

GAHC010256192024



2024:GAU-AS:12477

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

Case No. : WP(C)/6605/2024

JAHANARA BEGOM
W/O SOHRAB ALI
RO VILL- KISMOT KATHMI
P.O. DEKA SUNG, PIN-781136
DIST. KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SCHOOL EDUCATION DEPARTMENT, DISPUR,
GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

4:THE INSPECTOR OF SCHOOLS
K.D.C. KAMRUP (R)
AMINGAON
GUWAHATI-31.

5:THE HEAD MASTER
RAHATUN NAZAT M.E. SCHOOL
P.O.DEKA SUNG
P.S. BOKODIST. KAMRUP (R)
ASSAM, PIN-78113

Advocate for the Petitioner : MR. A K HUSSAIN, MR. B HUSSAIN

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

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 11.12.2024

Heard Mr. A. K. Hussain, learned counsel for the petitioner. Also heard Mr. U. Sharma, learned Standing Counsel, Secondary Education Department, for the respondent Nos. 1, 3 & 4 and Mr. P. Nayak, learned Standing Counsel, Finance Department, appears for the respondent No. 2.

2. The petitioner was appointed as Assistant Teacher (Hindi) in the Rahatun Nazat Pre-Senior Madrassa (renamed as Rahatun Nazat M.E. School) by a Communication dated 01.01.1996 issued by the Secretary of the said School. The petitioner accordingly joined the said post on 02.01.1996 and is serving till date. The service of the petitioner was also provincialised by an Order dated 27th December, 2013, issued by the Director of Madrassa Education, Assam. The petitioner acquired B.A. degree from Krishna Kanta Handiqui State Open University on 28.12.2023 and also obtained her D.El.Ed. degree from the Krishna Krishna Kanta Handiqui State Open University on 08.04.2019.

3. It is the case of the petitioner that in terms of the Notification dated 04th of August, 2018, issued by the Secretary to the Government of Assam, Finance (PRU) Department, she is entitled to the Grade Pay of Rs.8,700/-. The further case of the petitioner is that similarly situated Assistant Teachers, who are serving under the Inspector of Schools, KDC, Kamrup, Amingaon were allowed

to receive Grade Pay from Rs. 6,800/- to Rs. 8,700/- by Order dated 10th March, 2022. However, despite the petitioner acquiring the required qualifications to be considered as a Trained Graduate Teacher is still receiving the Grade Pay of Rs. 6,800/- and accordingly, the petitioner made a representation before the Inspector of Schools, Kamrup (R) on 24.10.2024, praying for providing revised Grade Pay of Rs. 8,700/-. The petitioner also made a similar representation before the Director of Secondary Education, Assam on 28.10.2024.

4. It is the submission of the learned counsel for the petitioner that as the representations dated 24.10.2024 and 28.10.2024 filed by the petitioner are yet to be considered and disposed of, the petitioner would be satisfied if a direction is issued to the respondents to dispose of the representations made by the petitioner.

5. After hearing learned counsel for the parties, this writ petition is accordingly disposed of directing the Director of Secondary Education, Assam/respondent No. 3 to consider and dispose of the representation made by the petitioner on 28.10.2024 by a Speaking Order and in accordance with law after verification of all necessary documents.

6. Let such exercise be taken and completed within a period of 2 (two) months from the date of receipt of a certified copy of the Order of this Court.

7. With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant