINI GAON  
DISPUR  
GUWAHATI

DISTRICT- KAMRUP  
ASSAM.  
3:THE COMMISSIONER AND SECRETARY  
FINANCE  
GOVT. OF ASSAM  
DISPUR  
GUWAHATI-6

DISTRICT- KAMRUP  
ASSAM.  
4:THE MANAGING DIRECTOR  
ASSAM PLAINS TRIBES DEV. CORPORATION LTD.  
GANESHGURI CHARIALI

DISPUR  
GUWAHATI- 781005.  
5:MANAGER  
ASSAM PLAINS TRIBES DEV. CORPORATION LTD.  
GANESHGURI CHARIALI

DISPUR  
GUWAHATI- 781005.  
6:THE BRANCH MANAGER  
ASSAM PLAINS TRIBES DEV. CORPORATION LTD.

DHEMAJI- 787057  
STATE- ASSAM.  
7:THE BRANCH MANAGER  
ASSAM PLAINS TRIBES DEV. CORPORATION LTD.

DHAKUAKHANA  
DIST. LAKHIMPUR.

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Advocate for : MR. P TALUKDAR  
Advocate for : SC  
TRIBAL AFFAIRS (PLAIN) appearing for THE STATE OF ASSAM AND 6 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**22.01.2024**

Heard Mr. A. Nath, learned counsel for the petitioners in W.P.(C) No.

5363/2016; W.P.(C) No.369/2021; W.P.(C) No. 1167/2021; W.P.(C) No. 6435/2022; W.P.(C) No.509/2023; W.P.(C) No.512/2023; W.P.(C) No.566/2023; W.P.(C) No.1799/2023 and W.P.(C) No.1830/2023 and Mr. P. Talukdar, learned counsel for the petitioner in W.P.(C) No. 1821/2023. Also heard Ms. D. Sonowal, learned counsel for the petitioners in W.P.(C) No. 4503/2021; Ms. D. Dutta, learned counsel for the petitioner in W.P.(C) No. 5664/2022. Also heard Mr. K. Kalita and Mr. A. Sarma, learned Standing Counsels, Assam Plains Tribe Development Corporation; Mr. R. Dhar, learned Standing counsel, WPT&BC Department and Mr. R. Borpujari, learned Standing counsel, Finance.

**2.** These bunch of writ petitions were filed by the employees of Assam Plains and Tribes Development Corporation which is a Public Sector Company under the Ministry of Welfare of Plains, Tribes and Backward Classes, Government of Assam. The Corporation is funded by the State for implementation of various schemes for the benefit and welfare of Scheduled Tribes and Backward Classes as well as for its administration and payment of salaries of its employees. All the writ petitioners rendered their services in their respective posts under the said authority from their dates of joining till the dates of their superannuation. However, it is their claim that arrears of monthly salaries for several months have not been released by the respondents including the gratuity, leave encashment and other retiral benefits as admissible under the Government Rules. Several representations were filed before the authority. Since the grievances raised in these representations were not redressed by the Corporation, the petitioners have approached this Court by filing the present writ petitions.

**3.** Notices in the matters were issued as far back as 19.09.2016. Thereafter, the counter affidavits have been filed and the matter was taken up on several

dates giving opportunity to the respondent authorities to release the amounts claimed by the petitioners.

**4.** On 06.10.2023, submissions were made by the counsel for the respondents that appropriate sanction has already been accorded by the Finance Department, sanctioning an amount of Rs. 826.02 Lakhs for payment of outstanding salaries to the present writ petitioners. It was further submitted that the Assam Plains and Tribes Development Corporation after receipt of the sanctioned amount will take necessary steps within a period of two weeks for expeditious disposal and release of the fund to the persons concerned, namely the petitioners.

**5.** This Court by earlier order dated 06.10.2023 directed the respondents to produce a copy of the status report signed by the Competent Authority regarding disbursal of the fund towards the claims of the petitioners.

