

TRHC010012022026



HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C)(PIL) No.05 of 2026

1. Gobinda Manik Jamatia

S/O- Lt. Durbal Hari Jamatia, Resident of Village - Kalam Khai Bari, P.O and P.S- Killa, Udaipur, Gomati Tripura, PIN- 799114.

2. Bijan Jamatia

S/O- Ananta Lal Jamatia, R/O- Harebari, Uttar Brajendranagar, Gomati Tripura, PIN 799114.

3. Seng Thwng Jamatia

S/O- Aphurai Jamatia, Resident of Village and P.O- Raiobari, P.S- Killa, Udaipur, Gomati Tripura, PIN 799114.

4. Suri Jamatia

S/O- Aphurai Jamatia, Resident of Village and P.O- Riobari, P.S- Killa, Udaipur, Gomati Tripura, PIN- 799114.

5. Pohor Jamatia

S/O- Alindra Jamatia, Resident of Village and P.O and P.S- Killa, Udaipur.

6. Smt. Anjana Debbarma

D/O- Subhas Debbarma, R/O- Radha Chandra Para, Village - Radhapur, P.O- Radhapur G.P, District- West Tripura, Tripura, PIN 799045.

7. Ranjan Debbarma

S/O- Subhas Debbarma, R/O- Radha Chandra Para, Village - Radhapur, P.O- Radhapur G.P, District- West Tripura, Tripura, PIN- 799045.

.....*Petitioner(s)*

-V E R S U S-

1. Tripura Tribal Areas Autonomous District Council

To be represented by the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

2. The Chief Executive Officer

TTAADC, Khumulwng, West Tripura.

3. Smt. Mary Debbarma, Agri Assistant

O/o WQ the Chief Executive Officer, Administrative Block, TTAADC.

4. Smt. Rajashi Debbarma, LDC

O/o the Chief Executive Officer, Administrative Block, TTAADC.

5. Smt. Khasukti Reang, LDC

O/o. the Chief Executive Officer, Administrative Block, TTAADC.

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6. Smt. Lachi Debbarma, LDC.

O/o the Chief Executive Officer, Administrative Block, TTAADC.

7. Sri Nokha Debbarma, LDC

O/o the Chief Executive Officer, Administrative Block, TTAADC.

8. Sri Layer Debbarma, Helper

O/o the Chief Executive Officer, Administrative Block, TTAADC.

9. Smt. Nilima Jamatia

W/O- Subodh Kumar Jamatia, resident of Village - Pabitra Ram Bari, P.O- Pitra Bazar, P.S.- Killa, District - Gomati Tripura, (appointed as Group-D by TTAADC, Khumulwng).

10. Smt. Saral Devi Jamatia

W/O- Naresh Jamatia, resident of Village - Harebari, P.O- UB Nagar, P.S- Killa, District-Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng.)

11. Sri Rajesh Jamatia

S/O- Presashi Jamatia, resident of Village- Twirupabari, P.O and P.S.- Killa, District-Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

12. Sri Subash Pada Jamatia

S/O- Padma Charan Jamatia, resident of Village- Chhaimarua, P.O- UB Nagar, P.S- Killa, District- Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng)

13. Sri Swkang Jamatia

S/O- Uday Kishore Jamatia, resident of Pabitra Ram Bari, P.O- Pitra, P.S- Killa, District-Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

14. Sri Kwthar Jamatia

S/O- Subal Jamatia, resident of Village and P.O- Raiyabari, P.S.-Killa, District- Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

15. Sri Amit Kumar Jamatia

S/O-Lt. Santi Kumar Jamatia, resident of Village - Jalama, P.O- Manikya, P.S.- Killa, District-Gomati Tripura, (appointed as Driver by TTAADC, Khumulwng).

