

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6664 of 2020

1. Rahul Kiran Son of Ramashish Sharma Resident of Ward No.21, Mathurapur, P.S.- Tegra, District- Begusarai.
2. Virendra Kumar Son of Kaleshwar Roy Resident of Village- Lakhanpur, P.S.- Mohiuddin Nagar, P.O.- Mohiuddin Nagar, District- Samastipur.
3. Shashank Saurav Son of Krishna Dev Ray Resident of Ward No.7, Salempur, P.S. and P.O.- Salempur, District- Vaishali.
4. Suman Kumar Son of Ganesh Prasad Singh Resident of Village- Bagha, P.S.- Town Thana, P.O.- Suhird Nagar, District- Begusarai.
5. Deepak Kumar Son of Phuleshwar Prasad Yadav P.S.- Loma, P.O.- Gaighat, District- Muzaffarpur.
6. Abhay Kant Choudhary Son of Shashi Kant Choudhary Resident of Mahishi, P.S. and P.O. and District- Saharsa.
7. Balram Kumar Son of Shambhu Yadav Resident of Baijnathpur, P.S.- Sourbazar, P.O.- Baijnathpur, District- Saharsa.
8. Ayush Kumar Munna Son of Upendra Mehta P.S.- Simribakhtiyarpur, P.O.- Mahkhar, District- Saharsa.
9. Sintu Kumar Son of Madan Poddar Resident of Phulkari, P.S.- Birpur, P.O.- Saraunja, District- Begusarai.
10. Hari Om Kumar Son of Anandi Ray Resident of Nauranga, Kashimpur, P.S.- Balia, P.O.- Gokhle Nagar, Bishnupur, District- Begusarai.
11. Alok Kumar Son of Mahesh Thakur Resident of Village- Bishanpur, P.S. and P.O.- Moro, District- Darbhanga.
12. Subesh Kumar Thakur Son of Rambalak Thakur Resident of Village- Hanuman Nagar, P.S.- Singhwara, P.O.- Kansi Simri, District- Darbhanga.
13. Avinash Kumar Son of Ashok Chourasiya Resident of Village- Rahimapur, P.S.- Bidupur, P.O.- Rahimpur, District- Vaishali.
14. Pranay Priyanshu Son of Rajniti Prasad Singh Resident of Village- Visnupur Chaturbhuj Ward No.20, P.S.- Mufshil, P.O.- Begusarai, District- Begusarai.
15. Aman Kumar Son of Anil Kumar Roy Resident of Ward No.1, Surajpura, P.S.- Bhagwanpur, P.O.- Surajpura, District- Begusarai.
16. Hari Om Kumar Son of Suresh Pandit Resident of Ward No.7, P.S. and P.O.- Samastipur, District- Begusarai.
17. Shashikant Kumar Son of Rajendra Prasad Singh Resident of Bhubhi, P.S.- Nagarnausa, P.O.- Bhubhi, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar.



3. The Deputy Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Director, Secondary Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6079 of 2020

1. Kumud Kant Pandey Son of Ram Nivash Pandey, Resident of Village- Bhatkarya Ward No. 5, P.S. Sangrampur, District- East Champaran.
2. Shashi Shekhar , Son of Braj Bihari Singh, Resident of E-6, Malahi Pakri Road, R.B.I. Officers Colony, P.S.- Kankarbagh, District-Patna.
3. Deepak Kumar Thakur, Son of Udho Thakur, Resident of Village Noneya Tiwari Tola, P.S. Paharpur, District- East Champaran.
4. Ashiya Khatoon, D/o Md. Mustafa, Resident of Village- Lalganj, P.S. Mairwa, District- Siwan.
5. Guddu Pandey, Son of Bhulan Pandey, Resident of Village- Raghunathpur, P.S. Kesariya, District- East Champaran.
6. Md. Shahroz Alam, Son of Mirn Abdul Haque, Resident of Village- Maheshbathna, P.S. Amnour, District- Purnia.
7. Khatibur Rahman, Son of Md. Atiqur Rahman, Resident of Village- Pakahi, P.S. Adapur, District- East Champaran.
8. Shubhankar Thakur, Son of Rajendra Thakur, Resident of Village- Madhulata, P.S. Raniganj, District- Araria.
9. Bibha Kumari, D/o Yadav lal Yadav, Resident of Village- Noneya, P.S. Paharpur, District- East Champaran.
10. Pushplata Kumari, D/o Arun Kumar, Resident of Village- Etwarpur, P.S. Lalganj, District-Vaishali.
11. Vicky Kumari, W/o Vishnu Kumar, R/o Mohalla- Adarsh Colony, P.S.- Shastri Nagar, District- Patna.
12. Chandra Shekhar Kumar, Son of Vindeshwar Prasad, Resident of Village- Shabajpur, P.S. Wena, District- Nalanda.
13. Rinku Sharma, Son of Prasad Sharma, R/o Village- Purnadih, P.S. Obra, District- Aurangabad.
14. Prem Ranjan, Son of Awadh Bihari Singh, Resident of Village- Atrauli, P.S. Obra, District- Aurangabad.
15. Sujeet Kumar, Son of Ram Narayan Singh, R/o Village- Kekarha, P.S. Mohania, District- Kaimur, Bhabhua.
16. Md. Nisar Alam, Son of Md. Salim Uddin, R/o Village- Satyarganj, P.S. Islampur, District- Nalanda.
17. Md. Shadab Suhail, Son of Md. Suhail Ahmad, Resident of Village- Khaje Chand Chhapra, P.S. Goraul, District- Vaishali.
18. Vishnu Kumar, Son of Jagat Narayan Sinha, R/o Adarsh Colony, P.S. Shastri



Nagar, District- Patna.

19. Ram Balak Prasad, Son of Damodar Prasad Chauhan, R/o Village- Saidpur, P.S. Barh, District- Patna.
20. Umesh Kumar, Son of Rajeshwar Singh, R/o Village- Lay, P.S. Kajra , District- Lakhisarai.
21. Kamlesh Kumar, Son of Lalan Mahto, R/o Village- Asia, P.S. Gayghat, District- Muzaffarpur.
22. Santosh Kumar, Son of Ashok Ram, Resident of Village- Wasilpur, P.S. Arwal, District- Arwal.
23. Vivek Kumar, Son of Chandreshwar Prasad, Resident of Village- Sarar, P.S. Islampur, District- Nalanda.
24. Indrajeet Kumar, Son of Rajendra Pandit, R/o Village- Jigrawan, P.S. Maharajganj, District- Siwan.
25. Shams Quamar, Son of Md. Kafil Uddin, R/o Village- Baraidgah, Ward No. 1, P.S. Amor, District- Purnia.
26. Niku Kumari, D/o Sanjay Yadav, Resident of Village- Piprahi, P.S. Gamhariya, District- Madhepura.
27. Ranjan Kumar, Son of Rajeev Yadav, R/o Village- Larha, P.S. Singheshwar District- Madhepura.
28. Nitesh Kumar , Son of Musafir Prasad Yadav, R/o Village- Ganga Pipar, P.S. Chiraiya, District- East Champaran
29. Manish Kumar, Son of Bhukhal Prasad, R/o Village- Bisahi, P.S. Dariyapur, District- Saran.
30. Perdeep Kumar, Son of Dashrath Prasad Kushwaha, R/o Village- Kushwaha Khagani, P.S. Turkaulia, District- East Champaran.
31. Ranjeet Kumar, Son of Shivdhar Mahto, R/o Village- Khagni, P.S. Turkauliya, District- East Champaran.
32. Vikash Kumar, Son of Vijay Singh, R/o Village- Khagni, P.S. Turkauliya, District- East Champaran.
33. Puja Kumari, D/o Chandrama Prasad, R/o Village- Mogalkuan, Baulipar, P.S. Sohsarai, District- Nalanda.
34. Sanjeev Kumar, Son of Bharat Singh, R/o Village- Ram Nagara, P.S. Riga, District- Sitamarhi.
35. Nageshwar Prajapati, Son of Yadu Prajapati, R/o Village- Lawabar, P.S. Kothi, District- Gaya.
36. Shambhu Kumar, Son of Baso Mistry, R/o Village- Kochra, P.S. Islampur, District- Nalanda.
37. Shahida Khaton, D/o Nazre Alam, R/o Village- Jadopur, P.S. Baikunthpur, District- Gopalganj.
38. Annu Kumari, D/o Dina Mandal, R/o Tara Sadan, kela Mandi, P.S. Bahadurpur, District- Patna.
39. Md. Faiyaz Ahmad, Son of Md. Manzoor Alam, R/o Village- Pararahi, P.S. Belsand, District- Sitamarhi.