**6.** Today when the matter is called up, the learned counsel for the Corporation refers to the communication dated 03.11.2023 issued by the Managing Director, APTDC Limited to the Branch Manager, State Bank of India forwarding the cheque amounting to Rs. 7,82,09,929/- (Rupees Seven Crore Eighty Two Lakhs Nine Thousand nine Hundred and Twenty Nine only) for disbursal of the amount to the respective petitioners as per the list mentioned in the said communication. The learned counsel for the APTDCL submits that from instructions received, it is submitted that the amount has already been disbursed. The learned counsel representing the Corporation submits that an additional affidavit has been filed on 04.12.2023, wherein it is stated that a total amount of Rs. 7,82,09,929/- (Rupees Seven Crore Eighty Two Lakhs Nine Thousand nine Hundred and Twenty Nine only) has been released for disbursement through the State Bank of India, Assam Secretariat Branch

towards payment of arrear salary, gratuity, leave encashment in favour of the writ petitioners involved in these batch of writ petitions except the petitioners in W.P.(C) No. 5280/2022; W.P(C) No. 5643/2022 and W.P.(C) No. 2094/2023. The said affidavit encloses the sanction order dated 03.11.2023 which reflects the amounts disbursed to the individual employees in which the payments have been shown to have been disbursed after deduction of income tax as payable under law. The sanction order also reflects the particulars of the corresponding writ petitions. In this context it is stated that the total amount of Rs. 40,16,820.00 (Rupees Forty Lakh Sixteen Thousand Eight Hundred Twenty only) has been deducted towards the income tax and deposited before the competent authority. Respective counsels appearing for the writ petitioners do not dispute the said submission of the learned counsel for the respondent corporation. For convenience, the communication dated 03.11.2023 is extracted below:

*“OFFICE OF THE MANAGING DIRECTOR*

*ASSAM PLAINS TRIBES DEVELOPMENT CORPORATION LTD.*

*GANESHGURI CHARIALI: DISPUR: GUWAHATI-5*

*No. PTDC/A/1078/2023/632*

*Date: 03/11/2023*

*SANCTION ORDER*

*Sanction is hereby accorded for an amount of Rs. 8,26,01,692.00 (Rupees eight crore twenty six lakh one thousand six hundred ninety two) only for payment of Arrear Salary, Gratuity and Leave Encashment to the following Writ Petitioners, i.e. retired employees of the Assam Plains Tribes Development Corporation Ltd./legal heir(s) of deceased employees in compliance with the orders of the Hon'ble High Court in respect of case numbers mentioned against the name of petitioners out of the Grants-in-aid amounting to Rs. 826.02 lakhs received from Govt. during 2023-24, vide sanctioned order No. FS-WPT\_2023-24(i)\_89, dtd 28-08-2023. After deduction of Income Tax and amount already drawn, the net amount is calculated out that may be released in their respective bank accounts.*

(In Rupees)

Sl No	Name of Petitioners/Legal Heirs	Arrear Salary	Gratuity	Leave Encashment	Total	Deducting if any	Net Amount Payable	Case No.
1	Sri Puwat Ch. Uwari, Ex-Branch Manager, APTDC Ltd., H.O.	9,32,068.00	3,50,000.00	3,35,770.00	16,47,838.00	2,61,120.00 <i>Income tax on Arrear Salary</i>	13,86,718.00	W.P(C) No. 5636/2 016
2	Sri Lakhendra Nath Sonowal, Ex-Branch manager, APTDC Ltd., Howly Branch	8,94,977.00	3,50,000.00	3,09,605.00	15,54,582.00	3,00,110.00 <i>Income tax on Arrear Salary</i>	12,54,472.00	Do
3	Sri Indra Nath Doley, Ex-Branch Manager, APTDC Ltd., Dhemaji Branch	7,00,862.00	3,50,000.00	2,71,160.00	13,22,022.00	2,38,200.00 <i>Income tax on Arrear Salary</i>	10,83,822.00	Do
4	Nital Ch. Bordoloi, Ex-Branch Manager, APTDC, Nagaon Branch	7,09,260.00	3,50,000.00	2,66,510.00	13,25,770.00	1,77,950.00 <i>Income tax on Arrear Salary</i>	11,47,820.00	Do
5	Haridas Bordoloi, Ex-Branch Manager, APTDC Ltd, Morigaon Branch	9,03,499.00	3,50,000.00	3,41,655.00	15,95,154.00	2,62,430.00 <i>Income tax on Arrear Salary</i>	13,32,724.00	Do
6	Karjun Ch. Pait, Ex-Branch Manager, APTDC Ltd, Jonai Branch	8,56,617.00	3,50,000.00	3,41,655.00	15,48,272.00	2,52,220.00 <i>Income tax on Arrear Salary</i>	12,96,052.00	Do
7	Smt. Phulmati Ramchiary (legal heir), w/o. Late Nabin Ch. Ramchiary Ex- Credit Officer, APTDC Ltd., Nalbari Branch	8,72,949.00	3,50,000.00	2,52,545.00	14,81,494.00	2,51,360.00 <i>Income tax on Arrear Salary</i>	12,30,134.00	W.P(C) No. 5636/2 016

