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| <b><u>Serial No. 01-15</u></b><br><b><u>Supplementary List</u></b> |
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**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WP(C) No. 403 of 2021 with  
WP(C) No. 285 of 2022  
WP(C) No. 507 of 2022  
WP(C) No. 508 of 2022  
WP(C) No. 509 of 2022  
WP(C) No. 510 of 2022  
WP(C) No. 511 of 2022  
WP(C) No. 512 of 2022  
WP(C) No. 513 of 2022  
WP(C) No. 514 of 2022  
WP(C) No. 520 of 2022  
WP(C) No. 521 of 2022  
WP(C) No. 522 of 2022  
WP(C) No. 523 of 2022  
WP(C) No. 524 of 2022

Date of Decision: 11.07.2024

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**WP(C) No. 403 of 2021**

1. Shri Eniweistar Marwein,  
S/o Allaudin Miah,  
R/o Pdengshnong Golflinks,  
Shillong, East Khasi Hills District,  
Meghalaya.
2. Shri Krostarwell Thongni,  
S/o Shri Baristar Kharsyntiew,  
R/o Ladweitang, Nongstoin,  
West Khasi Hills District,  
Meghalaya.
3. Shri Emerald Kurbah,  
S/o Shri Irol Lyngdoh Nonglait,  
R/o Pyndengrei, Nongstoin,  
West Khasi Hills District,  
Meghalaya.



4. Shri Kyrshanlang Wallang,  
S/o of Shri Wimly Lyngdoh,  
R/o Tiehsaw, Nongstoin,  
West Khasi Hills District,  
Meghalaya.
5. Shri Michael Dkhar,  
S/o Shri Klawdius Sangriang,  
R/o Nongjyllieh, Nongstoin,  
West Khasi Hills District,  
Meghalaya.
6. Shri Mathius Marthong,  
S/o Shri Cyprian Thongni,  
R/o Upper New Nongstoin,  
West Khasi Hills District,  
Meghalaya.
7. Shri Joydev Rabha,  
S/o (L) Kamala Kanta Rabha,  
R/o Dhangar Goan,  
P.S. Palashbari, Kamrup District,  
Assam.
8. Shri Endros L. Nongbsap,  
S/o (L) Swim Nongneng,  
R/o Old Nongstoin,  
West Khasi Hills District,  
Meghalaya.
9. Shri Bresswell Paliar,  
S/o (L) Phillington Marthong,  
R/o Riango,  
West Khasi Hills District,  
Meghalaya.
10. Shri Phorword Thongni,  
S/o (L) Hon Dkhar,  
R/o Riango,  
West Khasi Hills District,  
Meghalaya.
11. Shri Iaraplang L. Nonglait,  
S/o (L) Slandar Swer,  
R/o Markasa, Eastern West Khasi Hills  
District, Meghalaya.



12. Smti Syntiewrose L. Nonglait,  
D/o (L) Slandar Swer,  
R/o Markasa, Eastern West Khasi Hills  
District, Meghalaya.
13. Shri Shelningstar Syiemlieh,  
S/o Ruly Lyngdoh,  
R/o Rangthong,  
P.O. Mawkyrwat,  
South West Khasi Hills District,  
Meghalaya.
14. Smti Tisphorda Lyngkhoi,  
D/o Hostingwell Nongsiej,  
R/o Mawten,  
P.O. Mawkyrwat,  
South West Khasi Hills District,  
Meghalaya.
15. Smti Bonalyne Khardewsaw,  
D/o Shri K. Mawlien,  
R/o Village Ranikor,  
P.O. Gomaghat,  
South West Khasi Hills District,  
Meghalaya.
16. Smti Wilis Lyngkhoi,  
W/o (L) D. Marbaniang,  
P.O. & P.S. Mawkyrwat,  
South West Khasi Hills District,  
Meghalaya.
17. Shri Romesh Nongrum,  
S/o Nestorland Marwein,  
R/o Nongpoh, Ri-Bhoi District,  
Meghalaya.
18. Shri Ramteiang Malngiang,  
S/o (L) D. Kharbani,  
R/o Sohiong, East Khasi Hills,  
Meghalaya.

.... **Petitioner(s)**

- **Versus –**

1. The State of Meghalaya through its  
Chief Secretary.
2. The Principal Secretary,  
Govt. of Meghalaya, (Finance Department).



3. The Deputy Secretary,  
Govt. of Meghalaya, Finance (Pay Revision)  
Department
  4. Commissioner & Secretary,  
Public Works Department (PWD)  
Government of Meghalaya.
  5. The Under Secretary,  
Government of Meghalaya, PWD (Roads & Buildings)  
Shillong.
  6. The Administrative Officer, PWD (Roads),  
Meghalaya, Shillong.
- ... Respondent(s)**

**WP(C) No. 285 of 2022**

1. Shri Synsharbha Nongbsap,  
S/o K.D. Dohtdong,  
R/o Kreit Village, Sohiong,  
Mawphlang, East Khasi Hills District,  
Meghalaya.
- ... Petitioner(s)**

**- Versus -**

1. State of Meghalaya,  
Through the Chief Secretary to the  
Government of Meghalaya, Shillong
  2. The Secretary to the Government of Meghalaya  
Public Works Department, Shillong.
  3. The Secretary to the Government of Meghalaya  
Finance Department, Meghalaya, Shillong.
  4. The Chief Engineer, Public Works Department (Roads)  
Meghalaya, Shillong.
  5. The Executive Engineer, P.W.D. (Roads)  
Shillong, Sub-Divisional Office.
  6. The Executive Engineer, P.W.D. (Roads),  
Mawphlang, Sub-Divisional Office.
- .. Respondent(s)**

**WP(C) No. 507 of 2022**

1. Smti. Phumiza Najiar.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
2. Smti. Lukon Syngkon.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
3. Smti. Bika Challam.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
4. Shri. Hamboi Phawa.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
5. Shri. Yookein Biam.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
6. Shri. Quirinous Shylla.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
7. Smti Arka Chyrmang.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
8. Shri. Damehi Kyndiah.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
9. Smti. Monlang Lamare.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.



10. Smti. Sammaiaki Laloo.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
11. Smti. Lomarka Passah.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
12. Shri. Chantre Bareh.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
13. Shri. Manbha Dhar.  
Post-Section Assistant.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
14. Smti. Deiborki Passah.  
Post-Tracer.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
15. Shri. Arkileanderson Lyngdoh.  
Post-Tracer.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
16. Smti. Tidle Warjri.  
Post-Peon.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
17. Shri Tipphi Syngkon.  
Post-Jeep Driver.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
18. Shri. Simon Challam.  
Post-Roller Handyman.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.



19. Shri. Felic-oct-born Gatphoh.  
Post-Roller Handyman.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
20. Shri. Ebortre Kyndiah.  
Post- Chowkidar.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
21. Smti. Elut Pakyntein.  
Post Khalasi.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
22. Smti. Daiahunlang Rymbai.  
Post-Khalasi.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
23. Shri. Andrew Sari.  
Post-Khalasi.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
24. Shri. Healing Soul Phawa.  
Post-Khalasi.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.
25. Shri. Lakki Chyrmang.  
Post-Cleaner.  
O/O E. E. PWD. (Roads) Urban  
Sub-Division.