40. Sanjeet Kumar, Son of Deenanath Roy, R/o Village- Husain Chak, P.S. Masaurhi, District- Patna.
41. Anil Kumar Patel, Son of Gauri Shankarn Singh, R/o Village- Kochas, P.S. Kochas, District- Rohtas.
42. Deepak Kumar Singh, Son of Pramod Kumar Singh, R/o Village- Parsanda, P.S. Kusheshwar , District- Darbhanga.
43. Nitin Kumar Ram, Son of Tapeswar Ram, R/o Village- Dindyalpur, P.S. G.B Nagar, District- Siwan.
44. Abhay Kumar, Son of Nagendra Mistri, R/o Village- Sarsi, P.S. Paliganj, District- Patna.
45. Md. Asif Alam, Son of Md. Alimuddin, R/oVillage- Wasilpur, P.S. Arwal, District-Arwal.
46. Raju Singh, Son of Dinesh Singh, R/o Village- Saraut, P.S. Siswan, District-Siwan.
47. Tarkeshwar Prasad Sah, Son of Shiv Lal Sah, R/o Village- Tulsia, P.S. Dighalbank, District- Kishanganj.
48. Rupesh Kumar, Son of Kari Prasad Yadav, R/o Village- Khajuraha, P.S. Sonbarsha, District- Saharsa.
49. Raman Kumar Pandit, Son of Bheem Lal Pandit, R/o Village-Kumhartoli, P.S. Dighalbank, District- Kishanganj.
50. Md. Neday Sagar, Son of Ghayasul Islam, R/o Village- Sisauna, P.S. Jokihat, District- Araria.
51. Mojibur Rahamn, Son of Md. Makbul , R/o Village- Simaria Karmu Tola, P.S. Korha, District- Katihar.
52. Vikash Kumar Son of Ram Naresh Prasad, R/o Village- Belahiya, P.S. Darpa, District- East Champaran.
53. Vinay Kumar Singh, Son of Ramayan Singh, R/o Village- Kiridihi, P.S. Shivsagar, District- Rohtas.
54. Om Shankar Kumar, Son of Kishori Sah, R/o Village- Madhaipur, P.S. Siwaipatti, District- Muzaffarpur.
55. Shahnawaz Rizvi, Son of Md. Noor Alam, R/o Village- Jhiljhili, P.S. Bahadurganj, District- Kishanganj.
56. Navdeep Patel, Son of Naresh Prasad, R/o Village- Khutiyaripar, P.S. Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

1. The Union of India Human Resources Development Department of Ministry of School Education and Literacy, Shastri Bhawan, New Delhi.
2. The Additional Secretary, (E.E.), II, New Delhi.
3. The State of Bihar, Bihar
4. The Additional Chief Secretary-Cum-Principal Secretary, Department of Education, Govt. of Bihar, Patna.



5. The Deputy Secretary to the Government, Department of Education, Government of Bihar, Patna.
6. The Director, Primary Education, Department of Education, Bihar, Patna.
7. The National Council of Teachers Education, Statutory Body, Government of India.
8. The National Council for Teacher Education, Eastern Region through its Regional Director, 15 Neelkantha Nagar, Nayapalli, Bhubaneswar- 751012 (Odisha)
9. The Under Secretary, Regulation, N.C.T.E. New Delhi.
10. The National Institute of Open Schooling (An Autonomous Institution Under MHRD, Govt. of India, New Delh
11. The Director, Evaluation, National Institute of Open Schooling, Noida, U.P.
12. The Secretary, Evaluation, National Institute of Open Schooling, Noida, U.P.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6356 of 2020

1. Chandan Kumar S/o Vimal Singh Resident of Village- Shahariya, P.S.- Desari, District- Vaishali.
2. Pankaj Kumar Son of Upendra Prasad Resident of Village- Madhuban Bazar, P.S.- Bajpatti, District- Sitamarhi.
3. Binod Kumar Ram S/o Devi Ram Resident of Village- Murauwatpur Mahnar, P.S.- Desari, District- Vaishali.
4. Mohsin Nisha D/o Md. Tahir Hassan Resident of Village- Bajpatti, P.S.- Bajpatti, District- Sitamarhi.
5. Md. Altamash S/o Nehal Ahmad Resident of Village- Kakarghali, P.S.- Sadar, District- Darbhanga.
6. Gulshan Ara W/o Shamshad Alam Resident of Village- Pojhikapur, P.S.- Marhawara, District- Saran.
7. Khushboo @ Khushboo Singh W/o Vikrant Kumar Singh Resident of Village- Rasulpur, P.S. Nayagaon, District- Saran.
8. Banarsi Mehta S/o Asharfi Mahto Resident of Village- Gangapur, P.S.- Janki Nagar, District- Purnia.
9. Manjesh Kumar Sah S/o Yogendra Sah Resident of Village- Lalkuriya, P.S.- Shri Nagar, District- Madhepura.
10. Akhilesh Kumar S/o Yogendra Prasad Mehta Resident of Village- Gaushala Chowk, P.S.- Murliganj, District- Madhepura.
11. Priya Raj S/o Kishor Mehta Resident of Village- Lakshmipur Bhagwati, P. - Shri Nagar, District- Madhepura.
12. Rajesh Kumar S/o Ram Ratan Singh Resident of Village- Lodipur, P.S.- Goh, District- Aurangabad.
13. Sarita Kumari W/o Ajay Prasad Resident of Village- Khushiyalpur, P.S.-



Telhara, District- Nalanda.

14. Sonu Kumari W/o Avinash Kumar Resident of Village- West Tola Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Patna.
15. Saloni Mitra W/o Shiv Shankar Sinha Resident of Mohalla- Bhusatta, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

1. The Union of India Human Resources Development Department of Ministry of School Education and Literacy, Shastri Bhawan, New Delhi.
2. The Additional Secretary, (E.E.), II, New Delhi.
3. The State of Bihar .
4. The Additional Chief Secretary-cum-Principal Secretary, Department of Education, Govt. of Bihar, Patna.
5. The Deputy Secretary to the Government, Department of Education, Government of Bihar, Patna.
6. The Director, Primary Education, Department of Education, Bihar, Patna.
7. The National Council of Teachers Education, Statutory Body, Statutory Body, Government of India.
8. The National Council for Teacher Education, Eastern Region through its Regional Director, 15 Neelkantha Nagar, Nayapalli, Bhubaneswar- 751012 (Odisha).
9. The Under Secretary, Regulation, N.C.T.E., New Delhi.
10. The National Institute of Open Schooling (An autonomous Institution under MHRD, Govt. of India, New Delhi.
11. The Director, Evaluation, National Institute of Open Schooling, Noida (U.P.)
12. The Secretary, Evaluation, National Institute of Open Schooling, Noida (U.P.)

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6767 of 2020

1. Neeraj Kumar Son of Hari Shankar Paswan Resident of village- B.B. Ganj, Govind Puri, P.S.- Sadar, P.O.- Bhagwanpur, District- Muzaffarpur.
2. Baban Kumar Rai Son of Binda Rai Resident of village- Kerwan, P.S.- Isyapur, P.O.- Kerwan, District- Chapra (Saran).
3. Robin Kumar Jha Son of Satyendra Kumar Jha Resident of village- Situhar, P.S.- Pratapganj, P.O.- Shripur, District- Supaul.
4. Malti Kumari Daughter of Ram Das Mahto Resident of village- Haralva, P.S.- Hasli, P.O.- Konaj, District- Lakhisarai.
5. Tripurari Jha Son of Mangal Jha P.S.- Satiyara, P.O.- Chhaurahiya, District- Sitamarhi.



6. Shri Krishna Singh Son of Ram Bachan Singh Resident of- Mohania, P.S. and P.O.- Mohania, District- Kaimur.
7. Reeta Kumari D/O- Asharfi Paswan Resident of village- Chandauli, P.S.- Belshand, P.O.- Chandauli, District- Sitamarhi.
8. Hazari Lal Kumar S/O- Dinanath Sharma Resident of- Lala Chhapra, P.S.- Auraia, P.O.- Auraia, District- East Champaran.
9. Pappu Kumari Son of Bilat Prasad Yadav Resident of village- Bankatwa, P.S.- Jitna, P.O.- Bankatwa, District- East Champaran.
10. Rafat Prawin Son of Najmul Hada Resident of Ward No. 2 Paharpur, P.S.- Simri Bakhtiyarpur, P.O.- Paharpur, District- Saharsa.
11. Bajrangi Kumar Son of Madhusudan Saw Resident of Ward No. 13 Barhiya, P.S. and P.O.- Barhiya, District- Lakhisarai.
12. Prince Kumar Son of Ashok Kumar Resident of Ward No. 9 Berhna, P.S.- Barh, P.O.- Berma, District- Patna.
13. Robin Kumar Sah Son of Jagdish Prasad Sah Resident of Salla Raghunathpur, P.S.- Rouia, P.O.- Asia, District- Purnea.
14. Chandan Kumar Gupta Son of Ram Narayan Gupta Resident of village- Forbes Ganj, P.S. and P.O.- Forbes Ganj, District- Araria.
15. Miku Pal Son of Sukulwari Pal Resident of Bishunpura, P.S.- Nokha, P.O.- Baraon, District- Rohtas.
16. Swati Kumari Son of Jata Shankar Pandey Resident of Tirhutiya Tola, P.S.- Kumarbay, P.O.- Vrindawavan Ashram, District- West Champaran.
17. Vikas Kumar Son of Umesh Prasad Mandal Resident of Ward No. 45, Kaliganj, P.S.- Sadar, P.O.- Rani Patra, District- Purnea.
18. Md. Wasim Khan Son of Md. Samid Khan Resident of Sulindabad, P.S.- Saharsa, P.O.- Sulindabad, District- Saharsa.
19. Deepak Kumar Son of Parma Nand Singh Resident of village- Ekdanga Tola, Nervi, P.S.- Mirganj, P.O.- Bhagwanpur, District- Gopalganj.
20. Amaresh Kumar Singh Son of Vidya Nand Singh Resident of Ekdanga Tola, Nervi, P.S.- Mirganj, P.O.- Bhagwanpur, District- Gopalganj.
21. Vasant Kumar Son of Umakant Poddar Resident of- Pastan Nawtoli, P.S.- Andhara Thandhi, P.O.- Pastan, District- Madhubani.
22. Pankaj Kumar Gupta Son of Lakshmi Prasad Resident of Darwaliya Mishruli, P.S. and P.O.- Yogaptti, District- West Champaran.
23. Pappu Kumar Pal Son of Siyaram Bhagat P.S.- Shawaj Pur, P.S.- Tekari, P.O.- Fathepur, District- Gaya.
24. Baban Kumar Son of Mithlesh Singh Resident of Fadrpura, P.S.- Rofiganj, P.O.- Jakhim, District- Aurangabad.
25. Rohit Kumar Ram Son of Lalita Ram Resident of Nanphar, P.S.- Sobhepur, P.O.- Sobhepur, District- Saran.
26. Priyanka Kumari Daughter of Vijay Kumar Singh Resident of Nakhtul, P.S.- Bhabua, P.O.- Dumraitha, District- Kaimur.
27. Prabhakar Kumar Yadav Son of Paramanand Yadav Resident of Kalahi Bari,



