



BULLETIN PART II

NO. ALA BLTN (PART II) 2022/2023/75

March 17, 2026 ২ চ'ত, ১৪৩২ ভাঙ্কৰাব্দ

**DECISIONS OF THE SPEAKER, ASSAM LEGISLATIVE
ASSEMBLY, UNDER THE TENTH SCHEDULE TO THE
CONSTITUTION OF INDIA**

**ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT
DISPUR, GUWAHATI-781006**

BULLETIN PART -II

(Legal Branch)

1. Gazette Notification regarding:

(a) Disqualification Case No. ALA.DQC/2026/02

SHRI DEBABRATA SAIKIA, LOP
.....PETITIONER

-versus-

SHRI ABDUR RASHID MANDAL, MLA
.....RESPONDENT

-AND-

(b) Disqualification Case No. ALA.DQC/2026/02(A)

SHRI BASANTA DAS, MLA
.....PETITIONER

-versus-

SHRI ABDUR RASHID MANDAL, MLA
.....RESPONDENT

2. Gazette Notification regarding:

(a) Disqualification Case No. ALA.DQC/2026/03

SHRI DEBABRATA SAIKIA, LOP
.....PETITIONER

-versus-

SHRI SHERMAN ALI AHMED, MLA
.....RESPONDENT

-AND-

(b) Disqualification Case No. ALA.DQC/2026/03(A)

SHRI BASANTA DAS, MLA
.....PETITIONER

-versus-

SHRI SHERMAN ALI AHMED, MLA
.....RESPONDENT

The following notifications published in the Assam Gazette dated 16th March, 2026 in respect of the following matters, namely:-

1. **Decision of the Speaker, Assam Legislative Assembly on the petition submitted by Shri Debabrata Saikia, LOP and Shri Basanta Das, MLA against Shri Abdur Rashid Mandal, MLA under the Tenth Schedule to the Constitution of India; and**
2. **Decision of the Speaker, Assam Legislative Assembly on the petition submitted by Shri Debabrata Saikia, LOP and Shri Basanta Das, MLA against Shri Sherman Ali Ahmed, MLA under the Tenth Schedule to the Constitution of India.**

are reproduced below for information of Hon'ble Members:-

1.

“Disqualification Case No.ALA.DQC/2026/02

SHRI DEBABRATA SAIKIA, LOP

.....PETITIONER

-versus-

SHRI ABDUR RASHID MANDAL, MLA

.....RESPONDENT

-AND-

Disqualification Case No.ALA.DQC/2026/02(A)

SHRI BASANTA DAS, MLA

.....PETITIONER

-versus-

SHRI ABDUR RASHID MANDAL, MLA

.....RESPONDENT

ORDER

16.03.2026

That the facts of the above matters i.e. **Disqualification Case No.ALA.DQC/2026/02** and **Disqualification Case No.ALA.DQC/2026/02(A)** are almost similar in fact and involves identical issues, both the matters are taken up for consideration together and this common order has been passed in respect of both the matters to avoid conflict of decision.

I have perused the petitions filed by Shri Debabrata Saikia, LOP and Shri Basanta Das dated 18.02.2026 respectively, under Article 191 (2) read with the Tenth Schedule of the Constitution of India. The gist of the allegation made in the petitions are against Shri Abdur Rashid Mandal, Member of the Assam Legislative Assembly, who contested the last Assembly elections on the ticket provided by the Indian National Congress (INC) and got elected from No. 38 Goalpara West LAC Constituency of Assam and presently is a Member of the Assam Legislative Assembly.

But, in spite of being a Member of the Indian National Congress (INC), conducted himself in such a manner as if he had voluntarily given up the primary membership of the Indian National Congress (INC) by joining another political party namely Rajjor Dal in a meeting held on 16.02.2026 at Hotel Lily, Khanapara, Guwahati. The meeting was held under the Leadership of Shri Akhil Gogoi, who is the President of Rajjor Dal and after joining, Shri Abdur Rashid Mandal had also addressed the said meeting. Further, the allegation is that he gave media bites before the electronic media stating that he had joined Rajjor Dal and would contest. While giving comments before the electronic media in his presence, Shri Akhil Gogoi, who is the President of Rajjor Dal, expressed that Shri Abdur Rashid Mandal has joined Rajjor Dal. Shri Abdur Rashid Mandal never denied the same before the electronic media.

All the materials alongwith copy of the petitions were furnished to him for giving effective and adequate reply to the allegations made in the petitions filed by Shri Debabrata Saikia and Shri Basanta Das.

As per records, the notices were duly served, to which he filed his reply on 27.02.2026 denying allegations levelled against him. He alleged that authentic materials were not produced to substantiate averments made in the petitions submitted by Shri Debabrata Saikia and Shri Basanta Das.

After completion of the service, notices were issued to the Petitioners and Respondent to appear in the final hearing fixed on 06.03.2026 at 11:00 AM. On the date of hearing, that is, 06.03.2026, nobody turned up for hearing.

Accordingly, I am passing the judgment on the basis of the materials on record made available before me. As per Clause 2(1)(a) of the Tenth Schedule of the Constitution of India, a Member of the Legislative Assembly can be disqualified if he voluntarily gives up the membership of the political party from which he has been elected to be a Member of the Assam Legislative Assembly.