...Petitioners

- Versus -

1. State of Meghalaya, Through the Chief Secretary to  
Government of Meghalaya, Shillong
2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Meghalaya,  
Shillong. Department,
4. The Chief Engineer, Public Works  
Department (Roads), Meghalaya, Shillong.
5. The Executive Engineer, P.W.D (Roads),  
South Jowai Division, Jowai

... Respondents



**WP(C) No. 508 of 2022**

1. Shri. Cham Bareh  
Post-Roller Driver  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
2. Smti. Kwila Thubru  
Post-Tracer  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
3. Smti. Prettyone Malang  
Post- Khalasi  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
4. Shri. Helpme Nongtdu  
Post- Roller Handyman  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga
5. Shri. Gajitan Passah  
Post- Khalasi  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga
6. Smti. Dateibha Bareh  
Post-Secretarial Assistant  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
7. Shri. Heimon Syngkon  
Post-W/C Handyman  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
8. Shri. Bhalang Shadap  
Post-Secretarial Assistant  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.



9. Shri. Phra Lamurong  
Post-Secretarial Assistant  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
  - 10.Smti. Valita Shylla  
Post-Tracer  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga
  11. Smti. Diangki Suwer  
Post-Tracer  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
  - 12.Smti. Kerdadiah K. Mannar  
Post-Tracer  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
  - 13.Smti. Adrena Sutnga  
Post- Khalasi  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
  - 14.Smti. Iorida Thubru  
Post- Khalasi  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
  15. Shri. Pillarstone Pdang  
Post- Roller Driver  
O/O E.E. PWD (Roads),  
N.E.C. Sutnga Sub-Division No-1, Sutnga.
- .....Petitioner(s)**

**- Versus -**

- 1.State of Meghalaya, Through the Chief Secretary to  
Government of Meghalaya, Shillong
2. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.



4. The Chief Engineer, Public Works  
Department (Roads), Meghalaya, Shillong.

5. The Executive Engineer, P.W.D, (Roads)

N.E.C. Division, Jowai

**WP(C) No. 509 of 2022**

... Respondents

1. Heisar Shylla,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

2. Shri Pynshaitbor Nongrum,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

3. Smti January Phothmi,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

4. Shri Sukkynjai Gayang,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

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5. Santosh Tongper,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

6. Shri Bolin Dkhar,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

7. Smti Bluwincy P. Haiong,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem

8. Smti Babiha Pohtam,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem.

9. Smti Bianghi Papih,

Post- Section Assistant,

O/o E.E. PWD (Roads) Border Road,

Sub-Division, Amlarem



10. Shri Patrick S. Bareh,  
Post- Section Assistant,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
11. Smti Phriang Tariang,  
Post- Section Assistant,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem.
12. Smti Min Buam,  
Post-Tracer,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem.
13. Shri Syad Lyngdoh,  
Post- Roller Driver  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem.
14. Shri Lapil Chyrmang,  
Post- Roller Handyman  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
15. Shri Sikil Parial,  
Post- Roller Handyman  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
16. Shri Sakhiat Hinge,  
Post- Roller Handyman  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
17. Shri Merial Pohthmi,  
Post-Chawkikar,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
18. Shri Wansalan Syndai,  
Post-Chawkikar,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
19. Shri Khyllaw Lyngdoh,  
Post-Chawkikar,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem



20. Shri Khyllaw Padu  
Post-Khalasi  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
21. Shri Marios Pyrbot,  
Post-Khalasi  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
22. Shri Agent Pohshna,  
Post-Khalasi  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
23. Smti Kongka Passah,  
Post-Cleaner,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
24. Shri Coming Surong,  
Post-Surveyor Grade-II,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem
25. Smti Dropti Ryngksai,  
Post-Sweeper,  
O/o E.E. PWD (Roads) Border Road,  
Sub-Division, Amlarem.

**.. Petitioner(s)**

**-Versus -**

1. State of Meghalaya, Through the Chief Secretary to Government of Meghalaya, Shillong
2. The Secretary to the Government of Meghalaya, Public Works Department, Shillong.
3. The Secretary to the Government of Meghalaya, Finance Department, Meghalaya, Shillong,
4. The Chief Engineer, Public Works Department (Roads), Meghalaya, Shillong.
5. The Executive Engineer, P.W.D, (Roads) South Jowai Division, Jowai

**... Respondents**

**WP(C) No. 510 of 2022**

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1. Shri. Winfrithstar Nongtdu,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
2. Shri. Banlumlang Kharwar,



- Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
3. Shri. Pura Challam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
4. Shri. Charelang Biam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
5. Shri. Leviwell War,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai
6. Shri. Shanmiki Challam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
7. Smt. Winaki Challam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
8. Smt. Risariyoo Challam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai
9. Shri. Sylvanus Gassah,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
10. Shri. Deckstar Challam,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
11. Smt. Lamda Suchiang,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
12. Shri. Hilbert Lanong,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
13. Shri. Melington Rynghlem,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
14. Shri. Pybeitlangki Bhoi,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
15. Shri. Dalansar Sutnga,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.



16. Shri. Dominic Phawa,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
17. Smt. Yoorida Lakashiang,  
Post-Sectional Assistant,  
O/O E.E. PWD, Building Sub-Division, Jowai.
18. Smt. Sumina Passah,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
19. Smt. Elinda Lapasam,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
20. Smt. Juroi Challam,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
21. Smt. Bihawa Passah,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
22. Smt. Yoohida Passah,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
23. Smt. Fairtina Laloo,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
24. Smt. Lamriphi Passah,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
25. Smt. Kamkichwa Passah,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
26. Smt. Manbhaki Lytan,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
27. Shri. Holdwind Dhar,  
Post-Tracer,  
O/O E.E. PWD, Building Sub-Division, Jowai.
28. Shri. Dame Syngkon,  
Post-Chowkidar,  
O/O E.E. PWD, Building Sub-Division, Jowai.
29. Smt. Somtis Lyngdoh,  
Post-Cleaner,



- O/O E.E. PWD, Building Sub-Division, Jowai
30. Smt. Hawasukphi Pala,  
Post-Cleaner,  
O/O E.E. PWD, Building Sub-Division, Jowai.
31. Shri. Logan Dean Nongrum,  
Post-Driver,  
O/O E.E. PWD, Building Sub-Division, Jowai
- ...Petitioners**
- Versus-**
1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
2. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.
4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
Building Division, Jowai.
- ....Respondents.**

### **WP(C) No. 511 of 2022**

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1. Shri Vernon R.M. Kharkongor,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH) Bandstand,  
Sub-Division.
2. Shri Defender Dkhar,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand.
3. Smti Soowatki Pyrbot  
Post-Khalasi  
O/o E.E. P.W.D. (Roads) (NH) Bandstand,  
Sub-Division
4. Smti Joan Mary Warlarpah,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)



- Sub-Division, Banstand.
5. Shri Mandame Lakiang,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Banstand.
  6. Smti Graciavelous Syiemlieh,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand.
  7. Smti Rosana Lanong,  
Post-Cleaner  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand.
  8. Shri Darwin Nongbri,  
Post- Handy-man  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand
  9. Shri Habitual Knight Talang,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand
  10. Shri Plinder Borchugrey  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Jowai.
  11. Shri Donboklang Rajee,  
Post- Sectional Assistant,  
O/o E.E. P.W.D. (Roads) (NH)  
Sub-Division, Bandstand.