- P.S.- Maldwar, P.O.- Palasi, District- Araria.
28. Md. Nasim Uddin Son of S.K. Wazuddin Resident of Ward no. 4 Chaukta, P.S.- Mahalgaon, P.O.- Chaukta, District- Araria.
 29. Rajeev Kumar Son of Baldev Mahto Resident of Sijua, P.S.- Mejorganj, P.O.- Bahera, District- Sitamarhi.
 30. Shabana Khatoon Daughter of Absul Querir Resident of Kawalapur, P.S.- Nawalpur, P.O.- Yogapatti, District- West Champaran.
 31. Sikansar Kumar Son of Suresh Prasad Resident of Dhansingra, P.S.- Mahakar, P.O.- Dhansingra, District- Gaya.
 32. Amit Kumar Son of Chandeshwar Kumar Resident of Village- Kanhauli, P.S. and P.O.- Kanhauli, District- Sitamarhi.
 33. Dhiraj Kumar Son of Shriram Singh Resident of village- Rampur Gangauli, P.S.- Riya, P.O.- Rampur Gangauli, District- Sitamarhi.
 34. Ravi Kumar Son of Madan Prasad Resident of Ward No. 4, P.S.- Gurhatta Chowk, P.O.- Chanpatia, District- West Champaran.
 35. Md. Abu Sofiyan Son of Md. Amruh Nadat Resident of- Ward no. 12 Mubarakpur, P.S.- Bhutahi, P.O.- Sanbarsa, District- Sitamarhi.
 36. Nikky Kumari Son of Binod Bhari Singh Resident of Kanti Lactory Road, P.S.- M.G. Nagar, P.O.- Sampatchak, District- Patna.
 37. Himanshu Kumar Mishra Son of Kaushal Kishore Mishra Resident of Ward no. 12 Satsang Gali, P.S. and P.O.- Sultanganj, District- Bhagalpur.
 38. Sandeep Kumar Choudhary Son of Mishrilal Choudhary Resident of village- Baghi Baghambarpur, P.S.- Shri Nagar Puaham, P.O.- Pati Jirwa, District- West Champaran.
 39. Preeti Kumari Son of Bijay Yadav Resident of Pirnagra, P.S.- Beldour, P.O.- Pirnagar, District- Kohgaria.
 40. Gautam Kumar Rishi Son of Ramadhar Yadav Resident of- Sawbigha, P.S.- Goh, P.O.- Malhad, District- Aurangabad.
 41. Raj Kumar Son of Surendra Sah Resident of village- Dhumnagar Kuchari Tola, P.S.- Dhumnagar Kuchari Tola, P.O.- Bettiah, District- West Champaran.
 42. Md. Sabir Raja Son of Md Tahir Resident of village- Panki, P.S.- Routa, P.O.- Asga, District- Purnea.
 43. Ravi Ranjan Kumar Son of Rameshwar Thakur Resident of- Raghopur, P.S.- Ahiyapur, P.O.- Bhikhanpur, District- Muzaffarpur.
 44. Pramod Bitha Son of Bharat Baitha Resident of- , P.S.- Nautan, P.O.- Mangalpur, District- West Champaran.
 45. Nurus Saba Son of Abdul Wahab Resident of village- Darhaul, P.S.- Katra, P.O.- Bandhpura, District- Muzaffarpur.
 46. Niranjana Kumar Son of Pradip Prasad Resident of- Parsa, P.S.- Bikramganj, P.O.- Kajhain, District- Rohtas.
 47. Suman Kumar Son of Dilip Kumar Jha Resident of Abdulpur Raini, P.S.- Sakra, P.O.- Abdulpur Raini, District- Muzaffarpur.



48. Randhir Kumar Son of Sukeshwar Prasad Srivastava Resident of Khadi Bhandar, P.S.- Mithapura, P.O.- Ramana, District- Muzaffarpur.
49. Rahmat Ali Son of Md. Mostakim Resident of- Nawa Nagar, P.S.- Sahebganj, P.O.- Karnaul, District- Muzaffarpur.
50. Gaurav Upendra Son of Upendra Kumar Singh Resident of Village- Tejsing Ambara, P.S.- Sariya, P.O.- Rewa Basantpur, District- Muzaffarpur.
51. Mani Kumar Son of Chandreshwar Prasad Yadav Resident of- Road No. 8 Baban Bigha, P.S.- Mithapur, P.O.- Ramma, District- Muzaffarpur.
52. Kundan Kumar Son of- Dilip Kumar Rakesh Resident of Sabnima, P.S. Athmal Gola, P.O.- Sabnima, District- Patna.
53. Abishek Kumar Son of Suresh Prasad Resident of- Dahabigha, P.S.- Hilsa, P.O.- Dahabigha, District- Nalanda.
54. Ajay Kumar Son of- Yamuna Prasad Roy Resident of- Forbes Ganj, P.S. and P.O.- Forbes Ganj, District- Araria.
55. Sujeet Kumar Son of Shyam Kishore Paul Resident of- Chakladho, P.S.- Jandaha, P.O.- Bedaulia, District- Vaishali.
56. Anamika Kumari Son of- Shashi Bhushan Prasad Resident of Hasanpur Surat, P.S. and P.O.- Patori, District- Samastipur.
57. Nagmani Kumar Chaturvedi Son of- Pramod Kumar Chaturvedi Resident of- Semrahiya, P.S. and P.O.- Marhaurah, District- Saran.
58. Avnish Kumar Son of Shambhu Kumar Yadav Resident of village- Basantpur, P.S.- Shankarpur, P.O.- Shripur, District- Madhepura.
59. Priyanka Kumari Daughter of- Shambhu Prasad Yadav Resident of Basantpur, P.S.- Shankarpur, P.O.- Shripurmillick, District- Madhepura.
60. Vivek Kumar Singh Son of- Kadamlal Singh Resident of- Bankatamal, P.S.- Bhore, P.O.- Banka Jagira, District- Gopalganj.
61. Ankit Kumar Son of Kamad Singh Resident of- Kauri, P.S.- Mejorganj, P.O.- Kauri, District- Sitamarhi.
62. Naveen Kumar Son of- Chandeshwar Prasad Resident of- Basantpur, P.S.- Shankarpur, P.O.- Raybhir, District- Madhepura.
63. Upendra Kumar Nirala Son of- Baleshwar Prasad Resident of- Dudhara, P.S.- Dhanruaa, P.O.- Nadpura, District- Patna.
64. Mithlesh Kumar Son of- Ratendra Prasad Yadav Resident of- Bhajanpati, P.S.- Saurbazar, P.O.- Kishanpur, District- Saharsa.
65. Pravej Alam Son of- Tayab Alam Resident of- Arariya Barwa, P.S.- Sohadra, P.O.- Padraun, District- West Champaran.
66. Sanju Kumari Son of Ram Narayan Shah Resident of- Baorbona, P.S.- Khutauna, P.O.- Siswar, District- Madhubani.
67. Md. Abul Mukarim Son of- Md. Abulhasan Resident of- Bairbona, P.S.- Khutauna, P.O.- Siswar, District- Madhubani.
68. Yasmeen Praveen Son of- Md. Nsimakhtar Resident of- Bagahi, P.S.- Bihiya, P.O.- Banahi, District- Bhojpur.
69. Anjum Ara D/O- Md. Salim Resident of- Sagugarh, P.S., P.O. and District-



Madhepura.

