



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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No. 119 Dispur, Monday, 16th March, 2026, 25th Phalguna, 1947 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 16th March, 2026

No. LASY.1/2026/177.- The following decision of the Speaker, Assam Legislative Assembly given under Paragraph 6(1) of the Tenth Schedule to the Constitution of India is hereby notified and published:

**DECISION OF THE SPEAKER, ASSAM LEGISLATIVE ASSEMBLY UNDER
PARAGRAPH 6(1) OF THE TENTH SCHEDULE TO THE CONSTITUTION OF INDIA.**

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 Raijor 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 Raijor 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 Raijor Dal and would contest. While giving comments before the electronic media in his presence, Shri Akhil Gogoi, who is the President of Raijor Dal, expressed that Shri Abdur Rashid Mandal has joined Raijor 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 Raijor Dal, namely Akhil Gogoi. From the records, it appears that Akhil Gogoi disclosed that Shri Abdur Rashid Mandal had joined Raijor Dal. Further, media reports appear to show that he, along with members of Raijor Dal, attended public functions as if he is a member of Raijor 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 Raijor 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 Raijor Dal. Public statement made by Shri Akhil Gogoi that Shri Abdur Rashid Mandal is a member of Raijor 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 Raijor Dal. In the media bite, Shri Akhil Gogoi is clearly seen stating that Shri Abdur Rashid Mandal will fight the election from Raijor Dal and that he is a member of Raijor 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 Raijor Dal and that he also voluntarily gave up the membership of the Indian National Congress (INC) and joined Raijor 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

BISWAJIT DAIMARY,
Speaker,
Assam Legislative Assembly.

D. PEGU,
Secretary,
Assam Legislative Assembly.