8	Sri Dhiran Ch. Bordoloi, Ex-Credit Officer, APTDC Ltd., Morigaon Branch	5,62,150.00	3,50,000.00	2,58,545.00	11,70,695.00	93,180.00 <i>Income tax on Arrear Salary</i>	10,77,515.00	Do
9	Mr. Prem Kt. Taye, Ex-C.O., APTDC Ltd., Dhemaji Branch	Already Paid	Already Paid	6,49,800.00	6,49,800.00	Nil	6,49,800.00	W.P(C) No. 5584/2 020
10	Sri Kem Kt. Pegu, Ex-UDA, APTDC Ltd., Gohpur Branch	603076.00	7,00,000.00	443060.00	17,46,136.00	Nil	17,46,136.00	W.P(C) No. 4492/2 021
11	Trailokya, Morang Ex-B.M, APTDC Ltd., H.O	38,023.00	7,00,000.00	6,50,270.00	13,88,293.00	Nil	13,88,293.00	W.P(C) No. 4930/2 020
12	Sri Debananda Payeng, Ex-UDA, APTDC Ltd.,	732609.00	7,00,000.00	4,67,080.00	18,99,689.00	40,220.00 <i>Income tax on Arrear Salary</i>	18,59,649.00	W.P(C) No. 4928/2 020
13.	Sri Nibaran Pegu, Ex-LDA, APTDC Ltd, Jonai B.R.	9,33,090.00	7,00,000.00	4,96,190.00	21,29,280.00	81,060.00 <i>Income tax on Arrear Salary</i>	20,48,220.00	Do
14	Sri Gobinda Narh, Ex-C.O., APTDC Ltd., Bihpuria Branch	859144.00	7,00,000.00	6,52,810.00	22,11,954.00	58,130,00 <i>Income tax on Arrear Salary</i>	21,53,824.00	W.P(C) No. 5527/2 020
15.	Sri Thomas Daimari, Ex- Steno-II APTDC Ltd., H.O	17,272.00	7,00,000.00	6,68,050.00	13,85,322.00	Nil	13,85,322.00	W.P(C) No. 879/20 21
16	Smt. Minakshi Hazarika, Ex-UDA, APTDC Ltd. Guwahati Branch	882449.00	7,00,000.00	6,23,930.00	22,06,379.00	71,860.00 <i>Income tax on Arrear Salary</i>	21,34,519.00	W.P(C) No. 841/20 21
17	Smt. Champa Medak (legal Heirs), W/o. Late Kalyan Kr. Tai, Ex-	1119234.00	7,00,000.00	6,46,600.00	24,64,834.00	98,820.00 <i>Income tax on Arrear Salary</i>	23,67,014.00	W.P(C) No. 4929/2 020