70. Md. Sohrab Alam Son of- Md. Farooque Resident of- Madhepura, P.S. and P.O.- Kisanpur, District- Supaul.
71. Kundan Kumar Son of- Jawahar Prasad Mandal Resident of- Ratanpatti, P.S.- Murliganj, P.O.- Rattan patti, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar.
3. The Deputy Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Director, Secondary Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7701 of 2020

Priyanka Kumari D/o Laliteshwar Mishra resident of village- Bheriyahi, P.s.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Education Department, Government of Bihar, Patna
2. The Additional Chief Secretary-cum-Principal Secretary, Education Department, Government of Bihar, Patna
3. The Deputy Secretary, Education Department, Government of Bihar, Patna
4. The Director, Secondary Education , Govt. of Bihar, Patna
5. The Director, Primary Education , Govt. of Bihar, Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7721 of 2020

1. Prabha Kumari daughter of Ramchand Sah, resident of Malighat, Shankar (Sthan), P.o.- Ramna, P.s.- Mithanpura, District- Muzaffarpur
2. Irshad Hussain, Son of Sajjad Hussain, resident of Gandhipath, Ward No. 21, P.o.- Saharsa, P.s.- Saharsa, District- Saharsa
3. Rajesh Kumar, son of Shukul Sah, Resident of Thakurai Tola, P.o.- Kharbriyarai, P.s.- Chanpatiya, District- West Champaran
4. Mukesh Kumar, son of Neelu Ramani, resident of Tilaiya, P.o.- Tilaiya, P.s.-



Bankey Bazaar, District- Gaya

5. Ajay Kumar, son of Gonar Yadav, resident of Kataiya, P.O.-Sattar, P.S.-Bihra, District-Saharsa.
6. Manoj Kumar, son of Shashibhushan Jha, resident of Harinagar, Ward No. 1, P.O.-Mahesh Khunt, District-Khagaria.
7. Dukhani Kumari, daughter of Ramsundar Pd. Gupta, resident of Madhopur, Ward No.-10, P.O.-Madhopur, P.S.-Laukaha, District-Madhubani.
8. Amrendra Kumar, son of Pannalal Yadav, resident of Itahari, Ward No.-04, Gahumani P.O.- Gahumani, P.S.-Singheswar, District-Madhepura.
9. Pappu Kumar, son of Daroga Sah, resident of Baswariya, P.O.-Pataura, P.S.-Motihari, District East Champaran.
10. Palak Kumari, daughter of Vinod Kumar Srivastava, resident of Pipara Ghat, P.O.-Raxaul, P.S.-Raxaul, District- East Champaran.
11. Vasim Khan, son of Anis Khan, resident of Gora Bazar, P.O.-Peer Nagar, P.S.-Kotwali, District-Ghazipur (U.P.).
12. Manju Kumari, daughter of Baleshwar Prasad Yadav, resident of Manikpur, P.O.-T.R. Mohan, P.S.-Simraha, District-Araria.
13. Bibi Farhim, daughter of Hafiz Mojibur Rahman, resident of Ajhwa, P.O.-Jokihat, P.S.-Jokihat, District-Araria.
14. Md. Makhtoor Alam, son of Fakhruddin, resident of Dehti South, P.O.-Dehti, P.S.-Plasi, District-Araria.
15. Md. Modassir, son of Md. Musa, resident of Chirah, P.O.-Chirah, P.S.-Mahalgown, District-Araria.
16. Md. Imamuddin, son of Md. Nazamuddin, resident of Pathrabari, P.O.-Pathrabari, P.S.-Jokihat, District-Araria.
17. Raj Kumar Mehta, son of Yogendra Mehta, resident of Jainagar, P.O.-Jainagar, P.S.-Bhargama, District-Araria.
18. Mukesh Kumar, son of Brajbhushan Singh, resident of Araria R.S. Ward No.-1, P.O.- Araira R.S., P.S.- Rahikpur Araria R.S., District- Araria.
19. Kausal Kumar, son of Awadhesh Mandal, resident of Shankarpur, P.O.-Parwaha, P.S.-Forbesganj, District-Araria.
20. Avinash Chandra, Son of Prakash Chandra Thakur, resident of Khamgara, P.O.-Jamua, P.S.-Tarabari, District-Araria.
21. Saurabh Kumar Singh, son of Sanjay Prasad Singh, resident of Gopalpur, P.O.-Parihari, P.S.-Raniganj, District-Araria.
22. Supriya Kumari, daughter of Binod Yadav, resident of Manikpur, P.O.-Manikpur, P.S.-Fulkaha, District-Araria.
23. Rahul Kumar, son of Vinod Yadav, resident of Manikpur, P.O.-Manikpur, P.S.-Fulkaha, District-Araria.
24. Aditya Kumar Thakur, son of Pawan Lal Thakur, resident of Chouri, P.O.-Baluakaliyaganj, P.S.-Palasi, District-Araria
25. Suman Saurabh, son of Devanand Baitha, resident of Aurahi, Navtoli, P.O.-Hingna Aurahi, P.S.-Simraha, District-Araria.



26. Sujit Kumar Jha, son of Shashikant Jha, resident of Khamgara, Ward No. 05, P.O.-Jamua, P.S.-Tarabari, District-Araria.
27. Fatma Farooquee, daughter of Md. Farooque Alam, resident of Singar Moahni Tola Ajhwa, P.O.-Jokihat, P.S.-Jokihat, District-Araria.
28. Prince Kumar, son of Ganesh Lal Mandal, resident of Bhima, P.O.-Balua Deorhi, P.S.-Palasri, District-Araria.
29. Niku Kumari, daughter of Sanjay Yadav, resident of Piprahi, P.O.-Piprahi, P.S.-Gamaharia, District-Madhepura.
30. Amber Kumari, son of Umesh Bhagat, resident of Bhatani, P.O.-Bahtani, P.S.-Kumarkhand, District-Madhepura.
31. Rajesh Kumar, son of Bidyanand Yadav, resident of Durgitola, P.O.-Durgitola, P.S.-Madhepura, District-Madhepura.
32. Rupesh Kumar, son of Dinesh Kumar Yadav, resident of Haripur Kala, P.O.-Haripur Kala, P.S.-Murliganj, District-Madhepura.
33. Ravindra Kumar, son of Ashok Kumar Sah, resident of Gosai Tola, P.O.-Gosai Tola, P.S.-Murliganj, District-Madhepura.
34. Md. Yusuf Ali, son of Naimuddin, resident of Bablabnna, P.O.-Pardiyara, P.S.-Amdabad, District-Katihar.
35. Vikram Kumar Das, son of Ram Narayan Das, resident of Manikpur, P.O.-Fatehpur, P.S.-Balrampur, District-Katihar.
36. Kailash Kumar Das, son of Nagendra Nath Das, resident of Rangpur, P.O.-Ajharail, P.S.-Balrampur, District-Katihar.
37. Pankesh Kumar Singh, son of Kishor Singh, resident of Baigna, P.O.-Katihar, P.S.-Katihar, District-Katihar.
38. Deepak Kumar Yadav, son of Om Prakash Yadav, resident of Guagachhi, P.O.-Hemkunja, P.S.-Manihari, District-Katihar.
39. Vikash Mandal, son of Surya Narayan Mandal, resident of Ruchdav Simariya, P.O.-Pothiya, P.S.-Falka, District-Katihar.
40. Priya Ranjan Das, son of Durwadal Das, resident of Dullahpur, P.O.-Mahishal, P.S.-Balrampur, District-Katihar.
41. Hitesh Kumar Bhagat, son of Kanhaiya Lal Bhagat, resident of Sanjhaili, P.O.-Durgaganj, P.S.-Kadwa, District-Katihar.
42. Ratna Sarkar, daughter of Ranjit Kumar Sarkar, resident of Basgaon, P.O.-Gwaaltoli, P.S.-Abadpur, District-Katihar.
43. Nishi Singh, daughter of Ramyagya Singh, resident of Dagaraha Kapura, P.O.-Barethi, P.S.-Utraon, District-Prayagraj (U.P.).
44. Razi Ahmad, son of Hamid Hussain, resident of Chirah, Ward No.01, P.O.-Chirah, P.S.-Mahalgawa, District-Araria.
45. Choonnu Kumar, son of Sohan Sah, resident of Sahawan, P.O.-Sahawan, P.S.-Isuapur, District-Saran.
46. Dharmendra Pandit, son of Vishwanath Pandit, resident of Maricha, P.O.-Maricha, P.S.-Sahajitpur, District-Saran.
47. Nawneet Kumar, son of Mangal Prasad, resident of Ormouttar Tola, P.O.-



