

GAHC010098682023



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

Case No. : WP(C)/3582/2023

MD. FAZAL HOQUE
S/O- HASMAT ALI,
A RESIDENT OF VILL- KAWADANGA,
P.O.- BARBAGAN, P.S- DHULA,
DIST- DARRANG, ASSAM.

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
EDUCATION SECONDARY DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DIRECTOR SECONDARY EDUCATION
ASSAM KAHILIPARA GUWAHATI-19.

3:THE STATE LEVEL SCRUTINY COMMITTEE
ASSAM TO BE REPRESENTED BY ITS CHAIRMAN-CUM-THE DIRECTOR
OF SECONDARY EDUCATION ASSAM KAHILIPARA-19.

4:THE DISTRICT LEVEL SCRUTINY COMMITTEE FOR SECONDARY
EDUCATION DARRANG DIST.- DARRANG ASSAM.
TO BE REPRESENTED BY ITS CHAIRMAN-CUM-DEPUTY COMMISSIONER
DARRANG DIST.- DARRANG ASSAM.

5:THE INSPECTOR OF SCHOOLS DARRANG DISTRICT CIRCLE
DIST- DARRANGASSAM.

6:THE HEADMASTER KAWADANGA HIGH SCHOOL P.O.- BARBAGAN
DIST.- DARRANG ASSAM PIN

Advocate for the Petitioner : MR. M A I HUSSAIN
Advocate for the Respondent : SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 22-04-2024

Heard Mr. M. A. I. Hussain, learned counsel for the petitioner. also heard Ms. P. Das, learned standing counsel, Secondary Education Department, appearing on behalf of all the respondents.

The petitioner, herein, who is serving as an Assistant Teacher in Kawadanga High School, has instituted the present proceedings, with a prayer for a direction upon the respondent authorities to take into consideration, the report as submitted in the matter by the District Scrutiny Committee(DSC), Darrang, wherein, it has been recommended that the petitioner's service be provincialized.

In terms of the directions passed by this Court vide the earlier orders; Ms. Das, learned standing counsel, Secondary Education Department, has placed on record, a communication, dated 01.04.2024, received by her from the Director, Secondary Education Department, Assam, by which, it has been intimated that the U-DISE Data and also the details of the number of students as appearing in the HSLC Examination during the years 2014-15 and 2015-16 has already been received by the respondent authorities and now, the case of the petitioner would be placed before the next meeting of the State Level Scrutiny Committee(SLSC) which would be scheduled after the Model Code of Conduct(MCC) presently in operation, is lifted.

Accordingly, the grievance as raised by the petitioner for having the recommendation of the District Level Scrutiny Committee(DLSC) considered, has

already taken-up by the respondent authorities and accordingly, the present writ petition stands disposed of requiring the Director, Secondary Education Department, Assam, to place the recommendations as available in the matter of the District Level Scrutiny Committee(DLSC) along with all other requisite particulars before the State Level Scrutiny Committee(SLSC) for its consideration and thereafter, the matter be processed strictly in accordance with the provisions of the Assam Education (Provincialization of Services of Teachers and Re-organization of Educational Institutions) Act, 2017, as per the recommendations of the State Level Scrutiny Committee(SLSC).

The above exercise as now required to be carried-out by the authorities, shall be so initiated and completed within a period of 6(six) months from today.

With the above directions, this writ petition stands disposed of.

JUDGE

Comparing Assistant