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## SC judgment brews trouble for Zeliang, Khandu



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The Supreme Court's verdict on Wednesday against [\(/taxonomy/term/1929\)](#) the Assam Parliamentary Secretaries (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act [\(/taxonomy/term/1974\)](#), 2004 will have bearing impact in the north eastern states of Nagaland [\(/taxonomy/term/1597\)](#) and Arunachal [\(/taxonomy/term/2194\)](#) Pradesh.

Both the north eastern states have 26 parliamentary secretaries in the 60member legislative assemblies.

The apex court judgment came a day after new Nagaland [\(/taxonomy/term/1597\)](#) Chief Minister T R Zeliang appointed 26 parliamentary secretaries to appease the expelled NPF legislators who helped his unseat the incumbent.

Same it was is in Arunachal [\(/taxonomy/term/2194\)](#) Pradesh where Chief Minister Pema Khandu recruited parliamentary secretaries to help them enjoy the rank of a minister of state [\(/taxonomy/term/2332\)](#).

Notably, in a significant judgment the Supreme Court on Wednesday called unconstitutional a law in Assam that paved the way for appointment of parliamentary secretaries in the rank of minister of state [\(/taxonomy/term/2332\)](#) to pacify the disgruntled ruling party legislators enacted in 2004.

A division bench of the country's top court comprising Justice J Chelameswar, Justice RK Agrawal and Justice AM Sapre said that the legislation was unwanted in Assam to create these posts of parliamentary secretaries.

The court said, "Article 194 does not expressly authorise the state [\(/taxonomy/term/2332\)](#) legislature to create offices such as [\(/taxonomy/term/2291\)](#) the one in question."

The Act (/taxonomy/term/1974) allowed the government to accord the status of a minister of state (/taxonomy/term/2332) to the parliamentary secretaries. Hence the Court struck down the Assam Parliamentary Secretaries (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act (/taxonomy/term/1974), 2004 where the then Chief Minister Tarun Gogoi (/taxonomy/term/2150) rehabilitated many loyalist legislatures.



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