- Hakam, P.S. - M. Siwan, District-Siwan.
48. Chandan Kumar, son of Jagdish Sah, resident of Marhowrah, P.O.-Marhowrah, P.S.-Marhowrah, District-Saran.
 49. Satyendra Kumar Gupta, son of Mewalal Sah, resident of Jaithar, P.O.-Jaithar, P.S.-Taraiyan, District-Saran.
 50. Deepak Kumar, son of Devendra Singh, resident of Bansohi, P.O.-Bansohi, P.S.-Mashrak, District-Saran.
 51. Rahul Kumar Giri, son of Yogendra Giri, resident of Gosakhap, P.O.-Rasulpur, P.S.-Amnour, District-Saran.
 52. Himanshu Kumar, son of Tarkeshwar Prasad Yadav, resident of Dhenuki, P.O.-Dhenuki, P.S.-Panapur, District-Saran.
 53. Srishti Saloni, daughter of Mukti Nath Dhairya, resident of Rasulpur, P.O.-Nayagaon, P.S.-Nayagaon, District-Saran.
 54. Shashi Prakash Goyal, son of Shiv Govind Singh, resident of Prasadi English, P.O.-Prasadi English, P.S.-Arwal, District-Arwal.
 55. Md. Sadre Alam, son of Abdul Majid, resident of Mohammadpur, P.O.-Dewpura, P.S.-Benipatti, District-Madhubani.
 56. Chetan Kumar, son of Rajendra Mehta, resident of Tonha, P.O.-Khutha, P.S.-Bhargama, District-Araria.
 57. Pankaj Kumar, son of Ram Vachan Paswan, resident of Hanso, P.O.-Hanso, P.S.-Warisnagar, District-Samastipur.
 58. Archana Kumari, daughter of Vishnu Thakur, resident of Sormar, P.O.-Jagdisparan, P.S.-Chakmehshi, District-Samastipur.
 59. Lovely Kumari Swati, daughter of Binod Kumar Singh, resident of Malalipur, P.O.-Vidyapati Nagar, P.S.-Vidyapati Nagar, District-Samastipur.
 60. Pushpa Roy, daughter of Ramashray Roy, resident of Kewta, P.O.-Kewta, P.S.-Dalsingh Sarai, District-Samastipur.
 61. Reena Kumari, daughter of Satyanarayan Prasad, resident of Satmalpur, P.O.-Satmalpur, P.S.-Warisnagar, District-Samastipur.
 62. Ajeet Kumar Verma, son of Surendra Chandra Prasad Verma, resident of Bazidpur, P.O.-Bazidpur, P.S.-Vidyapati Nagar, District-Samastipur.
 63. Pramod Kumar Singh, son of Ram Kumar Singh, resident of Dhobiyahi, P.O.-Baheri, P.S.-Hathauri, District-Samastipur.
 64. Arun Kumar, son of Ram Pukar Mandal, resident of Gari Basatpur, P.O.-Baheri, P.S.-Hathauri, District-Samastipur.
 65. Sushil Kumar, son of Vinod Singh, resident of Dhoviyahi, P.O.-Baheri, P.S.-Hathauri, District-Samastipur.
 66. Krishna Kumar Pandit, son of Dukhan Pandit, resident of Bathnana, P.O.-Bhataura, P.S.-Khanpur, District-Samastipur.
 67. Suman Raj, son of Raj Kumar Sinha, resident of Ganouli, P.O.-Parawana, P.S.-Hathauri, District-Samastipur.
 68. Shyam Babu, son of Mannu Mandal, resident of Ramoul, P.O.-Rajour Rambhadrapur, P.S.-Hathauri, District-Samastipur.



69. Suman Kumar, son of Gauri Shankar Mandal, resident of Dhoviyahi, P.O.-Baheri, P.S.-Hathouri, District-Samastipur.
70. Prabhakar Kumar Ray, son of Kameshwar Ray, resident of Morwagarh, P.O.-Morwa Bazar, P.S.-Tajpur, District-Samastipur.
71. Rajnish Kumar, son of Yaduwansh Singh, resident of Bhatthi, P.O.-Bhataura, P.S.-Hathouri, District-Samastipur.
72. Rajesh Kumar, son of Ram Lakhan Ray, resident of Bhataura, P.O.-Bhataura, P.S.-Hathouri, District-Samastipur.
73. Amresh Kumar, son of Birendra Singh, resident of Basadhia, P.O.-Basadhia, P.S.-Dalsingh Sarai, District-Samastipur.
74. Jay Shankar Kumar, son of Ram Prasad Yadav, resident of Radha Krishna Nagar, Ward No.-15, P.O.-Saharsa, P.S.-Saharsa, District-Saharsa.
75. Shashi Kumar Roy, son of Hari Lal Yadav, resident of Kasimpur, P.O.-Ghordaur, P.S.-Salkhua, District-Saharsa.
76. Razi Imam, son of Umer Farooque, resident of Bhelahi, P.O.-Bhelahi, P.S.-Jalai, District-Saharsa.
77. Jay Krishna Kumar, son of Karun Kumar Yadav, resident of Bhelwa, P.O.-Aran, P.S.-Saharsa, District-Saharsa.
78. Pradeep Kumar, son of Gauri Roy, resident of Tulsiyahi, P.O.-Rahua, P.S.-Bihra, District-Saharsa.
79. Alpana Ravi, daughter of Mitthu Sharma, resident of Goraiya Bathan, P.O.-Goraiya Bathan, P.S.-Gogri, District-Khagaria.
80. Gopal Bharti, son of Ram Nath Paswan, resident of Jhakhargarh, P.O.-Surpatganj, P.S.-Chhatapur, District-Supaul.
81. Rohit Kumar, son of Chauthi Yadav, resident of Ajan, P.O.-Hardi, P.S.-Supaul, District-Supaul.
82. Ravi Shekhar, son of Paras Nath Sahu, resident of Nirmali, P.O.-Nirmali, P.S.-Nirmali, District-Supaul.
83. Chaudhary Devi Lal, son of Shatrughan Yadav, resident of Kumhet, P.O.-Laudh, P.S.-Supaul, District-Supaul.
84. Sunil Kumar, son of Brahmi Yadav, resident of Menha, P.O.-Manoharpatti, P.S.-Marauna, District-Supaul.
85. Neeraj Kumar, son of Sampat Lal Yadav, resident of Rajpur, P.O.-Rajpur, P.S.-Pipra, District-Supaul.
86. Ritish Roshan, son of Ramanand Prasad Sah, resident of Nirmali, P.O.-Nirmali, P.S.-Nirmali, District-Supaul.
87. Neeraj Kumar Jha, son of Saroj Kant Jha, resident of Bina Babhangama, P.O.-Bina, P.S.-Supaul, District-Supaul.
88. Sanjay Kumar Mandal, son of Badri Mandal, resident of Auraha, P.O.-Bheraupatti, P.S.-Triveniganj, District-Supaul.
89. Shiv Kumar, son of Lakshmi Sah, resident of Dubiyahi, P.O.-Lalpur, P.S.-Pipra, District-Supaul.
90. Sudish Chandra Mani, son of Chhote Lal Mandal, resident of Laxminiya,



- P.O.-Hardi, P.S.-Supaul, District-Supaul.
91. Sanjeet Kumar, son of Kamal Mandal, resident of Pathra Dakshin, P.O.-Pathra, P.S.-Pipra, District-Supaul.
 92. Vandana Kumari, daughter of Anmol Prasad Yadav, resident of Vishariyapatti, P.O.-Bhargama, P.S.-Banmankhi, District-Araria.
 93. Md. Rayees Alam, son of Md. Maqusood Alam, resident of Jagdishpur, P.O.-Buniyadgan, P.S.-Mufassil, District-Gaya.
 94. Bhawna Kumari, daughter of Nirmal Kumar, resident of Bharwara, P.O.-Singhwara, P.S.-Bharwara, District-Darbhanga.
 95. Anjali Kumari, daughter of Munilal Singh, resident of Bettiah, P.O.-Bettiah, P.S.-Bettiah, District-West Champaran.
 96. Vishal Kumar, son of Braj Kishor Verma, resident of Deorhia, P.O.-Deorhia, P.S.-Rajpur, District-Buxar.
 97. Raj Kumar, son of Vimal Singh, resident of Sohanipatti, P.O.-Buxar, P.S.-Buxar, District-Buxar.
 98. Sonu Pandey, son of Pramod Pandey, resident of D.KI. Shikarpur, P.O.-D.K. Shikarpur, P.S.-Shikarpur, District-West Champaran.
 99. Krishnandan Kumar, son of Babu Lal Prasad, resident of Pujaha Patjirwa, P.O. Patjirwa, P.S.-Shrinagar Pujaha, District-West Champaran.
 100. Arjun Kumar Sah, resident of Jagdev Sah, resident of Behari Colony, P.O.-Rampur, P.S.-Bhangaha, District-West Champaran.
 101. Azizur Rahaman, son of Habibur Rahman, resident Taj Nagar, P.O.-Phulwari Sharif, P.S.-Phulwari Sharif, District-Patna.
 102. Guddoo Kumar Jha, son of Lal Babu Jha, resident of Sugaha Bhawanipur, P.O.-Sugaha Bhawanipur, P.S.-Kangali, District-West Champaran.
 103. Md. Saquib Ahmad, son of Md. Naseemuddin, resident of Maulabag, P.O.-Phulwari Sharif, P.S.-Phulwari Sharif, District-Patna.
 104. Rukaiya Khatoon, daughter of Ali Akhtar, resident of Semari, P.O.-Sathi, P.S.-Sathi, District-West Champaran.
 105. Reyaz Alam, son of Rahmat Hussain, resident of Pujahan Patjirwa, P.O.-Patjirwa, P.S.-Shrinagar Pujana, District-West Champaran.
 106. Pawan Kumar, son of Satya Narayan Ram, resident of Bhatgama, P.O.-Bhatgama, P.S.-Bhargama, District-Araria.
 107. Deepak Kumar, son of Binda Ram, resident of Dhumnagar, Nuniyarawa Tola, P.O.-Dhumnagar, Nuniyarawa Tola, P.S.-Nautan, District-West Champaran.
 108. Rina Kumari, daughter of Narayan Sah, resident of M. Tola, Madhubani, P.O.-Madhubani, P.S.-K.Hat, District-Purnea.
 109. Abdus Salam, son of Abul Kalam, resident of Dimia, P.O.-Gaira, P.S.-Jalalgharh, District-Purnea.
 110. Jyoti Priya, son of Kundan Kumar Roy, resident of Jalalgharh, P.O.-Jalalgharh, P.S.-Jalalgharh, District-Purnea.
 111. Avdhesh Kumar, son of Hari Chaudhary, resident of Rue Gola, Madhopara,