...Petitioner(s)

- Versus -

- 
1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
  2. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
  3. The Secretary to the Government of Meghalaya,  
Finance Department, Meghalaya, Shillong.
  4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.



5. The Executive Engineer, P.W.D. (Roads),  
Jowai Central Division, Jowai. ....**Respondents.**

**WP(C) No. 512 of 2022**

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1. Smt. Loka Paswet,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
2. Shri. Wadskhem Shadong,  
Post-Chowkidar,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
3. Smti. Mandarose Thubru,  
Post-Sweeper,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
4. Smt. Isakaru Laloo,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
5. Smti. Deiwitawon Niangti,  
Post-Sectional Assistant  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
6. Smti. Stamlist Hinge,  
Post-Sectional Assistant  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
7. Smti. Brislanda Shylla,  
Post-Sectional Assistant  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.



8. Shri. Miatsalon Ryngkhlem,  
Post-Khalasi,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
9. Smti. Arkwila Syngkon,  
Post –Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
10. Shri. Skhem Hinge,  
Post-Roller Handyman,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
11. Smti. Christina Suchen,  
Post-Khalasi,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
12. Smti. Melty Phawa,  
Post-Khalasi,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
13. Shri, Casper Shullai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
14. Smti. Tremika Passah,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
15. Smti. Alithia Mary Nongsiej,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.



16. Shri. Popularity Shangpung,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
17. Shri. Kyrmenthem Siangshai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
18. Smti. Wandashisha Siangshai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
19. Smti. Bang Chyrmang,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
20. Shri. Biangwan Ryngkhlem,  
Post-Roller Handyman/Roller Driver,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
21. Smti. Fabiola Majaw,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
22. Shri. Yume Khlem,  
Post-Roller Handyman,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
23. Shri. Demon Syntem,  
Post-Roller Driver,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.



24. Smti. Bethelda Talang,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
25. Smti. Phyrnai Rymbai,  
Post-Khalasi,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
26. Smti. Soophi Pde,  
Post-Cleaner,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
27. Smti. Sunita Gassah,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
28. Smti Rosabina Myrphet,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
29. Shri. John Damonki Rymbai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
30. Shri. Lodismith Blah,  
Post-Tracer,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
31. Smti. Rikynti Ryngki,  
Post-Khalasi,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.



32. Shri. Lambress Siangshai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
33. Shri. Martin Sutong,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.
34. Shri. Peaceful Nongtdu,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads), N.E.C.  
Khliehriat Sub-Division,  
Khliehriat.

...Petitioner(s)

**-Versus-**

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
2. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Department, Meghalaya, Shillong.
4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
N.E.C. Division, Jowai.

...Respondent(s)

**WP(C) No. 513 of 2022**

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1. Shri. Precious Stone Pale,  
Post-Roller Handyman (Work-Charged)  
O/O E.E. PWD (Roads) J.K.Sub-Division,  
Nartiang.
2. Smt. Hawabiang Pale,  
Post-Cleaner (Work-Charged)  
O/O E.E. PWD (Roads) Khanduli Sub-Division, Nartiang.
3. Shri. Aronroy Shadap,



- Post-Chowkidar (Work-Charged)  
O/O E.E. PWD (Roads) Khanduli Sub-Division,  
Nartiang.
4. Shri. Airrolin Challam,  
Post-Chowkidar (Work-Charged)  
O/O E.E. PWD (Roads) Jowai North  
Sub-Division.
  5. Shri. Marle Kyndiah,  
Post-Khalasi (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
  6. Smt. Loyalty Pale,  
Post-Tracer (Work-Charged)  
O/O E.E. PWD (Roads) Jowai North  
Sub-Division.
  7. Smt. Lanahi Pyrbot,  
Post-Tracer (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
  8. Smt. Rebless Tlang,  
Post-Sectional Assistant (Work-Charged)  
O/O E.E. PWD (Roads) Jowai North Sub-Division.
  9. Smt. Anita Dkhar,  
Post-Sectional Assistant (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
  10. Smt. June Sungoh,  
Post-Khalasi (Work-Charged)  
O/O E.E. PWD (Roads) Jowai North  
Sub-Division.
  11. Smt. Wandaka Lyngdoh,  
Post-Khalasi (Work-Charged)  
O/O E.E. PWD (Roads) Nartiang Sub-Division.
  12. Smt. Rica – I Niang,  
Post-Sectional Assistant (Work-Charged)  
O/O E.E. PWD (Roads) Shangpung Sub-Division.
  13. Smt. Mandakaru Passi,  
Post-Cleaner (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division, Nartiang.
  14. Shri. Heipormi Passah,



- Post-Khalasi (Work-Charged)  
O/O E.E. PWD (Roads) Jowai North  
Sub-Division.
15. Shri. Devi Passi,  
Post-Roller Driver (Work-Charged)  
O/O E.E. PWD (Roads) Shangpung Sub-Division.
  16. Smt. Rihun Hadia,  
Post-Sectional Assistant (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
  17. Shri. Jarlis Papih,  
Post-Roller Driver (Work-Charged)  
O/O E.E. PWD (Roads) Shangpung Sub-Division.
  18. Shri. Carlynal SHadap,  
Post-handy-man (Work-Charged)  
O/O E.E. PWD (Roads) Shangpung Sub-Division.
- ...Petitioner(s)**

**-Versus-**

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
  2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong.
  3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.
  4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
  5. The Executive Engineer, P.W.D. (Roads),  
North Jowai Division, Jowai.
- ...Respondent(s)**

**WP(C) No. 514 of 2022**

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1. Shri. Eborhi Myrphet,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway, Sub-Division.
2. Smt. Wanpynshngain Myrpet,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,



- Sub-Division.
3. Shri. Deligentson Nongpluh,  
Post-Peon,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  4. Smt. Heiporkaru Iongwai,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  5. Smt. Becareful Hinge,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  6. Smt. Wanchan Passah,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  7. Smt. Ladayoo Phawa,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  8. Shri. Wanjopmi Rymbai,  
Post-Chowkidar,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  9. Smt. Chithiang Chyrmang,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  10. Shri. Saloni Dhar,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway, Sub-Division.
  11. Smt. Damanjait Dhar,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
  12. Smt. Valeenizia Giri Dhar,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.



