

GAHC010150902022



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

**Case No. : PIL/52/2022**

DURLOV TALUKDAR

VERSUS

1. THE UNION OF INDIA AND 4 ORS.  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,  
MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI- 110001.

2:THE JOINT SECRETARY  
MINISTRY OF HOME AFFAIRS (NORTH-EAST DIVISION)  
NORTH BLOCK, NEW DELHI-110001.

3:THE STATE OF ASSAM  
REPRESENTED BY THE CHIEF SECRETARY  
GOVERNMENT OF ASSAM  
ASSAM SACHIVALAYA, DISPUR  
GUWAHATI 781006.

4:THE COMMISSIONER AND SECRETARY  
IMPLEMENTATION OF ASSAM ACCORD DEPARTMENT  
GOVERNMENT OF ASSAM  
ASSAM SACHIVALAY, DISPUR  
GUWAHATI 781006.

5:THE SECRETARY  
LEGISLATIVE DEPARTMENT  
GOVERNMENT OF ASSAM  
ASSAM SACHIVALAYA, DISPUR  
GUWAHATI 781006.

6:ASSAM STATE JAMIAT ULEMA,  
REPRESENTED BY ITS SECRETARY,  
FAZUL KARIM.

7:ASSAMAR PRAGJYOTISHPURIA KHILANJIA MUSALMAN UNNOYON  
PARISHAD, REPRESENTED BY ITS GENERAL SECRETARY,  
FARHAD ALI.

For the Petitioner : Mr. S. Borthakur, Advocate.  
: Mr. V. Rajkhowa, Advocate.  
For the Respondent(s) : Ms. L. Devi, Advocate on behalf of Mr. R.K.D. Chodhury,  
Deputy Solicitor General of India for respondent Nos.1 & 2.  
: Mr. D.K. Sarma, Additional Senior Government Advocate,  
Assam for respondent Nos.3, 4 & 5.  
: Ms. L. Wajeeda, Advocate for respondent No.6.

– BEFORE –  
**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE SUMAN SHYAM**

**21.02.2024**

*(Vijay Bishnoi, CJ)*

This writ petition is filed by the petitioner in the design of Public Interest Litigation (PIL) essentially with the grievances that despite a memorandum of settlement (the Assam Accord) executed between the stakeholders and the then Hon'ble Prime Minister of India, on 15<sup>th</sup> August, 1985, certain promises made in that memorandum of settlement have not been complied with till date.

The petitioner has prayed that the respondent State be directed to make provision for reservation of 80% of the vacancies under the Government of Assam, State Government undertakings for Assamese people. It is also prayed that suitable provision be made for reserving 70% of the vacancies arising in the private sector undertakings including the establishments under the PPP mode

for Assamese people. It is further prayed for introduction of reservation laws on the line of Andhra Pradesh Employment of Local candidates in the Industries/Factories Act, 2019 and the Haryana State Employment of Local Candidates Act, 2020.

Response to the writ petition is filed on behalf of the State, wherein it is mentioned that the issue regarding the implementation of the terms of Assam Accord is under consideration of the Government.

It is submitted by Mr. D.K. Sarma, learned Additional Senior Government Advocate, Assam appearing for the respondent State that a Committee headed by a Cabinet Minister is already constituted, which is examining the issue of implementation of the Clauses of the memorandum of settlement (Assam Accord) and is also considering the various reports submitted by the Committees constituted for implementation of the Assam Accord.

Having considered the submissions made on behalf of the respondent State and taking into consideration the fact that the issues raised by the petitioner in this PIL petition are under consideration of the State Government, we are of the opinion that in such circumstances, no further order(s) is required to be passed in this PIL petition. Hence, the petition is disposed of.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**