- P.O.-Belauri, P.S.-M. Rani Patra, District-Purnea.
112. Nibha Kumari, daughter of Krishan Kumar Ray, resident of Parsouni, P.O.-Sathi, P.S.-Sathi, District-West Champaran.
 113. Dipendra Prasad Kushwaha, son of Ravindra Prasad Kushwaha, resident of Ganeshpur, P.O.-Gopalpur, P.S.-Gopalpur, District-West Champaran.
 114. Md. Adil Mokarram, son of Md. Aftab Alam, resident of Bagula, P.O.-Dangra, P.S.-Mohanpur, District-Gaya.
 115. Raushan Kumar Singh, son of Gauri Shankar Singh, resident of Jokiyari, P.O.-Jokiyari, P.S.-Raxaul, District-East Champaran.
 116. Bal Bhagwan Chauhan, son of Rameshwar Chauhan, resident of Baruna, P.O.-Baruna, P.S.-Buxar (Inds.), District-Buxar.
 117. Chandra Bhushan Rai, son of Om Prakash Rai, resident of Harpur, P.O.-Khanita, P.S.-Itarhi, District-Buxar.
 118. Jitendra Kumar, son of Sri Ram Singh, resident of Baruna, P.O.-Baruna, P.S.-Buxar (Inds.), District-Buxar.
 119. Dheeraj Kumar, son of Dhananjay Tiwari, resident of Tiwaridih, P.O.-Barem, P.S.-Barem, District-Aurangabad.
 120. Ravishankar Kumar, son of Shionandan Mehta, resident of Gaura, P.O.-Chandaut Dhongra, P.S.-Amba, District-Aurangabad.
 121. Santan Kumar, son of Alakhdeo Yadav, resident of Rajwari, P.O.-Aurangabad, P.S.-Aurangabad, District-Aurangabad.
 122. Pinky Kumari, daughter of Mahendra Yadav, resident of Rajwari, P.O.-Aurangabad, P.S.-Aurangabad, District-Aurangabad.
 123. Kumari Nutan, daughter of Dinanath Prasad, resident of Patel Nagar, P.O.-Daudnagar, P.S.-Daudnagar, District-Aurangabad.
 124. Priya Kumari, daughter of Kishori Prasad Mehta, resident of Sansa, P.O.-Sansa, P.S.-Daudnagar, District-Aurangabad.
 125. Dharendra Kumar, son of Rampukar Singh, resident of Ramgarh, P.O.-Buxar, P.S.-Goh, District-Aurangabad.
 126. Annu Kumari, daughter of Kameshwar Sah, resident of Deo, P.O.-Deo, P.S.-Deo, District-Aurangabad.
 127. Prince Kumar, son of Deonandan Ram, resident of Daulatpurganj, P.O.-Obra, P.S.-Obra, District-Aurangabad.
 128. Suraj Prakash, son of Vijay Kumar Singh, resident of Amarpura (East), P.O.-Jakhim, P.S.-Rafiganj, District-Aurangabad.
 129. Pankaj Kumar, son of Brijnandan Singh, resident of Obra, P.O.-Obra, P.S.-Obra, District-Aurangabad.
 130. Rakesh Kumar Pandey, son of Shambhu Nath Pandey, resident of Kucha Gali Daudnagar, P.O.-Daudnagar, P.S.-Daudnagar, District-Aurangabad.
 131. Sandhya Kumari, daughter of Jagnarayan Yadav, resident Kamabigha, P.O.-Aurangabad, P.S.-Aurangabad, District-Aurangabad.
 132. Renu Kumari, daughter of Siddheshwar Kumar Singh, resident of Teldiha, P.O.-Teldiha, P.S.-Madanpur, District-Aurangabad.



133. Pushpa Kumari, daughter of Ramjee Prasad, resident of Afimkothi, Ward No. 23, P.O.-Daudnagar, P.S.-Daudnagar, District-Aurangabad.
134. Subodh Kumar Rajak, son of Kameshwar Rajak, resident of Dosmaha, P.O.-Belwa Dumari, P.S.-Deo, District-Aurangabad.
135. Ranju Kumari, daughter of Ramadhar Pandit, resident of Tarar, P.O.-Tarar, P.S.-Daudnagar, District-Aurangabad.
136. Anita Kumari, daughter of Mahendra Thakur, resident of Tarar, P.O.-Tarar, P.S.-Daudnagar, District-Aurangabad.
137. Vikash Kumar, son of Janeshwar Ram, resident of Barki Reganiya, P.O.-Bairiya, P.S.-Mali, District-Aurangabad.
138. Vikram Raj, son of Vijay Kr. Singh, resident of Itwan, P.O.-Itwan, P.S.-Haspura, District-Aurangabad.
139. Md. Sarfraz Alam, son of Md. Rafiq Alam, resident of Babhandiha, P.S.-obra, P.O.-Purnadih, District-Aurangabad.
140. Dhiraj Kumar, son of Bindeshwari Singh, resident of Banauli, P.O.-Tengra, P.S.-Barun, District-Aurangabad.
141. Sudhir Kumar, son of Siddheshwar Singh, resident of Fatehpur, P.O.-Siris, P.S.-Barun, District-Aurangabad.
142. Sangeeta Kumari, daughter of Arjun Mehta, resident of Shankarpur, P.O.-Sarsauli, P.S.-Obra, District-Aurangabad.
143. Sandhya Kumari, daughter of Ashok Verma, resident of Itwan, P.O.-Itwan, P.S.-Haspura, District-Aurangabad.
144. Rupesh Kumar, son of Jagdish Mahto, resident of Barewa Kojhi, P.O.-Neyamatpur, P.S.-Amba, District-Aurangabad.
145. Arsad Iqbal, son of Zafar Iqbal, resident of Jagdishpur, P.O.-Buniyadganj, P.S.-Mufassil, District-Gaya.
146. Dharendra Kumar Choubey, son of Ishwar Dhyan Choubey, resident of Parchha, P.O.-Parchha, P.S.-Chuhtiya, District-Rohtas.
147. Rahul Kumar Singh, son of Arun Kumar Singh, resident of Shivpur, P.O.-Shivpur, P.S.-Bikramganj, District-Rohtas.
148. Teshu Kumari, daughter of Bijendra Sharma, resident of Lakhbag Manpur, P.O.-Buniyadganj, P.S.-Muffasil, District-Gaya.
149. Prity Kumari, daughter of Vijay Prasad, resident of Saraunjee, P.O.-Teusha, P.S.-Mahkar, District-Gaya.
150. Sonam Kumari Khatri, daughter of Anup Prasad Khatri, resident of Bankey Bazar, P.O.-Bankey Bazar, P.S.-Bankey Bazar, District-Gaya.
151. Dharmendra Kumar, son of Mahendra Yadav, resident of Dumra, P.O.-Daboor, P.S.-Knoch, District-Gaya.
152. Satyendra Bhupal, son of Paran Manjhi, resident of Chhtaki Sawn, P.O.-Sawn-Kala, P.S.-Amas, District-Gaya.
153. Md. Saifullah, son of Md. Shamim, resident of Bara, P.O.-Bara, District-Chakand, District-Gaya.
154. Rohit Kumar, son of Shambhu Kumar, resident of Shahjadpur, P.O.-