13. Shri. Arphin Syiem Malngiang,  
Post-Roller Dirver,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
14. Smt. Mirunisa Bareh,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
15. Smt, Lily Margret Susngi,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
16. Shri. Jester Passah,  
Post-Handyman,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
17. Shri. Financer Chyrmang,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) Jowai North,  
Sub-Division.
18. Smt. Kledis Pariat,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
19. Smt. Emporbiang Hinge,  
Post-Tracer,  
O/O E.E. PWD (Roads) National Highway, Sub-Division.
20. Shri. Fullmoon Suting,  
Post-Roller Handyman,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
21. Smt. Daplangki Pariat,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) Jowai,  
Sub-Division No-I.
22. Smt. Tribel Dhar,  
Post-Tracer,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
23. Smt. Sumika Dkhar,



- Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
24. Shri. Kermi-o Dkhar,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  25. Shri. Gayang Talang,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  26. Shri. Jaintia Bthuh,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  27. Shri. Mememto Paswet,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway,  
Sub-Division.
  28. Shri. Amosstar Lamin,  
Post-Sectional Assistant,  
O/O E.E. PWD (Roads) National Highway, Sub-Division.
  29. Shri. Replease Me Phalangki,  
Post-Sectional Assistant (Work-Charged)  
O/O E.E. PWD (Roads) J.K Sub-Division,  
Nartiang.
- ...Petitioner(s)**
- Versus-**
1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
  2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong.
  3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.
  4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
  5. The Executive Engineer, P.W.D. (Roads),



Jowai Central Division, Jowai.

...Respondent(s)

**WP(C) No. 520 of 2022**

1. Smti. Deiwa Passah,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
2. Smti. Ridashisha Wahlang,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
3. Shri. Elezer Runi Lyngdoh,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
4. Shri. Saviofaire Challam,  
Post- Sectional Assistant,  
O/O E.E. PWD Building Sub-Division, Jowai.
5. Shri. Wanda Uni Sumer,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
6. Shri. Trechanmi Pyrbot,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
7. Shri. Hame Pyrngap,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
8. Smti. Badashaikdar Hinge,  
Post-Sectional Assistant,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
9. Smti. Daiaka T.Laloo,  
Post-Tracer,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
10. Smti. Pormina Khapiah,  
Post-Tracer,  
O/O E.E. PWD Building Sub-Division,



- Jowai.
11. Smti. Wanbiangki Dkhar,  
Post-Tracer,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  12. Smti. Kyntangshwa Kyndiah,  
Post-Tracer,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  13. Shri. Pyndapbor Manner,  
Post-Chowkidar,  
O/O E.E. PWD Building Sub-Division, Jowai.
  14. Smti. Bity Talang,  
Post-Cleaner,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  15. Smti. Rikadame Sutnga,  
Post-Cleaner,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  16. Shri. Robert Papang,  
Post-Chowkidar,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  17. Smti. Juhhini Sutnga,  
Post-Mali,  
O/O E.E. PWD Building Sub-Division,  
Jowai.
  18. Smti. Boonhi Lanong,  
Post-Sweeper,  
O/O E.E. PWD Building Sub-Division,  
Jowai.

**...Petitioner(s)**

**-Versus-**

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong.
3. The Secretary to the Government of Meghalaya,



- Finance Department,  
Meghalaya, Shillong.
4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
Building Division, Jowai.
- ...Respondent(s)**

### **WP(C) No. 521 of 2022**

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1. Smti. Aramarose Dhar,  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads), Nartiang  
Sub-Division, Nartiang.
2. Smti. Arkinawot Langstang  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
3. Smti. Nika Pasi,  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
4. Smti. Niwanka Hadia,  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
5. Shri. Thrangki Pyrbot,  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
6. Smti. Gredissibon Lyngdoh,  
Post-Sectional Assistant.  
O/O E.E. PWD (Roads)  
Shangpung Sub-Division, Shangpung.
7. Smti. Elsina Kyndiah,  
Post-Tracer,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
8. Smti. Arona Toi,  
Post-Tracer,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.



9. Smti. Marbudki Suna,  
Post-Tracer,  
O/O E.E. PWD (Roads), Jowai, North Sub-Division No. I.
10. Smti. Josifiana H. Kyndong,  
Post-Khalasi  
O/O E.E. PWD (Roads), Nartiang Sub-Division,  
Nartiang.
11. Smti. Shimtimon Lakiang,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
12. Smti. Rilandda Kyndiah,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
13. Smti. Sngewlang Rymbai,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
14. Smti. Paitbha Laloo,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
15. Smti. R.Iarilang Papeng,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
16. Smti. Iwidawan Pakem,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
17. Smti. Embi Shylla,  
Post-Cleaner  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
18. Smti. Ebiangmi Muktieh,  
Post-Cleaner,  
O/O E.E. PWD (Roads), Jowai, North Sub-Division No. I.
19. Shri. Thomson Chantreki Pyrbot,



- Post-Chowkidar,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
20. Shri. Closterwell Patwad,  
Post-Chowkidar,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
21. Shri. Chiefness Sten,  
Post-Chowkidar,  
O/O E.E. PWD (Roads), Nartiang  
Sub-Division, Nartiang.
22. Shri. Korbar Wahlang,  
Post-Roller Driver,  
O/O E.E. PWD (Roads),  
Shangpung Sub-Division, Shangpung.
23. Shri. Melbourne Manner,  
Post-Roller Driver,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
24. Shri. Adesony Suchiang,  
Post-Roller Handyman,  
O/O E.E. PWD (Roads),  
Shangpung Sub-Division,  
Shangpung.
25. Shri. Kyntimansion Roy Shadap,  
Post-Roller Handyman,  
O/O E.E. PWD (Roads),  
Shangpung Sub-Division,  
Shangpung.
26. Shri. Daiophiki Thubru,  
Post-W/C Handyman,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
27. Shri. Dayolangki Pakma,  
Post-Chowkidar,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
28. Smti. Emsumarki Pasi,  
Post-Khalasi,  
O/O E.E. PWD (Roads), Jowai



- North Sub-Division No. I.
29. Smti. Mary Alice Langstang,  
Post-Cleaner,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.
30. Smti. Jacqueline Talang,  
Post-Cleaner,  
O/O E.E. PWD (Roads), Jowai  
North Sub-Division No. I.

...Petitioner(s)

**-Versus-**

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.
4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
North Jowai Division, Jowai.

...Respondent(s)

**WP(C) No. 522 of 2022**

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1. Shri. Dilbok Singh,  
Post-Roller Handyman,  
O/O/ E.E. PWD (Roads), N.E.C, Sutnga Sub-Division, Sutnga.
2. Smti. Twocharbi Daw,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga
3. Shri. Kishore Dhar,  
Post-Roller Handyman,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
4. Shri. Tobias Nongtdu,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), NEC



5. Sutnga Sub-Division, Sutnga.  
Shri. Careme Phawa,  
Post-Roller Handyman,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
6. Smti. Thymmai Nongtdu,  
Post-Cleaner,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
7. Shri. Edwin Shadap,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
8. Shri. Philip Bareh,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
9. Smti. Vinijoh Nongtdu,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
10. Smti. Haka-I-Jooh Synnah,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C, Sutnga Sub-Division, Sutnga.
11. Smti. Deniwon Shadap,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
12. Shri. Yoowan Lakiang,  
Post-Jeep Driver,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
13. Smti. Shibun Nontdu,  
Post-Tracer,  
O/O/ E.E. PWD (Roads), NEC  
Sutnga Sub-Division, Sutnga.
14. Smti Bijoy Dkhar,  
Post-Roller Driver,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.