	<u>C.O. APTDC Ltd. Jorhat Branch</u>						
18	Sri Mahendra Saikia, Ex-LDA, APTDC Ltd., Jorhat Branch	619690.00	530937.00	321780.00	1472407. 00	Nil	1472407.00
							W.P(C) No. 4929/2 020
19	Sri Prasad Ch. Bordoloi, Ex-UDA, APTDC Ltd., H.O.	189355.00	7,00,000.00	570570.00	14,59,925.00	25,000.00 Salary Adv. Drawn	14,34,925.00
							W.P(C) No. 891/20 21
20	Smt Ireena Basumatary, Ex- UDA, APTDC Ltd., H.O.	180240.00	7,00,000.00	570570.00	14,50,810.00	25,000.00 Salary Adv. Drawn	14,25,810.00
							Do
21	Sri Nabin Ch. Doloi, Ex-UDA, APTDC Ltd. H.O.	194052.00	7,00,000.00	5,10,770.00	14,04,822.00	25,000.00 Salary Adv.	13,79,822.00
							Do
22	Smt. Bindu Rabha, Ex-C.O. APTDC Ltd., H.O.	Nil	7,00,000.00	5,74,500.00	12,74,500.00	25,000.00 Salary Adv. Drawn	12,49,500.00
							Do
23	Sri Dhaneswar Shyam, Ex-C.O. APTDC Ltd. Guwahati Branch	126680.00	Already paid	1,78,780.00	3,05,460.00	25,000.00 Salary Adv. Drawn	2,80,460.00
							Do
24	Sri Ganesh Boro, Ex-Driver, APTDC Ltd., H.O.	Nil	7,00,000.00	4,45,370.00	11,45,370.00	25,000.00 Salary Adv. Drawn	11,20,370.00
							Do
25.	Smt. Padmeswari Sonowal, Ex-LDA, APTDC Ltd., Bihpuria Br.	637176.00	6,70,065.00	4,06,100.00	17,13,341.00	25,000.00 Salary Adv. 16,620.00 Income tax on Arrear Salary	16,73,721.00
							W.P(C) No. 4503/2 021
26	Sri Bhaben Sonowal, Ex-C.O. APTDC Ltd., Dibrugarh Branch	715587.00	6,56,667.00	3,97,980.00	17,70,234.00	34,190.00 Income tax on Arrear Salary	17,36,044.00
							W.P(C) No. 5493/2 021
27	Sri Biraj Kr. Sonowal, Ex-C.O. APTDC Ltd.	941711.00	7,00,000.00	6,76,14.00	23,17,851.00	96,310.00 Income tax on Arrear	22,21,541.00
							W.P(C) No. 5367/2

	<u>Dibrugarh Branch</u>					<u>Salary</u>		<u>021</u>
28	Sri Chandra Deori, Ex-C.O. APTDC Ltd., Dhudnai branch	817345.00	7,00,000.00	5,50,700.00	20,68,045.00	63,180.00 Income tax on Arrear Salary	20,04,865.00	W.P(C) No. 927/20 21
29	Sri Dineswar Pegu, Ex-B.M., APTDC Ltd., Golaghat Branch	30797.00	Already paid	2,25,070.00	2,55,867.00	25,000.00 Salary Adv. Drawn	2,20,867.00	W.P(C) No. 369/20 21
30	Smt. Manju Basumatary (legal heirs) W/O late Hitendra Kr. Basumatary, Ex- B.M. APTDC Ltd. Dudhoni Br.	1789953.00	7,00,000.00	5,42,320.00	30,32,273.00	25,000.00 Salary Adv. Drawn 3,19,490.00 Income tax on Arrear Salary	26,87,783.00	Do
31	Sri Maheswar Doloi, Ex-UDA, APTDC Ltd., Jorhat Branch	848597.00	7,00,000.00	4,98,010.00	20,82,607.00	25,000.00 Salary Adv. 59,480.00 Income tax on Arrear Salary	19,98,127.00	Do
32	Smt. Jina Neog (legal heirs) W/o late Dilip Kr. Neog, Ex-APTDC Ltd, Sibsagar Branch	5,99,585.00	Already paid	1,54,650.00	7,54,235.00	25,000.00 Salary Adv. Drawn	7,29,235.00	W.P(C) No. 1167/2 021
33	Smt. Jirani Doley (legal heirs) W/O late Parama Doley, Ex-UDA, APTDC Ltd., Jonai Branch	11,18,940.00	7,00,000.00	5,87,900.00	24,06,840.00	1,23,550.00 Income tax on Arrear Salary	22,83,290.00	W.P(C) No. 4348/2 022
34	Smt. Monorama Daimari (legal heir), W/o Late Meghnad Daimari, Ex-C.O., APTDC Ltd., Dhejiajuli Branch	10,41,486.00	Already paid	2,14,430.00	12,55,916.00	89,110.00 Income tax on Arrear Salary	11,66,806.00	W.P(C) No. 39/202 2