- Lakshipur, P.S.-Barhiya, District-Lakhisara.
155. Chandan Patel, son of Mahendra Ray, resident of Sonbarsa, P.O.-Sonbarsa, P.S.-Sonbarsa, District-Sitamarhi.
156. Mamta Kumari, daughter of Mahendra Ram, resident of Manjhla Bigha, P.O.-Bihari Bigha, P.S.-Pandarak, District-Patna.
157. Jyoti Kiran, daughter of Krishna Prasad, resident of Ranipur Pijwa, P.O.-Jhauganj, P.S.-Bypass, District-Patna.
158. Radha Kumari, daughter of Girdhari Singh, resident of Shivpuri, P.O.-Anisabad, P.S.-Gardanibagh, District-Patna.
159. Nakul Ram, son of Ragho Ram, resident of Gonawan, P.O.-Gonawan, P.S.Harnaut, District-Nalanda.
160. Prakriti Kumar, son of Hemant Kumar, resident of Pachmahla, P.O.-Railly, P.S.-N.T.P.C. Barh, District-Patna.
161. Rakesh Kumar Niraj, son of Rambriksh Ram, resident of Fateh Tola, P.O.-Turkaulia, P.S.-Turkaulia, District-East Champaran.
162. Shahikant Kumar, son of Rajkishor Prasad, resident of Dudahi Kothi, P.O.-Harsidhi, P.S.-Harsidhi, District-East Champaran.
163. Vivek Raj, son of Narendra Prasad Singh, resident of S.K. Nagar, Ward No. 31, P.O.-Motihari, P.S.-Motihari, District-East Champaran.
164. Manish Kumar, son of Jayshankar Prasad, resident of Basmanpur, P.O.-Pataura, P.S.-Motihari, District-East Champaran.
165. Munna Kumar, son of Asarphee Sah, resident of Chakdariya, P.O.-Kesariya, P.S.-Kesariya, District-East Champaran.
166. Jay Prakash Kumar, son of Bhagwatdayal, resident of Dhaka Ramchandra, P.O.-Dhaka, P.S.-Dhaka Ramchandra, District-East Champaran.
167. Shankar Kumar, son of Deep Narayan Prasad, resident of Tetariya, P.O.-Tetariya, P.S.-Rajepur, District-East Champaran.
168. Amit Raj, son of Ravi Kishor Mishra, resident of Dumara, P.O.-Dumara, P.S.-Kotwa, District-East Champaran.
169. Siddharth Kumar, son of Kamal Deo Prasad Sah, resident of Gandhi Nagar, Ramna, P.O.-Motihari, P.S.-Motihari, District-East Champaran.
170. Nazni Parvin, daughter of Md. Rizwan Alam, resident of Barhara, P.O.-Patel Nagar Bharra, P.S.-Chautham, District-Khagaria.
171. Chandra Prakash, son of Vishwanath Prasad, resident of Dibra Bazar, P.O.-Dibra Bazar, P.S.-B. Kothi, District-Purnea.
172. Raju Prasad, son of Jawahar Prasad, resident of Nawada, P.O.-Nawada, P.S.-Barauli, District-Gopalganj.
173. Kumar Sangam, son of Rakesh Kumar Tiwari, resident of S.K. Nagar, Ward No.31, P.O.-Motihari, P.S.-Motihari, District-East Champaran.
174. Priti Kumari, daughter of Sri Narayan Singh, resident of Parsauni Kapoor, P.O.-Parsauni Kapoor, P.S.-Patahi, District-East Champaran.
175. Ravi Kumar, son of Bachcha Kumar, resident of Rupahari, P.O.-Kapoor Pakri, P.S.-Shikarganj, District-East Champaran.



176. Chandrashekhar Kumar, son of Jay Ram Singh, resident of Ram Jagar, P.O.-Sankari, P.S.-Dawath, District-Rohtas.
177. Nirmal Kumar Mandal, son of Amin Mandal, resident of Dhantola, P.O.-Dhantola, P.S.-Dighalbank, District-Kishanganj.
178. Manoj Kumar Singh, son of Dhushan Prasad Singh, resident of Kast-Karmali, P.O.-Haribhatta, P.S.-Dighalbank, District-Kishanganj.
179. Ramnath Singh, son of Nand Lal Singh, resident of Mohamari, P.O.-Dhantola, P.S.- Dighalbank, District-Kishanganj
180. Md. Sultan, son of Md. Shaukat Ali, resident of Kulamani Insanpur, P.S.-Kishanganj, P.O.-Singhia, District-Kishanganj.
181. Md. Zubair Alam, son of Md. Masiruddin, resident of Changalia, P.O.-Belwa, P.S.-Kishanganj, District-Kishanganj.
182. Upendra Narayan Singh, son of Ram Karan Singh, resident of Katgara, P.O.-Jirangachh, P.S.-Thakurganj, District-Kishanganj.
183. Md. Azad Ali, son of Mumtaz Alam, resident of Dangibari, P.O.-Thakurganj, P.S.-Thakurganj, District-Kishanganj.
184. Naghama Ruhi, daughter of Islam Uddin, resident of Kathalbari, P.O.-Mariya, P.S.-Pothia, District-Kishanganj.
185. Md. Faizan Sarwar, son of Md. Yunus, resident of Bhotathana, P.O.-Chhattergachh, P.S.-Paharkatta, District-Kishanganj.
186. Hena Perween, daughter of Md. Ilyas, resident of Maleria Office line-15, P.O.-Kishangaj, P.S.-Kishanganj, District-Kishanganj.
187. Suman Khatoon, daughter of Md. Sitamuuding, resident of Ruidhasa Khankah-23, P.O.-Kishangaj, P.S.-Kishanganj, District-Kishanganj.
188. Ayesha Khatoon, daugther of Noorul Islam, resident of Samda, P.O.-Hatwar, P.S.-Kishanganj, District-Kishanganj.
189. Firdos Jahan, daugther of Khalilur Rahman, resident of Dabar, P.O.-Saraikuri, P.S.-Bahadurganj, District-Kishanganj.
190. Md. Dilsad Alam, son of Shabuddeen, resident of Dabar, P.S- Bahadurganj P.O.-Saraikuri, District-Kishanganj.
191. Md. Rahi, son of Md. Mukhtar Alam, resident of Baksha, P.S.-Chhattergachh, P.S.-Pothia, District-Kishanganj.
192. Sajeda Khatoon, daugther of Md. Karamtulla, resident of Khanabari, P.O.-Saraikuri, P.S.-Powakhali, District-Kishanganj.
193. Sagar Rafique, son of Md. Nazim Rafique, resident of Tena, P.O.-Kochadhaman, P.S.-Kochadhaman, District-Kishanganj.
194. Md. Munazzam Rahi, son of Md. Azizur Rahman, resident of Chunimari, P.O.-Bangama, P.S.-Bahadurganj, District-Kishanganj.
195. Manish Kumar Thakur, son of Ram Binod Thakur, resident of Deoram, P.O.-Amaithi, P.S.-Bahera, District-Darbhangha.
196. Ravikant Kumar, son of Rampravesh Sharma, resident of Kandopur, P.O.-Adampur, P.S.-Giriyak, District-Nalanda.
197. Md. Rakib Alam, son of Md. Raish Alam, resident of Rampur, P.O.-



- Bithnauli, P.S.-K. Nagar, District-Purnea.
198. Md. Azad, son of Md. Islam, resident of Rampur, P.O.-Bithnauli, P.S.-K. Nagar, District-Purnea.
 199. Dilip Mukhiya, son of Rambilash Mukhiya, resident of Kothra, P.O.-Kothra, P.S.-Hayaghat, District-Darbhanga.
 200. Abu Nawaz, son of Md. Hashim, resident of Chakai, P.O.-Chakai, P.S.-Jokihat, District-Araria.
 201. Gajendra Kumar Bishwas, son of Dourchand Bishwas, resident of Baluwa, P.O.-Kursail, P.S.-Mahalganw, District-Araria.
 202. Md. Rukhsar Alam, son of of Md. Aiyub, resident of Barhuwa Matiyari, P.O.-Barhuwa Matiyari, P.S.-Jokihat, District-Araria.
 203. Anand Prakash, son of Jay Raj Singh, resident of Bilari, P.O.-Silari, P.S.-Karghar, District-Rohtas.
 204. Lakshman Kumar Gupta, son of Bechan Sah, resident of Pipra Mardanraike, P.S.-Pipra Mardan Raik, P.S.-Karghar, District-Rohtas.
 205. Vikash Kumar, son of Gajendra Yadav, resident of Surmaha, P.O.-Kishanganj, P.S.-Sour Bazar, District-Saharsa.
 206. Khutan Kumar, son of L.T. Jamun Sah, resident of Pathraha, P.O.-Bhatni, P.S.-Kumarkhand, District-Madhepura.
 207. Pankaj Kumar, son of Rampukar Yadav, resident of Raviyaha, P.O.-Ghailarh P.S.-Ghailarh, District-Madhepura.
 208. Rajeev Ranjan, son of Ashok Kumar Mehta, resident of Toksihpur, P.O.-Rupali Jiwachhpur, P.S.-Gamharia, District-Madhepura.
 209. Ajya Kumar, son of Sachidanand Yadav, resident of Inarwa, P.O.-Ghailarh, P.S.-Ghailarh, District-Madhepura.
 210. Sanjay Kumar, son of Naresh Yadav, resident of Pokhram, P.O.-Pokhram, P.S.-Murliganj, District-Madhepura.
 211. Pranav Kumar, son of sri Rajendra Prasad Yadav, resident of Bhatni, P.O.-Bhatni, P.S.-Kumarkhand, District-Madhepura.
 212. Ashish Kumar, son of Kameshwar Yadav, resident of Maheshuwa, P.O.-Maheshuwa, P.S.-Madhepura, District-Madhepura.
 213. Md. Sajid Ali, son of Md. Reyazuddin, resident of Adma, P.O.-Maigra, P.S.-Imamganj, District-Gaya.
 214. Harendra Kumar, son of Ramekbal Prasad, resident of Sakri, P.O.-Kudra, P.S.-Kudra, District-Kaimur.
 215. Mukesh Kumar, son of Birja Bhagat, resident of Shahwajpur, P.O.-Fathepur Nepa, P.S.-Tekari, District-Gaya.
 216. Suresh Kumar, son of Raghunath Prasad, resident of Maulaganj, P.O.-Usas dewara, P.S.-Konch, District-Gaya.
 217. Adity Raj, son of Ram Naresh Ray, resident of Rasulpur Fatha, P.O.-Rasulpur Fatah, P.S.-Goraul, District-Vaishali.
 218. Amar Kumar, son of Mahesh Prasad Singh, resident of Bherokhara, P.O.-Bherokhara, P.S.-Patepur, District-Vaishali.