15. Smti. Ridalin Suchiang,  
Post-Tracer,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
16. Smti. Roniia Lamurong,  
Post-Chowkidar,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
17. Smti. Prevalentme Sutnga,  
Post-Tracer,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
18. Smti. Benevolency Malang,  
Post-Chowkidar,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
19. Smti. Glorinda Nongtdu,  
Post-Khalasi,  
O/O/ E.E. PWD (Roads), N.E.C, Sutnga Sub-Division, Sutnga.
20. Smti. Emaralda Dan,  
Post-Khalasi,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
21. Shri. Behopeful Suting,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
22. Smti. Elaborater Chyrmang,  
Post-Tracer,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
23. Shri. Emandian War,  
Post-Sectional Assistant,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.
24. Smti. Dayoomonmitre Sutnga,  
Post-Khalasi,  
O/O/ E.E. PWD (Roads), N.E.C  
Sutnga Sub-Division, Sutnga.

...Petitioner(s)

-Versus-



1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
  2. The Secretary to the Government of Meghalaya,  
Public Works Department,  
Shillong
  3. The Secretary to the Government of Meghalaya,  
Finance Department,  
Meghalaya, Shillong.
  4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
  5. The Executive Engineer, P.W.D. (Roads),  
N.E.C Division, Jowai.
- ...Respondent(s)**

**WP(C) No. 523 of 2022**

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- 1.Smti Lumlang Malang,  
Post- Sectional Assistant,  
O/O E.E. PW.D. (Roads),  
N.E.C. Sutgna, Sub-Division,  
Sutnga, No. II.
- 2.Smti Chonthiang Nampui  
Post- Sectional Assistant,  
O/O E.E. PW.D. (Roads),  
N.E.C. Sutgna, Sub-Division,  
Sutnga, No. II.
- 3.Shri Kenneth L. Hraungul Darnei,  
Post- Sectional Assistant,  
O/O E.E. PW.D. (Roads),  
N.E.C. Sutgna, Sub-Division,  
Sutnga, No. II.
- 4.Smti Ibamelarisha Majaw,  
Post- Tracer  
O/O E.E. PW.D. (Roads),  
N.E.C. Sutgna, Sub-Division,  
Sutnga, No. II.
- 5.Smti Veronica Nongtdu,  
Post- Tracer  
O/O E.E. PW.D. (Roads),  
N.E.C. Sutgna, Sub-Division,



- Sutnga, No. II.
6. Shri Deiny Muliar,  
Post- Roller Driver  
O/O E.E. P.W.D. (Roads),  
N.E.C. Sutnga, Sub-Division,  
Sutnga, No. II.
7. Shri Finely Shadap,  
Post-Crusher Operator  
O/O E.E. P.W.D. (Roads),  
N.E.C. Sutnga, Sub-Division,  
Sutnga, No. II.

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**-Versus-**

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
6. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
7. The Secretary to the Government of Meghalaya,  
Finance Department, Meghalaya, Shillong.
8. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
N.E.C. Division, Jowai.
- ...Respondent(s)**
- WP(C) No. 524 of 2022**
- 

1. Smti Wanlana Shadap  
Post-Khalasi/Tracer,  
O/O E.E. P.W.D. Road, Shangpung,  
Sub-Division, Shangpung.
2. Smti Deini Paia Pariat,  
Post-Tracer,  
O/O E.E. P.W.D. Road, Shangpung,  
Sub-Division, Shangpung.
3. Smti Arizona Passah,  
Post-Khalasi/Tracer,  
O/O E.E.W.D. Road, Shangpung,  
Sub-Division, Shangpung
-



4. Shri Plassius Ksoo,  
Post-Sectional Assistant  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
5. Shri Gerland Pasi,  
Post-Sectional Assistant  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
6. Smti Arkydawan Manner,  
Post-Tracer,  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
7. Smti Baiahunlang Langbang,  
Post-Sectional Assistant  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
8. Shri Damastos Papeng,  
Post-Sectional Assistant  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung

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9. Shri Phrangki Wann,  
Post-Sectional Assistant  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung
10. Smti Devora Dan,  
Post-Khalasi  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung

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11. Smti Hasina Passah,  
Post-Khalasi/Tracer,  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
12. Smti Almarose Wann,  
Post-Khalasi  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
13. Smti Rimeka War,  
Post-Khalasi  
O/O E.E. PW.D. Road, Shangpung,



- Sub-Division, Shangpung.
14. Shri Meyoolang Suchiang,  
Post-Khalasi  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  15. Shri Manphulmi Biam,  
Post-Chowkidar  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  16. Shri Handa-o-Suiam,  
Post-Chowkidar  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  17. Shri Nangtei Talang,  
Post-Roller Driver  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  18. Shri Esalanmi Dkhar,  
Post-Roller Driver  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  19. Shri Dangwanki S. Mannar,  
Post-Roller Driver  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  20. Shri Goodbring Lathong,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  21. Shri Jospur Papeng,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  22. Shri Pioneery Sutnga,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
  23. Shri Nikson Shadap,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.



24. Shri Carmel Saioo,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung
25. Shri Phalin Lathong,  
Post-Roller Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung
26. Shri Liberius Lathong,  
Post-W/C Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung
27. Shri Marwon Langbang,  
Post-Roller Driver  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.
28. Shri Pyntngenlang Phuli,  
Post-W/C Handyman  
O/O E.E. PW.D. Road, Shangpung,  
Sub-Division, Shangpung.

...Petitioner(s)

- Versus -

1. State of Meghalaya,  
Through the Chief Secretary to  
Government of Meghalaya, Shillong.
2. The Secretary to the Government of Meghalaya,  
Public Works Department, Shillong.
3. The Secretary to the Government of Meghalaya,  
Finance Department, Meghalaya, Shillong.
4. The Chief Engineer,  
Public Works Department (Roads),  
Meghalaya, Shillong.
5. The Executive Engineer, P.W.D. (Roads),  
North Jowai, Division, Jowai.

...Respondent(s)

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**Coram:**

**Hon'ble Mr. Justice H. S. Thangkhiew, Judge**

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**Appearance: in WP(C) No. 403 of 2021**



For the Petitioner(s) : Mr. K.C. Gautam, Adv.

For the Respondent(s) : Mr. K.P. Bhattacharjee, GA with  
Mr. H. Abraham, GA  
Ms. S. Bhattacharjee, GA  
Ms. Shyam, Adv.

**Appearance: in WP(C) No. 285 of 2022 with**

**WP(C) No. 507 of 2022**  
**WP(C) No. 508 of 2022**  
**WP(C) No. 509 of 2022**  
**WP(C) No. 510 of 2022**  
**WP(C) No. 511 of 2022**  
**WP(C) No. 512 of 2022**  
**WP(C) No. 513 of 2022**  
**WP(C) No. 514 of 2022**  
**WP(C) No. 520 of 2022**  
**WP(C) No. 521 of 2022**  
**WP(C) No. 522 of 2022**  
**WP(C) No. 523 of 2022**  
**WP(C) No. 524 of 2022**

For the Petitioner(s) : Mr. Philemon Nongbri, Adv.