16. Smt. Swapna Debbarma

W/O- Juvaraj Debbarma, resident of Bagma, Chandra Para, P.O- Manikya, P.S- Killa, District-Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

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17. Sri Ashim Jamatia

S/O- Krishnadhan Jamatia, resident of Dewanbari, P.O- Pitra, P.S-Killa, District-Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

18. Sri Suryja Uday Jamatia

S/O- Debnarayan Jamatia, resident of Noabari, P.O and P.S- Killa, District-Gomati Tripura, (appointed as Driver by TTAADC, Khumulwng).

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Sri Birdhan Jamatia

Age 35 years, S/O - Debachakra Bani Jamatia, Resident of Village - Burburia, Amarpur, P.O - Gamaku, P.S. - Birganj, Gomati Tripura, PIN 799101.

.....*Petitioner(s)*

-V E R S U S-

1. Tripura Tribal Areas Autonomous District Council

To be represented by the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

2. The Chief Executive Officer, TTAADC,

Khumulwng, West Tripura.

3. Smt. Mary Debbarma, Agari Assistant,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

4. Smt. Rajashi Debbarma, LDC,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

5. Smt. Khasukti Reang, LDC,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

6. Smt. Lachi Debbarma, LDC,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

7. Sri Nokha Debbarma, LDC,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura.

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8. Sri Layer Debbarma, Helper,

O/o the Chief Executive Officer, Administrative Block, TTAADC, notice to be served through the Chief Executive Officer, TTAADC, Khumulwng, West Tripura

9. Smt. Nilima Jamatia,

W/O - Subodh Kumar Jamatia, resident of Village - Pabitra Ram Bari, P.O- Pitra Bazar, P.S. - Killa, District - Gomati Tripura, (appointed as Group-D by TTAADC, Khumulwng)

10. Smt. Saral Devi Jamatia,

W/O - Naresh Jamatia, resident of Village - Harebari, P.O - UB Nagar, P.S Killa, District- Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng.)

11. Sri Rajesh Jamatia,

S/O Presashi Jamatia, resident of Village- Twirupabari, P.O and P.S - Killa, District -Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng)

12. Sri Subash Pada Jamatia,

S/O Padma Charan Jamatia, resident of Village - Chhaimarua, P.O - UB Nagar, P.S - Killa, District - Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng)

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S/O - Uday Kishore Jamatia, resident of Pabitra Ram Bari, P.O - Pitra, P.S - Killa, District - Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng)

14. Sri Kwthar Jamatia,

S/O - Subal Jamatia, resident of Village and P.O - Raiyabari, P.S - Killa, District -Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

15. Sri Amit Kumar Jamatia,

S/O - Lt. Santi Kumar Jamatia, resident of Village - Jalama, P.O - Manikya, , P.S - Killa, District - Gomati Tripura,(appointed as Driver by TTAADC, Khumulwng)

16. Smt. Swapna Debbarma,

W/O - Juvaraj Debbarma, resident of Bagma, Chandra Para, P.O- Manikya, P.S -Killa, District- Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng)

17. Sri Ashim Jamatia,

S/O - Krishnasadhan Jamatia, resident of Dewanbari, P.O - Pitra, P.S - Killa, District - Gomati Tripura, (appointed as Group-C by TTAADC, Khumulwng).

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18. Sri Surya Uday Jamatia,
S/O- Debnarayan Jamatia, resident of Noabari, P.O and P.S Killa, District -
Gomati Tripura, (appointed as Driver by TTAADC, Khumulwng)

.....*Respondent(s)*

For Petitioner(s) : Mr. P Roy Barman, Sr. Advocate,
Mr. Kawsik Nath, Advocate.

For Respondent(s) : Mr. Gaurav Kejriwal, Advocate,
Mr. Bhaskar Debbarma, Advocate.

HON’BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO
HON’BLE MR. JUSTICE BISWAJIT PALIT

COMMON ORDER

13.08.2026

Heard the counsel for the parties and perused the counter affidavits filed by the respondent No. 1 & 2 in both cases.