I have perused the records, which include the petitions filed by Shri Debabrata Saikia, LOP and Shri Basanta Das. I have also perused the objection filed by Shri Abdur Rashid Mandal. The materials produced before me reflect that Shri Abdur Rashid Mandal was elected as a Member of the Assam Legislative Assembly on a Congress Party ticket. It is seen from the records that he made public statements along with the President of Rajjor Dal, namely Akhil Gogoi. From the records, it appears that Akhil Gogoi disclosed that Shri Abdur Rashid Mandal had joined Rajjor Dal. Further, media reports appear to show that he, along with members of Rajjor Dal, attended public functions as if he is a member of Rajjor Dal.

The aforesaid conduct of Shri Abdur Rashid Mandal, along with the facts visible in the electronic records, clearly establishes that Shri Abdur Rashid Mandal has voluntarily given up the membership of the Indian National Congress (INC) and is now a member of Rajjor Dal.

To that, Shri Abdur Rashid Mandal, in his reply, denied the same; however, mere denial is not sufficient. His denial is contrary to the records available before me. It appears from the records that Shri Abdur Rashid Mandal is no longer a member of the Indian National Congress (INC) and is now a member of Rajjor Dal. Public statement made by Shri Akhil Gogoi that Shri Abdur Rashid Mandal is a member of Rajjor Dal, which Shri Abdur Rashid Mandal never denied.

To the contrary, Shri Abdur Rashid Mandal is seen giving media bites along with Shri Akhil Gogoi, President of Rajjor Dal. In the media bite, Shri Akhil Gogoi is clearly seen stating that Shri Abdur Rashid Mandal will fight the election from Rajjor Dal and that he is a member of Rajjor Dal. It is also seen that Shri Abdur Rashid Mandal did not, at any point of time, deny the correctness of the statement made by Shri Akhil Gogoi. The aforesaid facts clearly establish that Shri Abdur Rashid Mandal has voluntarily given up his membership of the Indian National Congress (INC), on whose ticket he became a Member of the Assam Legislative Assembly.

The records speak volumes and establish the fact that Shri Abdur Rashid Mandal announced himself to be a member of Rajjor Dal and that he also voluntarily gave up the membership of the Indian National Congress (INC) and joined Rajjor Dal.

In that view of the matter, I invoke the power provided to me under the Tenth Schedule of the Constitution of India to **disqualify Shri Abdur Rashid Mandal as a Member of the Assam Legislative Assembly on the ground of defection with immediate effect and thus his seat has fallen vacant.**

Accordingly, in view of the aforesaid, both the matters are disposed of. Notification of the same may be issued and steps may be taken immediately.

**Dated: Dispur
the 16th March, 2026**

**Sd/-
(BISWAJIT DAIMARY)
Speaker,
Assam Legislative Assembly”**

2.

“Disqualification Case No. ALA.DQC/2026/03

SHRI DEBABRATA SAIKIA, LOP

.....PETITIONER

-versus-

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.....RESPONDENT

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I have perused the petitions filed by Shri Debabrata Saikia, LOP and Shri Basanta Das dated 18.02.2026, respectively under Article 191 (2) read with the Tenth Schedule of the Constitution of India. The gist of the allegations made in the petitions are against Shri Sherman Ali Ahmed, Member of the Assam Legislative Assembly, who contested the last Assembly elections on the ticket provided by the Indian National Congress (INC) and got elected from No. 45 Baghbar Legislative Assembly Constituency of Assam and presently is a Member of the Assam Legislative Assembly. But, in spite of being a Member of the Indian National Congress (INC), conducted himself in such a manner as if he had voluntarily given up the primary membership of the Indian National Congress (INC) by joining another political party namely Rajjor Dal in a meeting held on on 17.02.2026 at Bamutari, under Mandia Legislative Assembly Constituency, in the Barpeta District under the banner of Rajjor Dal. The meeting was held under the leadership of Shri Akhil Gogoi, who is the President of Rajjor Dal and addressed the said meeting. Further, the allegation is that he gave media bites before the electronic media stating that he had joined Rajjor Dal and would contest in the ensuing Assembly Election, 2026. While giving comments before the electronic media in his presence, Shri Akhil Gogoi, who is the President of Rajjor Dal, expressed that Shri Sherman Ali Ahmed has joined Rajjor Dal. Shri Sherman Ali Ahmed never denied the same before the electronic media.

All the materials alongwith copy of the petitions were furnished to him for giving effective and adequate reply to the allegations made in the petitions filed by Shri Debabrata Saikia, LOP and Shri Basanta Das.

As per records, the notices were duly served, to which he filed his reply on 27.02.2026 denying allegations levelled against him. He alleged that authentic materials were not produced to substantiate averments made in the petitions submitted by Shri Debabrata Saikia, LOP and Shri Basanta Das.

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**Dated: Dispur
the 16th March, 2026**

**Sd/-
(BISWAJIT DAIMARY)
Speaker,
Assam Legislative Assembly”**



**(D. Pegu)
Secretary,
Assam Legislative Assembly**