For the Respondent(s) : Mr. K.P. Bhattacharjee, GA with  
Mr. H. Abraham, GA  
Ms. S. Bhattacharjee, GA  
Ms. Shyam, Adv.

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|     |                                                         |        |
|-----|---------------------------------------------------------|--------|
| i)  | Whether approved for reporting in<br>Law journals etc.: | Yes/No |
| ii) | Whether approved for publication<br>in press:           | Yes/No |

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**JUDGMENT AND ORDER**



1. These instant writ petitions being similar and involving the same points in issue are being disposed of by this common judgment and order.

2. All the petitioners in these connected writ petitions are serving in the Work charged establishment and have been serving continuously for many years, ranging from 27 to 15 years till date in various capacities, such as Sectional Assistants, Peons, Khalasis, Tracer, Roller Driver, Handyman, Jeep Driver, Chawkidar etc. Altogether, 314 petitioners are before this Court.

3. The petitioners' grievance is with regard to the impugned letter dated 23.03.2020, whereby the respondents had notified that the recommendations of the Meghalaya Fifth Pay Commission with respect to Pay Revision and other financial benefits as adopted by the Government of Meghalaya would not be available or granted to Work charged employees appointed after 27.10.1997. The main contention of the writ petitioners is that the respondents, who had been pleased to allow the revised pay structure to the members of the work charged establishment holding posts in identical pay scale, as admissible to the Government employees of corresponding categories, by its Office



Memorandum dated 01.12.2017, issued in furtherance of the Fifth Pay Commission recommendations, however discontinued the same w.e.f. August, 2020, whereby they were reverted back to the pay scale of the Fourth Pay Commission. On the representation of the petitioners thereto, the respondents responded by relying upon a letter dated 23.03.2020, whereby it had been stated therein that the benefits of the Fifth Pay Commission, would be applicable only to work charged employees appointed prior to 27.10.1997, inasmuch as, the Government of Meghalaya had banned the appointment of work charged employees after 27.10.1997.

4. Mr. K.C. Gautam, learned counsel, as also Mr. Philemon Nongbri, learned counsel for the petitioners have argued that the Meghalaya Services (Revision of Pay) Rules, 2018 have statutory force, having been created and notified under Article 309 of the Constitution of India, and as such therefore cannot be overruled by an Office Memorandum or Notification, and any change whatsoever, can only be brought about in the Rules by an amendment and not otherwise. It has been further submitted that the Rules do not provide, or make any classification based on the date of appointment with regard to work charged employees, and if the intent of the Rules was



to extend the benefit of the Fifth Pay Commission to all work charged employees, it was not open or permissible to the respondents to bring about a classification by way of an Office Memorandum or a Notification as has been done. The impugned letter dated 23.03.2020, they contend, having been issued on the basis of the Office Memorandum and on the advice of the Finance Department is therefore uncalled for and without jurisdiction.

5. The learned counsels submit that even if it is presumed that the petitioners having been appointed after 27.10.1997, are not entitled to the benefits of revised pay under the Fifty Pay Commission, it is then not understood how the petitioners and other work charged employees received the benefits of the Fourth Pay Commission since its implementation on 01.01.2007, in spite of the fact that the petitioners were all appointed after 1997. It is further stated that the stand taken by the respondents, that the decision to disallow the revised pay is by the application of Rule 15 of the Rules of 2018, which provide that any interpretation of the provisions thereof, was to be referred to the Finance Department is misplaced, inasmuch as, the need for interpretation would arise only in the face ambiguity. The wordings of the Rules they contend being clear and unambiguous,



there was no reason whatsoever that called for any interpretation. In this context, the learned counsels have placed reliance on the case of ***R.S. Nayak vs. A.R. Antulay*** reported in ***AIR 1984 SC 684***, wherein the Supreme Court has held that if the words of the statute are clear and unambiguous, it is the plainest duty of the Court to give effect to the natural meaning of the words used in the provisions. Reliance has also been placed in the case of ***Grasim Industries Ltd. vs. Collector of Customs, Bombay (2002) 4 SCC 297*** and ***Crawford vs. Spooner, (1846) 6 Moore PC 1: 4 MIA 179***.

6. The learned counsels have stressed on the fact that the main point for determination in the instant cases, is whether an Office Memorandum or Government Notification can override statutory law, and have submitted that it is settled law, that the respondents cannot supersede or dilute statutory laws by administrative instructions. The case of ***Sant Ram Sharma vs. State of Rajasthan, AIR 1967 SC 1910*** and the case of ***Union of India vs. Ashok Kumar Agarwal (2013) 16 SCC 147***, have been cited in support of this contention, wherein they submit the Supreme Court has held that the Government cannot amend or supersede statutory rules by administrative instructions, and further that no Orders, Office Memorandums or Executive instructions can be



issued in contravention of the statutory rules, but can only be issued to supplement the same and not to supplant it. It is further submitted that the arguments advanced by the State that by application of Rule 15, and in the interpretation received, allowed the respondents to withhold the benefits, is absurd, as all along in the Finance (Pay Revision) Department Rules which had been notified in the years 1997, 2009 and 2017, the same and identical words have been used which extended benefits to persons in the work charged establishment, and as such if there be any ambiguity it should have been detected in the earlier occasions and not at this juncture.

7. In closing the arguments, it has been submitted that the action of the respondents in stopping the benefits of the Pay Revision under the Fifth Pay Commission, which the petitioners were already enjoying without given them an opportunity of hearing is in violation of the principles of natural justice as the petitioners have also already been visited with civil consequences.

8. In response to the aforementioned contentions, Mr. K.P Bhattacharjee, learned GA for the respondents has submitted that the decision that no work charged employee appointed after 27.10.1997



would be entitled to the Pay Revision benefits under the Fifth Pay Commission, was issued with the approval of the Finance (PR) Department vide I/D No. F (PR) 51/20, dated 19.03.2020 and similarly the impugned decision dated 05.07.2022, wherein it has been reiterated, was on the same premise. It is then submitted that the State respondents vide Memo dated 27.10.1997, issued by the Secretary, Finance (PR) Department, had clearly stated that there shall be no further work charged personnel and hence any appointment of work charged personnel after the cutoff date of 27.10.1997, cannot be classified as work charged personnel. It is further submitted that the petitioners cannot take refuge of the Office Memorandum dated 01.12.2017, wherein it is stated that the revised pay structure would be applicable to the work charged establishment, as the stand of the State respondents is that the petitioners cannot be considered as work charged personnel, as their appointments were made after 27.10.1997, and therefore not entitled to the benefits of other work charged employees employed before the said date.