The Tripura Tribal Areas Autonomous District Council (for short ‘TTAADC’) (respondent no.1) is established under Schedule VI to the Constitution of India for administration of Tribal Areas in the State of Tripura.

It is an instrumentality of State *prima facie*, and falls within the definition of “State” under Art.12 of the Constitution of India.

It is the plea of the petitioners in both the cases that the TTAADC has made certain illegal and back door appointments in the Group-C and Group-D posts without following due process, without proper Advertisement and without inviting applications from the eligible candidates and without any selection process on pick and choose basis. This plea is based on certain News Paper reports and disinclination of the Chief Executive officer of the TTAADC to Reply to queries raised by petitioners

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in WP (PIL) No.5 of 2026 under the Right to Information Act,2005. But appointment orders issued to some of private respondents have been filed as Annexures 5-10 in both Writ Petitions.

In the counter affidavits filed in WP(C)(PIL)No.05/2026, it is admitted in para 8 that though the TTAADC has framed certain rules such as the TTAADC Civil Service (Leave) Rules, 2007, the TTAADC Civil Service (Pension) Rules, 2007, the TTAADC Civil Service (Travelling Allowance) Rules, 2007 and the TTAADC Civil Service (Appointment, Promotion, Conduct and Disciplinary) Rules, 2007 which govern the TTAADC in matters relating to recruitment, service matters, etc., the said Rules have not yet received the assent of His Excellency the Governor till date. Admittedly such assent is mandatory under Section 3 (3) of the VI Schedule and without his assent, they have no effect.

It is stated that the TTAADC has also filed a Writ Petition under Art.32 of the Constitution of India in the Supreme Court of India being W.P.(C) No.88/2026 in that regard, and the Supreme Court has issued notice to the State of Tripura and other respondents on 18.3.2026.

Thus, this statement in para 8 of the counter affidavit of TTAADC proves that there exists no Rules prescribing method of Appointment, Promotion, Conduct and Discipline in the TTAADC, Civil Services.

It is not also disclosed by the TTAADC what posts have been created in the said organisation and what pay scale is to be paid to such posts.

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It is further pleaded in para-7 of the counter affidavit filed by Respondent No.1 in WP(C) (PIL) No.05/2026 that the TTAADC administration had regularized certain trained Part-time Workers/Casual Workers/ paid vouchers who are working in different Offices/ DDOs for long time as per decision of the Executive of the TTAADC, which is highest competent authority of TTAADC like the cabinet of the State Government.

It is not disputed that Part-time Workers/Casual Workers/ paid vouchers had been appointed initially without giving adequate publicity by way of public advertisement, without following a prescribed process of selection, and without following of rule of reservation. All such appointment have to be construed as illegal backdoor appointments only.

However they are drawing pay and allowances from the public exchequer as per Art.275 of the Constitution of India and Section 7 of the Schedule VI to the Constitution of India. This cannot be permitted.

We fail to understand, how in the absence of existence of sanctioned posts with approved scale of pay and allowances, the TTAADC could regularize services of above referred persons.

The TTAADC is an instrumentality of the State and is governed by the Constitution and laws of the country which require transparency in the process of recruitment for posts (Art.14) and adherence to rule of reservation (Art.16) too.

TTAADC cannot give a go-bye to the above Principles of law and regularize services in posts which are possibly not even sanctioned, and

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make payment out of the public funds for persons holding the said posts after regularization of their services.

Therefore, pending further orders, the respondents Nos.1 & 2 are restrained from paying salaries to the private respondents in both the Writ Petitions.

Since some of the private respondents have not been served, list the matter on **01.09.2026**.

The counsel for the TTAADC shall instruct his client to have notices served on the private respondents in WP(C)(PIL) No.07/2026 through his office.

(BISWAJIT PALIT, J)

(M.S. RAMACHANDRA RAO, CJ)

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