35	Sri Diganta Kuli, Ex-BM APTDC Ltd., jonai Branch	8,37,719.00	Already paid	7,31,540.00	15,69,259.00	99,943.00 Salary Adv Drawn 69,390.00 Income tax on Arrear Salary	13,99,926.00	W.P(C) No. 6760/2 022
36	Smt. Nilo Basumatary (legal heir), W/o Late Chandra Sekhar brahma, Ex-UDA, APTDC Ltd., Bijni Branch	18,06,707.00	7,00,000.00	4,66,850.00	29,73,557.00	3,42,410.00 Income tax on Arrear Salary	26,31,147.00	W.P(C) No. 2540/2 022
37	Smt. Birola Brahma, Ex-Gr.IV (Sweeper), APTDC Ltd., Kokrajhar Branch	3,48,464.00	2,74,413.00	2,38,620.00	8,61,497.00	NBil	8,61,497.00	W.P(C) No. 4808/2 022
38	Sri Ananda daimary, Ex-Gr-IV, APTDC Ltd., Udalguri Branch	3,97,259.00	5,00,066.00	3,03,070.00	12,00,395.00	Nil	12,00,395.00	W.P.(C) No. 4300/2 022
39	Smt Champa Medak, Ex-LDA, APTDC Ltd. Jorhat Branch	5,35,827.00	4,87,046.00	3,47,890.00	13,70,763.00	Nil	17,70,763.00	W.P(C) No. 4363/2 022
40	Sri Ananda Ram Kuli, Ex-Gr.IV, APTDC Ltd., Dhemaji Branch	3,73,417.00	4,77,197.00	2,89,210.00	11,39,824.00	Nil	11,39,824.00	W.P(C) No. 4388/2 022
41	Smt Dasila Das (legal heir0, w-o. Lt. Pradip Kr. Das, Ex-LDA, APTDC Ltd., Dibrugarh Branch	447911.00	302761.00	263270.00	1013942.00	Nil	1013942.00	W.P(C) No. 6435/2 022
42	Smt Malati Sonowal (legal heir), w/o. Late	365289.00	481008.00	291520.00	1137817.00	Nil	1137817.00	W.P(C) No. 6435/2