9. The learned GA further submits that the instructions dated 27.10.1997, banning all future appointment of work charged employees remains in force and therefore, all the supposed work



charged appointments which were made thereafter, including that of the petitioners have no legal sanctity or validity to enable them to demand the implementation of the Fifth Pay Commission. Reference is made to Para-5.4 of a Government resolution dated 28.11.2017 on the Fifth Pay Commission (Annexure 2 to the affidavit-in-opposition) wherein he submits, it has been provided that the existing Rules, Order and Regulations concerning work charged personnel were to continue, but that however, no employment under the work charged establishment should be made. Learned GA has also referred to the Office Memorandum dated 01.12.2017 (Annexure 3 to the affidavit-in-opposition) wherein he submits at Para-5 thereof, it is provided that till the Meghalaya Services (Revision of Pay) Rules are notified and the fixation of pay finally approved, the drawal of pay of Government employees shall be purely provisional. With regard to the question as to whether the petitioners' services will fall within the definition of work charged employees under Para 1.2 of the Office Memorandum dated 01.12.2017, it has been contended by the learned GA that the same can only be clarified or decided by the Finance (Pay Revision) Department as per Para-15 of the Meghalaya Services (Revision of Pay) Rules, 2018, which had accordingly given the interpretation that the petitioners are not entitled to the benefits of the Meghalaya Fifth



Pay Commission. It is also submitted that even if the petitioners were granted the revised scale as per the earlier Pay Commission recommendations, the petitioners have not acquired any vested right to claim the extension of any benefit under the Meghalaya Fifth Pay Commission.

**10.** It has been further submitted that the fact that is undisputed is that the petitioners are temporary appointees and their status cannot be equated with that of regular employees and hence their appointment, which was subsequent to the cutoff date i.e. 27.10.1997, besides saddling the State Exchequer with a large financial burden, cannot vest them with any legal right to entitle them the benefits of the Fifth Pay Commission. Learned GA has also submitted that Rule 10 (1) of the Rules of Executive Business of the State of Meghalaya, has also stipulated that previous consultations are necessary with the Finance Department in any matter that will have repercussions on State finances, and these appointments having been made without the concurrence of the Finance Department, therefore cannot create any vested right in favour of the petitioners. It has been further reiterated that the term work charged establishment, will mean and include only those work charged employees who have been appointed prior to 27.10.1997, and therefore the petitioners cannot be



regarded as whole-time employees in the work charged establishment. Rule 2 (ii) (a) of the Revision of Pay Rules, 2018, he submits lays down that the said Rules shall not apply to persons who are not in whole-time employment, and as such therefore, the petitioners cannot take the shelter of Rule 2 (i) of the Rules. In conclusion, it is submitted that the Office Memorandum dated 01.12.2017, which is being relied by the respondents has been superseded by the Revision of Pay Rules, 2018, and that the petitioners have not challenged the said Rules, which confers power on the Finance Department to interpret the same. The learned GA in support of the case of the State respondents, after conclusion of the hearing, supplied a compilation of the following judgments:-

- i) ***Union of India vs. Arun Jyoti Kundu & Ors. reported in (2007) 7 SCC 427***
- ii) ***State of Bihar & Ors vs. Devendra Sharma reported in (2020) 15 SCC 466***
- iii) ***Rajesh Pravin Chandra Rajyaguru vs. Gujrat Water Supply & Sewerage Board & Ors. reported in (2021) 19 SCC 128***
- iv) ***Mohmed Hussain & Ors. vs. State of Hyderabad 1953 SCC OnLine Hyd 103 : AIR 1953 Hyd 298.***
- v) ***Chiranjilal vs. Union of India RLW 1957***



- vi) ***Indian Drugs & Pharmaceutical Ltd. vs. Workmen, Indian Drugs & Pharmaceuticals Ltd. reported in (2007) 1 SCC 408***

11. Upon hearing the learned counsels for the parties, in the given facts of the case, it is necessary that the relevant provisions of the Meghalaya Services (Revision of Pay) Rules, 2018, and the Memorandum dated 01.12.2017 be examined, as also the impugned letter dated 23.03.2020, Memo dated 09.02.2022 and the purport of the interpretation dated 19.03.2020 of the Finance (Pay Revision) Department. Firstly, on the implementation of the recommendations of the Fifth Meghalaya Pay Commission, by Office Memorandum dated 01.12.2017 at Clause 1.2, it has been given as follows:-

***“1.2 The Revised Pay Structure shall also be applicable to the members of the work-charged establishments holding posts in identical pay scales as admissible to the government employees of corresponding categories under the regular establishment/services/posts.”***

The Office Memorandum therefore provided that the revised pay structure shall also be applicable to the members of work charged establishment.



12. Thereafter, vide a Notification dated 01.03.2018, in exercise of powers conferred by the proviso to Article 309 of the Constitution, the Meghalaya Services (Revision of Pay) Rules, 2018 were notified. Here also Clause 2(i), which is quoted hereinbelow included persons in work charged establishment.

**“1. Category of government employees to whom the rules apply -**

**(i) *Save as otherwise provided by or under these rules, these rules shall apply to persons appointed to civil services and posts in connection with the affairs of the State of Meghalaya, including persons in work-charged establishment holding post(s) carrying identical scale(s) of pay as admissible to corresponding categories of employees in regular establishments.”***

13. A perusal of the report of the Fifth Meghalaya Pay Commission under the caption ‘WORK-CHARGED ESTABLISHMENT’ even though it was noted at Clause 8.7.5, that the Government in 1997 had issued instructions that further appointment of work charged personnel should be stopped forthwith and until further orders, the Commission however, at Clause 8.7.6 noted that there were a total of 1592 work charged personnel working in various Departments which were enumerated therein. At 8.7.7 the



Commission noted that the work charged personnel were entitled to benefits and at 8.7.8 had recommended that existing Rules and Orders and Regulations should continue and no employment under the work charged should be made. The above noted Clauses i.e. 8.7.5, 8.7.6, 8.7.7 and 8.7.8 are reproduced hereinbelow:-

***“8.7.5. In 1997, Government has issued instructions that further appointment of work-charged personnel should be stopped forthwith, and until further orders.***

***8.7.6. The data/materials available to the Commission show that a total of 1592 personnel are employed as Work-charged personnel at present under the following Departments:***

|                                                          |                      |
|----------------------------------------------------------|----------------------|
| <b><i>(a) Public Works Department</i></b>                | <b><i>- 717</i></b>  |
| <b><i>(b) Public Health Engineering Department</i></b>   | <b><i>- 820</i></b>  |
| <b><i>(c) Health &amp; Family Welfare Department</i></b> | <b><i>- 45</i></b>   |
| <b><i>(d) General Administration Department</i></b>      | <b><i>- 10</i></b>   |
|                                                          | <b><i>= 1592</i></b> |

***8.7.7. The Commission notes that the Work-Charged personnel are entitled to the benefits under the Extra-Ordinary Pension Rules and Gratuity under Sub-rule (2) of Rule 333 of the Meghalaya Financial Rules, 1981.***

***8.7.8. No demand or representation was received by the Commission on this matter. The Commission, therefore, recommends that the existing rules/orders and regulations should continue and no employment under the Work-Charged Establishments should be made.”***



14. From the above, it is to be noted that Pay Revision was extended to the work charged establishment, holding posts carrying identical scales of pay as admissible to corresponding categories of employees in regular establishment. This entitlement of pay revision of the work-charged establishment has been consistent since the 3<sup>rd</sup> to 5<sup>th</sup> Pay Commission as the exact same wordings as seen from records, have used. Coming to the interpretation clause i.e. Clause 15 of the Revision of Pay Rules, 2018, it is noted that the same clause was also present in the earlier Revision of Pay Rules of 1997, 2009 and 2017, but however interpretation was only sought in the year 2019, vide letter dated 10.06.2019, and not on any earlier occasion with regard to the work-charged employees appointed after 1997. It is further seen that the interpretation afforded by the Finance (Pay Revision) Department dated 19.03.2020, which is extracted hereinbelow is cryptic and vague as it only refers to the cutoff date of 27.10.1997 without addressing the implications of Clause 2(i) on the entitlements of the petitioners.

