

As prayed for, Dr. P.K. Goswami, learned counsel for the petitioners is allowed to correct the cause title with regard to the name of the official respondent No s. 1,2 and 3.

Heard Dr. P.K. Goswami, learned counsel for the petitioner and Mr. P. Saikia, learned Standing Counsel, Secondary Education Department appearing for the official respondents.

The petitioners are TET (Madrassa) Examination qualified candidates that was held in the month of January, 2015. The State Government in the Secondary Education Department vide Memo No. ASE-158/2010/Pt-III/84 dated 12.9.2012 issued a Notification for filling up of essential unreserved sanctioned vacant post prescribing the procedure for selection and appointment of candidates in provincialised Madrassa Institutions in Assam. Clause- 8 of the said Notification dated 12.9.2012 stipulates that the Managing Committee/ Governing Body of the Madrassas shall give wide publicity locally at least in one local newspaper to the vacancies for appointment of teaching and non-teaching staff except Principal/ Superintendent and Grade-IV posts as per the proforma enclosed therewith after due approval by the Director of Madrassa Education, respondent No.3 and that the Managing Committee/ Governing Body shall ensure that at least 15 days' time is given from the date of publication of the notice/ advertisement for inviting applications so that the prospective candidates can apply in the standard application form as published in Part IX of the Assam Gazette by the Govt. of Assam.

The State Government in the Secondary Education Department vide No. RMSA /TET/MADRASSA/342/2014/1 dated 30.08.2014 issued an advertisement for Teachers' Eligibility Test (TET) of Madrassa Education for the unreserved posts in provincialised Madrassa Institutions, wherein it was specifically mentioned that the advertisement for the posts of teachers in unreserved category in the Madrassa institutions will be made as per the rules and guidelines contained in the Government Notification ASE.258/2010/Pt.III/84 dated 12.9.2012.

In this writ petition, the petitioners have brought to the notice of the Court that though the Superintendents-cum-Secretaries of the provincialised Madrassas of the State issued advertisements calling for applications for filling up the posts of MM Assistant Teacher (Graduate Scale), FM Assistant Teacher (Graduate Scale) for Senior Section, Assistant Teacher, FM (Pre-Senior Section), however, in most of the said advertisements less than 15 days' time has been granted to the applicants (the petitioners herein) to submit their applications, which is in violation of the aforesaid Notification dated 12.9.2012. To that extent, the petitioners have annexed the advertisements with regard to various provincialised Madrassas as Annexure-IV series.

It appears that most of the advertisements were issued in the month of October, 2015 and the last date for submission of the applications are already over. However, the petitioners have submitted that the process of selection has not yet started. The petitioners have also brought to the notice of the Court that being aggrieved with such action of the State respondents, they have preferred a representation before the Director of Madrassa Board on 12.10.2015 which is yet to be disposed of.

Mr. P. Saikia, counsel for the Secondary Education Department on the other

er hand submits that presently there is no Madrassa Board in existence and that selection for such advertised posts in provincialised Madrassas are already over .

After hearing the learned counsel for the parties, this writ petition is disposed of with a direction that the petitioners shall file a fresh representation before the Director of Madrassa Education, Assam, respondent No.3 on or before 07.12.2015 along with a certified copy of this order expressing their grievances.

In the event of filing such representation by the petitioners as directed above, within the time specified, the respondent No.3 shall consider the same in accordance with law and shall dispose of the same on or before 31.12.2015 with a 'speaking order' and shall communicate the petitioners about the outcome of their such representation.

Till such disposal of the representation of the petitioners, the posts advertised by the respondent Nos. 4 to 24 Madrassas shall not be filled up, if not filled up till date.

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