	Jiban Ch. Sonowal, Ex-Gr. IV, APTDC Ltd., Dibrugarh Branch						022
43	Smt. Manomati Basumatary Hazarika (legal heir) w/o Lt. Sunil Kr. Hazarika, Ex-B.M., APTDC Ltd., Sibsagar branch	850427.00	Already paid	180810.00	1031237.00	55,670.00 <i>Income tax on Arrear Salary</i>	9,75,567.00 <i>-do-</i>
44	Smt. Bina Pani Deori (legal heir), w/o. Late Marquish Basumatary, Ex-B.M., APTDC Ltd., Udaguri Branch	15,35,989.00	7,00,000.00	828370.00	3064359.00	2,25,900.00 <i>Income tax on Arrear Salary</i>	28,38,459.00 <i>W.P.(C) No. 5268/2 022</i>
45	Sri Uttar Ch. Deori, Ex-UDA, APTDC Ltd., Nagaon Branch	227297.00	675395.00	409330.00	13,12,022.00	Nil	13,12,022.00 <i>W.P(C) No. 512/20 23</i>
46	Smt. Pakhila Das Ramchiar (legal heir), w/o Late Hara Kt. Ramchiar, Ex-UDA, APTDC Ltd Nalbari Branch	1426017.00	7,00,000 00	4,57,150.00	2583167.00	196460.00 <i>Income tax on Arrear Salary</i>	2386707.00 <i>W.P(C) No. 512/20 23</i>
47	Sri Ramesh Saikia, Ex-LDA, APTDC Ltd. Dhemaji Branch	554322.00	690641.00	418570.00	1663533.00	Nil	1663533.00 <i>W.P(C) No. 1821/2 023</i>
48	Sri Basudhar Choudhury, Ex-Gr. IV, APTDC Ltd., Guwahati Branch	279614.00	478352.00	289910.00	1047876.00	Nil	1047876.00 <i>W.P(C) No. 1899/2 023</i>
49	Sri Khageswar patar, Ex-C.O., APTDC Ltd., Nagaon/Morigaon Br.	915475.00	7,00,000.00	652810.00	2268285.00	67030.00 <i>Income tax on Arrear Salary</i>	2201255.00 <i>W.P(C) No. 582/20 23</i>

50	Sri Suren Rongpi, Ex-Driver, APTDC Ltd., H.O.	Nil	311850.00	249480.00	561330.00	Nil	561330.00	W.P(C) No. 509/20 23
51	Sri Chittaranjan Baruah, Ex-LDA, APTDC Ltd., Naharkatia Branch	433558.00	481008.00	291520.00	1206086.00	Nil	1206086.00	W.P(C) No. 566/20 23
52	Sri Rabin Boro, Ex-LDA, APTDC Ltd., Dhekiajuli Branch	691739.00	478310.00	341650.00	151169.00	42430.00 Income tax on Arrear Salary	1469269.00	W.P(C) No. 1830/2 023
53	Sri Phuleswar Boro, Ex-Gr. IV APTDC Ltd., Dhekiajuli Branch	620517.00	352110.00	213400.00	1186027.00	30940.00 Income tax on Arrear Salary	1155087.00	W.P(C) No. 1799/2 023
	<b>Total</b>	<b>3,41,52,021.0 0</b>	<b>2,60,47,826.0 0</b>	<b>2,24,01,845.00</b>	<b>8,26,01,692.00</b>	<b>43,91,763.0 0</b>	<b>7,82,09,929.0 0</b>	

*Managing Director*

*APTDC Ltd."*

**7.** Mr. A. Nath, learned counsel for the writ petitioners in W.P.(C) No. 5363/2016; W.P.(C) No.369/2021; W.P.(C) No. 1167/2021; W.P.(C) No. 6435/2022; W.P.(C) No.509/2023; W.P.(C) No.512/2023; W.P.(C) No.566/2023; W.P.(C) No.1799/2023 and W.P.(C) No.1830/2023, however submits that in so far as the petitioner in W.P.(C) No. 5643/2022 is concerned, the amount has not yet been disbursed.

**8.** Upon hearing the learned counsels for the parties, it is seen that in these bunch of writ petitions except for W.P.(C) No. 5280/2022, W.P(C) No. 5643/2022 and W.P(C) No. 2094/2023, the payments in respect of all the other writ petitioners have been released by the respondent Corporation during the pendency of the writ petitions.

**9.** In view of such submissions and in view of the averments made in the additional affidavit filed by the respondent department, these bunch of writ petitions stands closed as their grievances have been redressed.

**10.** Registry is directed to delink the W.P.(C) No. 5280/2022, W.P(C) No. 5643/2022 and W.P.(C) No. 2094/2023 and list the same separately on a date to be fixed by the Registry.

**11.** In view of the above, the writ petitions except W.P.(C) No. 5280/2022, W.P(C) No. 5643/2022 and W.P(C) No. 2094/2023 stand disposed of in terms of the above. No order as to cost.

**JUDGE**

**Comparing Assistant**