**“Public Works (R&B) Department, I/D**

***As per Rules Office Memorandum on the Implementation of the Fifth Meghalaya Pay Commission, the revised pay is applicable to the work-***



*charged personnel who were appointed prior to 27.10.1997.*

*Further, since appointment to work-charged personnel has been banned from 27.10.1997, the question of admissibility to the revised pay does not arise.*

*Sd/-  
Deputy Secretary,  
Finance (Pay Revision) Department”*

15. Interpretation would and can arise only if there was some ambiguity with regard to a provision of law. In the instant case, the Revision of Pay Rules in their application to the work charged establishment which was consistent throughout and the continuation of the benefits being clear, and further qualified by Clause 2(ii) as to its application, in the considered view of this Court, no interpretation was required. More importantly, the Revision of Pay Rules, are statutory Rules made under Article 309 of the Constitution of India, and as such any variance or limitation which is sought to be introduced, the same cannot be by a resolution, memorandum or by interpretation, but by amendment of the Rules itself. The Rules have not made any classification based on the date of appointment and as such the letter dated 27.10.1997, as also the impugned letter 23.03.2020, and the interpretation dated 19.03.2020 are not competent to override the Meghalaya Service (Pay Revision) Rules, 2018. In this context, with



regard to ambiguity, the case of ***R.S. Nayak vs. A.R. Antulay*** (supra) as cited by the petitioners is of great relevance, wherein the Supreme Court at Para-18 has held as follows:-

***“18. Re. (a) : The 1947 Act was enacted, as its long title shows, to make more effective provision for the prevention of bribery and corruption. Indisputably, therefore, the provisions of the Act must receive such construction at the hands of the court as would advance the object and purpose underlying the Act and at any rate not defeat it. If the words of the statute are clear and unambiguous, it is the plainest duty of the court to give effect to the natural meaning of the words used in the provision. The question of construction arises only in the event of an ambiguity or the plain meaning of the words used in the statute would be self-defeating. The court is entitled to ascertain the intention of the Legislature to remove the ambiguity by construing the provision of the statute as a whole keeping in view what was the mischief when the statute was enacted and to remove which the Legislature enacted the statute. This rule of construction is so universally accepted that it need not be supported by precedents. Adopting this rule of construction, whenever a question of construction arises upon ambiguity or where two views are possible of a provision, it would be the duty of the court to adopt that construction which would advance the object underlying the Act namely, to make effective provision for the prevention of bribery and corruption and at any rate not defeat it.”***

Similarly in the case of ***Grasim Industries Ltd. vs. Collector of Customs, Bombay*** (supra) the Hon’ble Supreme Court at Para-10 thereof has held as follows:-



***“10. No words or expressions used in any statute can be said to be redundant or superfluous. In matters of interpretation one should not concentrate too much on one word and pay too little attention to other words. No Provision in the statute and no word in any section can be construed in isolation. Every provision and every word must be looked at generally and in the context in which it is used. It is said that every statute is an edict of the legislature. The elementary principle of interpreting any word while considering a statute is to gather the mens or sententia legis of the legislature. Where the words are clear and there is no obscurity, and there is no ambiguity and the intention of the legislature is clearly conveyed, there is no scope for the court to take upon itself the task of amending or alternating (sic altering) the statutory provisions. Wherever the language is clear the intention of the legislature is to be gathered from the language used. While doing so, what has been said in the statute as also what has not been said has to be noted. The construction which requires for its support addition or substitution of words or which results in rejection of words has to be avoided. As stated by the Privy Council in Crowford v. Spooner “we cannot aid the legislature’s defective phrasing of an Act, we cannot add or mend and, by construction make up deficiencies which are left there”. In case of an ordinary word there should be no attempt to substitute or paraphrase of general application. Attention should be confined to what is necessary for deciding the particular case. This principle is too well settled and reference to a few decisions of this Court would suffice. (See: Gwalior Rayons Silk Mfg. (Wvg.) Co. Ltd. v. Custodian of Vested Forests, Union of India v. Deoki Nandan Aggarwal, Institute of Chartered Accountants of India v. Price Waterhouse and Harbhajan Singh v. Press Council of India.)”***

16. On the point of whether an Office Memorandum or Government Notification can override statutory law, in the case of



***Sant Ram Sharma vs. State Rajasthan & Ors.*** (supra) at Para-7, it has been held as follows:-

***“7. We proceed to consider the next contention of Mr. N.C. Chatterjee that in the absence of any statutory rules governing promotions to selection grade posts the Government cannot issue administrative instructions and such administrative instructions cannot impose any restrictions not found in the Rules already framed. We are unable to accept this argument as correct. It is true that there is no specific provision in the Rules laying down the principle of promotion of junior or senior grade officers to selection grade posts. But that does not mean that till statutory rules are framed in this behalf the Government cannot issue administrative instructions regarding the principle to be followed in promotions of the officers concerned to selection grade posts. It is true that the Government cannot amend or supersede statutory rules by administrative instructions, but if the rules are silent on any particular point Government can fill up the gaps and supplement the rules and issue instructions not inconsistent with the rules already framed.”***

Most recently, the judgment of the Supreme Court in the case of ***Ashok Ram Parshad & Ors. vs. State of Maharashtra & Ors.*** reported in 2023 SCC OnLine SC 265, has underlined this proposition that Government resolutions cannot override statutory rules.



17. Though arguments have also been advanced that Rule 10 (1) of the Rules of Executive Business of the State of Meghalaya, has stipulated that previous consultations are necessary with the Finance Department in any matter that will have repercussions on State finances, however, in the instant case on the facts and circumstances thereof, the same will have no bearing whatsoever.

The judgments noted earlier, cited by the learned counsel for the State, on perusal, are of no assistance to the case of the respondents as they deal with parity of pay which is on a different footing from the instant case, as also of invalid appointment, and as such are disregarded.

18. Though, this Court appreciates and recognizes the fact that the State respondents had consciously taken decisions to stop work charged employment w.e.f. 27.10.1997, and in furtherance thereof to dissuade the same, further decided not to extend the benefits of pay revision, however the Revision of Pay Rules, 2018 being clear in its intent and object, and having statutory force, cannot be unseated or overridden by the impugned orders and the interpretation given by the Finance Department.



19. As such, in the given facts and circumstances of the case, the impugned orders dated 23.03.2020 and 05.07.2022, being incompetent are hereby set aside and quashed and these writ petitions are accordingly allowed and disposed of, however with no order as to costs.

**JUDGE**

Meghalaya  
11.07.2024  
"V. Lyndem PS"