

GAHC040004612020



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

Case No. : WP(C) 163/2020

1:Jumkar Lombi
S/o Yomjum Lombi, village Chekor Lombi, PO/PS Tirbin, Leparada District, AP

2: Mokir Essi
S/o Mimo Essi
village Essi-Rite
PO/PS Tirbin
Leparada District
AP

3: Arun Tayeng
S/o Allok Tayeng
village Mebo Charali
PO/PS Mebo
East Siang District
AP

4: Ipu Lombi

D/o Bomi Lombi
village Chekor Lombi
PO/PS Tirbin
Leparada District
AP

5: Gijum Nada

D/o Komgi Nada Village Champak Chojo
Kanku Circle
PO/PS Likabali

Dist. Lower Siang
AP

6: Senyir Potom

D/o Luksen Potom
village Sala Potom
PO/PS Darak
west siang District
AP

7: Atil Passing

S/o Yangki Passing
village Mebo
PO/PS Mebo
Dist. East Siang
AP

8: Tayu Hakom

S/o Tamik Hakom
village Hakom
PO/PS Dumporijo
Upper Subansiri District
AP

9: Kinga Doke

D/o Yuki Doke
village Moba
PO/PS Tirbin
Leparada District
AP

10: Jummik Potom

D/o Mukjum Potom
village Seren
PO/PS Nari
District Lower Siang
AP

11: Reena Loyi
D/o Marken Loyi
village Kabu
PO/PS Aalo
West Siang District
AP

12: Taku Tacha

S/o Taku Chada
village Hija
PO/PS Ziro
Lower Subansiri District
AP

13: Padi Nancy
D/o Padi Tatu
village Peru
PO/PS Ziro
Lower Subansiri AP

14: Padi Yamer
D/o Padi Talle
village Peru
PO/PS Ziro
Lower Subansiri
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VERSUS

1:THE STATE OF AP
represented by the Chief Secretary, Govt. of AP, Itanagar

2:The Secretary
(Education)
Govt. of AP
Itanagar

3:The Director of Secondary Education
Govt. of AP
Itanaga

Advocate for the Petitioner : T T Tara

Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE SONGKHUPCHUNG SERTO**

ORDER

29.06.2020

Heard Mr. T. T. Tara, learned counsel appearing for the 14 petitioners. Also, heard Mr. I. Riram, learned Addl. Sr. Govt. Advocate appearing for the respondent No. 1 and Mr. T. Jamoh, learned Standing counsel, Education Department appearing for the respondents No. 2 & 3.

2. Vide Advertisement No. ED2/DSE/460/APT/2018, dated 02.03.2020, issued by the Director, School Education, Government of Arunachal Pradesh, applications from Meritorious Sports Persons, were invited for filling up the posts of PGT and TGT teachers in various Government Schools of the State of Arunachal Pradesh. But the petitioners, who belongs to Districts which are far away from the Capital City, could not submit their applications due to the nationwide lockdown, announced in the evening of 23.03.2020 by the Prime Minister of India. However, thereafter, on 04.05.2020, the Government of Arunachal Pradesh, taking notice of the situation arising out of the spread of Covid-19, extended the time for submission of forms till 29.05.2020. But, since the petitioners belong to far flung areas, they were not aware of all the developments that was taking place, therefore, they could not avail the opportunity given by that notification, either. So on 10.06.2020, they submitted a representation to the Director, Secondary Education, Govt. of Arunachal Pradesh, to extend the time of submission of forms, so as to enable them to avail the opportunity to appear in the examination, which rarely happens. Since, their representation has not been considered; they are here before this Court, praying for a direction, directing the respondents to relax or extend the time limit for submission of forms and allow them to submit their forms.

3. Mr. Jamoh, learned Standing counsel submits that after the order dated 04.05.2020, which extended the time limit for submission of application till 29.05.2020, was issued, another notification was also issued on 30.05.2020 by which the time limit for submission of forms was extended till 15.06.2020. By that time, the situation was quite normal, therefore, the petitioners could have submitted their application forms.

Mr. Jamoh, learned Standing counsel also submitted that under the facts and circumstances, a direction may be issued to the respondents to consider and dispose of, the representation of the petitioners.

4. Since, the spread of Covid-19 reached India, there has been panic and uncertainty all over the country. Nothing can be said to be normal even today. The Prime Minister of India announced nationwide lockdown on 23.03.2020. Since then, the spread has only spiraled upwards and as on today, Covid-19 positive cases have reached 5,48,318 in India and in the State of Arunachal Pradesh it has reached 182, which is quite alarming for a State like Arunachal Pradesh, where available Health facilities are not at their best. In view of the situation, the State Government from time to time has issued SOP, even regarding the discipline in the Government Offices. Till today, we have not been able to function normally. Therefore, it would be unfortunate to deny the petitioners to at least the opportunity of competing in such kind of exams, which rarely happens. Whether they will make it or not in the examination is a different matter but at least they should not be denied the opportunity to appear in the examination which is being conducted specially for their category. Everyone is aware about the kind of information technology available in the Northeastern states, that too added by the present scenario due to the spread of Covid-19. Therefore, the respondents should be a little more considerate to these Meritorious Sports persons who had brought laurels to the State, in their respective disciplines or fields. Specially, when no admit cards have been issued and no date has been fixed for the examination.

5. In view of what has been stated above, the respondents are hereby directed to allow the petitioners to submit their application forms for the said examination.

The petitioners shall submit their application forms within 5(five) days, from today.

6. Let a copy of this order be made available to Mr. T. Jamoh, learned Standing counsel, Education Department, for early communication and compliance.

7. The writ petition, is accordingly, disposed of.

JUDGE

Comparing Assistant