

GAHC030005112023



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

Case No. : Cont.Cas(C)/17/2023

Mizoram SSA Teachers Association R/b its President and Anr.
Mizoram
2: Sh Rokima Varte
President of the Mizoram SSA Teachers' Association
Chanmari
Aizaw

VERSUS

Smt Dr Renu Sharma and 10 Ors.
The Chief Secretary to the Govt. of Mizoram, Aizawl
2:Dr Lalzirmawia Chhangte
Secretary to the Govt. of Mizoram
School Education Dept.
Aizawl

3:Sh R.Lalramnghaka
Secretary to the Govt. of Mizoram
Dept. of Personnel and Administrative Reforms
Aizawl

4:Sh Vanlal Chhuanga
Principal Secretary to the Govt. of Mizoram
Finance Dept.
Aizawl

5:Sh Lalsangliana
Director
School Education Dept.
Govt. of Mizoram
Aizawl

6:Smt Lalzarmawii
Commissioner and Secretary to the Govt. of Mizoram

School Education Department
Aizawl

7:Sh Khilli Ram Meena
The Chief Secretary to the Govt. of Mizoram
Aizawl

8:Sh David Lalthantluanga
Special Secretary to the Govt. of Mizoram
School Education Department
Aizawl

9:Sh K.Lalthawmmawia
Commissioner and Secretary to the Govt. of Mizoram
Dept. of Personnel and Administrative Reforms
Aizawl

10:Sh Vanlaldina Fanai
Commissioner and Secretary to the Govt. of Mizoram
Finance Department
Aizawl

11:Smt Angela Zothanpuui
The Director
School Education Department
Govt. of Mizoram
Aizawl

Advocate for the Petitioner : Ms Dinari T Azyu

Advocate for the Respondent : Mrs. Mary Lalruatkimi Khiangte for R1, R3, R4, R7-R11

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
JUDGMENT / ORDER**

Date : 17.09.2026

Heard Mr. V.L. Ralte, learned counsel for the petitioner. Also heard Mrs. M.L. Khiangte, learned counsel for the respondent nos. 1, 3, 4 and 6 to 11. Although the name of learned counsel for the respondent nos.2 and 5 appears in the cause list and their *vakalatnamas* are also available, none appears on call

for the said respondents.

2. The learned counsel for the appearing respondents submits that pursuant to the order passed earlier, respondent no. 9 has filed an additional-affidavit-cum-show-cause reply on 11.09.2026 explaining the various steps taken by the concerned authorities of the School Education Department.

3. The steps so taken comprises the following:

I. The Government of Mizoram notified the Mizoram Regulation of Centrally Sponsored Scheme (CSS) Employees Scheme, 2024 on 18.06.2024, by which a comprehensive policy was framed to regulate the process of regularisation of eligible employees engaged under various Centrally Sponsored Schemes, which includes the members of the petitioner association.

II. A dedicated Study Team was constituted to facilitate the implementation of the Scheme through the proposed CSS Performance Evaluation Committee vide notification dated 01.07.2024. The said Evaluation Committee consists of a Chairman, a Member Secretary and three Members. The Study Team was entrusted with the responsibility of scrutinising and verifying the eligibility of employees engaged under the Centrally Sponsored Schemes.

4. By referring to the said affidavit, the learned counsel for the appearing respondents submits that the Study Team has held as many as 50 sittings from its inception till date and the phased manner in which the Study Team is making recommendations are as follows:

I. Phase - I - Special Educator

II. Phase - II - Primary School Teacher

- III. Phase - III - Upper Primary School Teacher
- V. Phase - V - Lecturers, Senior Secondary School Teacher
- VI. Phase - VI - Hindi Teacher (Middle and High School)
- VII. Phase - VII- Hindi Teacher (Secondary)
- VIII. Phase - VIII - Despatch Rider/ Dak Runner and Grade IV
- IX. Phase - IX -Headmaster of Secondary School, Resource Persons (BRC/CRCC/SS), Art Education Instructor, Health & Physical Instructor and MMMER staff.

5. Accordingly, it is stated that the recommendations in respect of Phase-I were forwarded to the Government of Mizoram in November 2025 by the School Education Department and that the process of regularisation in respect of Phase-I is on the verge of finalisation.

6. In this regard, the learned counsel for the appearing respondents has referred to the 3 (three) lists prepared in connection with the ongoing process of regularisation, which include: (i) 25 persons in the list of Special Educators (Elementary under SSA); (ii) 41 persons in the list of Special Educators (Secondary under SSA); and (iii) 51 persons in the list of Resource Persons (CWSN).

7. It is submitted that out of the aforesaid 3 (three) lists, in the list of Special Educators (Elementary under SSA), 3 (three) members of the petitioner association are named and no persons of the petitioner association is named in the list of Special Educators (Secondary under SSA) and the list of Resource Persons (CWSN).

8. The learned counsel for the petitioner has submitted that insofar as the first list of Special Educators (Elementary under SSA) is concerned, the exercise undertaken by the State respondents and the contemnors is not

pursuant to the judgment and order passed by this Court for which the present contempt petition has been filed, but the same is done in partial compliance with the judgment of the Hon'ble Supreme Court of India in *Rajneesh Kumar Pandey v. Union of India & Ors., (2021) 17 SCC 1*. Accordingly, it is submitted that the exercise so carried out, the members of the petitioner association are not been benefited in the present Phase-I that has been taken up.

9. In the said context, the learned counsel for the appearing respondents submits that the list relating to Phase-II has also been finalised and forwarded to the Government for consideration.

10. It appears that the pace of the exercises undertaken by the State respondents and the contemnors/respondents is yielding no results and the judgment and order dated 17.03.2023, passed in WP(C) No. 128/2019 remains to be implemented.

11. Accordingly, as the Court has already waited for more than 3 ½ years, the assurances given by the respondents for compliance of the order of this Court has not yet given the desired result.

12. As the personal appearance of the respondents have not yet been dispensed with, this Court is inclined to direct all the respondents to appear in person before this Court at 10.30 AM so as to answer as to why the delay in compliance of the order of this Court should not be accepted as willful disobedience of the order of the Court and as to why contempt proceedings should not be initiated against them for willful and deliberate disobedience and non-compliance of the order of this Court.

13. As the respondent nos. 2 and 5 are not represented today, the learned counsel for the petitioner shall provide a photocopy of the certified copy of this

order to the learned counsel for the respondent nos. 2 and 5 so as to enable him to transmit the order to the said respondents without fail or delay. Moreover, the learned counsel for the appearing respondents shall also send a downloaded copy of this order to the respondents.

14. The pendency of this contempt petition shall not be a bar for compliance of the order of this Court.

15. List on 27.10.2026 for personal appearance of the respondents.

JUDGE

Comparing Assistant