

WP(C) 3815/2015
BEFORE
THE HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

Heard Mr. I Rofique, learned counsel for the petitioners. Also heard Mr. RM Deka, learned Standing Counsel, Elementary Education Department appearing for the respondents.

Learned counsel for the petitioners submits that the petitioners were appointed in the year 1995 and 1999 by the Deputy Inspector of Schools. Since their appointment they are serving in their respective schools. The Government of Assam constituted several committees to scrutinize the appointment of teachers who were appointed during the year 1995 to 1999. The three petitioners submitted their applications together with treasury challan in the year 2012 but due to some unknown reason, their names were not included in the screening list. Recently the Government of Assam has again issued a letter dated 24.10.2014 under Memo No. PMA.281/2013/75 (Annexure-4) to again verify the applications of the persons whose applications were rejected due to non submission of proper documents. The petitioners filed representations dated 13.10.2014 and 17.10.2014 before the Director of Elementary Education, Assam for inclusion of their names and the Director of Elementary Education Officer, Karimganj for necessary action. As the petitioners were unknown about the status of their applications and in reply to the said RTI applications, the petitioners were informed that the Chairman and Member Secretary of the Screening Committee verbally directed not to entertain such applications. The denial by the District Screening Committee only to scrutinize the applications of the petitioners is arbitrary and it will seriously hamper the life and service carrier of the petitioners. The Government of Assam has already taken decision to verify the documents of the petitioners and similar other persons. The Director of Elementary Education, Assam has also forwarded the particulars of the petitioners to the District Elementary Education Officer, Karimganj for necessary action and in such circumstances the applications of the petitioners ought to have scrutinized.

Mr. RM Deka, learned Standing Counsel, Elementary Education Department and Mr. J U Laskar, learned counsel appearing for respondent No. 3 submit that this writ petition can be disposed off with a direction to the respondent No. 3, i.e., the Deputy Commissioner, Karimganj, to place the representation of the petitioner before the screening committee and to decide upon the same within a specified time period.

On hearing the learned counsels for the parties and on perusal of the materials on record, I direct the respondent No. 3 and the screening committee to scrutinize the petitioner's representations/applications within a specified period of 6 (six) weeks from the date of receipt of a certified copy of this order. Writ petition stands disposed off.