219. Pooja Kumari, daughter of Bindeswar Thakur, resident of Chamrahra, P.O.-Mahnar, P.S.-Mahnar, District-Vaishali.
220. Sushant Kumar, son of Arun Kumar Chaudhary, resident of Manishpur Bijhrauli, P.O.-Manishpur Bijhrauli, P.S. Tisiavta, District-Vaishali.
221. Amresh Kumar, son of Ram Bilas Ram, resident of Rohua, P.O.-Shahpur, P.S.-Jandaha, District-Vaishali.
222. Deepak Kumar, son of Bhagwan Prasad Jayswal, resident of Shahpur, P.O.-Shahpur, P.S. Tisiauta, District-Vaishali.
223. Sudhir Kumar, son of Bhushan Ray, resident of Jalalpur Dally, P.O.-Jalalpur Dally, P.S.-Bhagwanpur, District-Vaishali.
224. Md. Mansoor Bakhsh, son of Md. Kayum Ansari, resident of Lalganj, P.O.-Lalganj, P.S.-Lalganj, District-Vaishali.
225. Vikesh Kumar, son of Ram Briksh Ram, resident of Ruiyan, P.O.-Darauli, P.S.-Bhabua, District-Kaimur.
226. Amit Bhardwaj, son of Ajay Prasad Singh, resident of Murarpur, P.O.-Kapsiyawan, P.S.-Hilsa, District-Nalanda.
227. Ravikant Kumar, Rampravesh Sharma, resident of Kandopur, P.O.-Adampur, District-Nalanda.
228. Sudhir Kumar, son of Ramanand Singh, resident of Bajitpur, P.O.-Sarwan, P.S.-Rampur Chauram, District-Arwal.
229. Vindhya washini, daughter of Sachidanand Singh, resident of Opp. X TTI, Dighaghat, P.O.-Dighaghat, P.S.-Digha, District-Patna.
230. Rajeev Kumar Rai, son of Nawalkishore Rai, resident of Baithapur, P.O.-Rajpurmdan, P.S.-Shikarpur, District-West Champaran.
231. Priya Ranjan, daughter of Sanjeev Kumar, resident of Hailalpur, P.O.-Hilalpur, P.S.-Hajipur, District-Vaishali.
232. Md. Masoom, son of Md. Noorul Hasan, resident of Bela Bahadurpur, P.O.-Bela Shantikutir, P.S.-Nanpur, District-Sitamarhi.
233. Pankaj Kumar, son of Bindeshwar Prasad, resident of Barara, P.O.-Tineri, P.S.-Guraru, District-Gaya.
234. Brajesh Prasad, son of Ravindra Prasad, resident of Bhasinbigha, P.O.-Tulsigarh, P.S.-Chandi, District-Nalanda.
235. Deepak Kumar Thakur, resident of Dinanath Thakur, resident of Andharoatharhi, P.O.-Andharoatharhi, P.S.-Andharoatharhi, District-Madhubani.
236. Atma Prakash, son of Dharm Nath Singh, resident Patna, P.O.-Lohiya Nagar, P.S.-Patrakar Nagar, Patna, District-Patna.
237. Amarkant Kumar, son of Lakhi Bhagat, resident of Sanahpur, P..-Sanahpur, P.S.-Singhwara, District-Darbhanga.
238. Jay Prakash Kumar, son of Sanjay Prasad, resident of Purana Tola, Jhitkahia, P.O.-Dhekaha Bazar, P.S.-Motihari Mufassil, District-East Champaran.
239. Ravi Kumar Manjhi, son of Shyamdev Manjhi, resident of Bazar Khajuriya, P.O.-Khajuria, P.S.-Sidhawaliya, Dist.-Gopalganj.



240. Raju Prasad, son of Jawahar Prasad, resident of Nawada, P.O.-Nawada, P.S.-Barauli, District-Gopalganj.
241. Abhishek Anand, son of Awadhesh Ojha, resident of Amawa, P.O.-Nechua Jalalpur, P.S.-Kuchaikote, District-Gopalganj.
242. Shail Gupta, daughter of Janardan Gupta, resident of Kuchaikote, P.O.-Kuchaikote, P.S.-Kuchaikote, District-Gopalganj.
243. Neeraj Kumar, son of Chandrashekhar Singh, resident of Pipra, P.O.-Pipra, P.S.-Kudra, District-Kaimur.
244. Md. Aftab Alam, son of Abdus Salam, resident of Barhuwa, P.O.-Matiyari, P.S.-Jokihar, District-Araria.
245. Moazzam, son of Shamim, resident Kumhia, P.O.-Maina-hat, P.S.-Palasi, District-Araria.
246. Anupam Kumari, daughter of Ram Parikshan Jha, resident of Maheshwara, P.O.-Maheshwara, P.S.-Khajauli, District-Madhubani.
247. Soni Kumari, daughter of Dhanik Lal Yadav, resident of Kerwar, P.O.-Sohans, P.S.-Bisfi, District-Madhubani.
248. Suman Safi, daughter of Harish Chandra Safi, resident of Parsauni, P.O.-Parsauni, P.S.-Arer, District-Madhubani.
249. Nisha Kumari, daughter of Ram Narayan Sah, resident of Pursaliya, P.O.-Pursaliya, P.S.-Pursaliya, District-Madhubani.
250. Dolly Kumari, female, aged about daughter of Arun Kumar Thakur, resident of Goss Nagar, P.O.-Nagwas, P.S.-Nagwas, resident of Madhubani.
251. Radha Kumari, daughter of Budha Deo Paswan, resident of Mathour, P.O.-Mathour, P.S.-Mathour, District-Madhubani.
252. Ravindra Kumar Yadav, son of Shiv Narayan Yadav, resident of Raj Nagar, P.O.-Raj Nagar, P.S.-Raj Nagar, District-Madhubani.
253. Durganand Yadav, son of Rasik Lal Yadav, resident of Kachhubi, P.S.-Kachhuwi, P.S.-Lakhnaur, District-Madhubani.
254. Anand Kumar Chaoudhary, son of Arvind Kumar Choudhary, resident of Gaushnagar, P.O.-Nagwas, P.S.-Nagwas, District-Madhubani.
255. Siyaram Pandit, son of Bijli Pandit, resident of Madna, P.O.-Madna, P.S.-Madna, District-Madhubani.
256. Sadhu Das, daughter of Kishori Das, resident of Kuadh, P.O.-Kuadh, P.S.-Jaynagar, District-Madhubani.
257. Madan Murari, son of Manoj Kumar Bharti, resident of Salempur, P.O.-Bhoj Pandaul P.S.-Bisfi, District-Madhubani.
258. Manish Kumar, son of Ram Babu Yadav, resident of Kharaua, P.O.-Kharaua, P.S.-Rahika, District-Madhubani.
259. Umesh Kumar, son of Ramsewak Pd. Sahu, resident of Narahiya, P.O.-Narahiya, P.S.-Loukhi, District-Madhubani.
260. Rajesh Kumar, son of Buchchan Sahu, resident of Dulha, P.O.-Dulha, P.S.-Bisfi, District-Madhubani.
261. Kumar Ganesh, son of Madhuri Mandal, resident of Dahapatti, P.O.-



- Kalapatti, P.S.-Phulpras, District-Madhubani.
262. Dharmendra Kumar Ray, son of Chandeshwar Ray, resident of Karpuri Chouk, P.O.-Basopatti, P.S.-Basopatti, District-Madhubani.
263. Ram Sankar Singh, son of Ram Dayal Singh, resident of Madhiya, P.O.-Madhiya, P.S.Basopatti, District-Madhubani.
264. Vinod Sharma, son of Shrikant Sharma, resident of Fully, P.O.-Pipra, P.S.-Kudra, District-Kaimur.
265. Imran Ali, son of Anwar Ali, resident of Rampur, P.S.-Siswan, P.O.-Chainpur, District-Siwan.
266. Naman Kumar Tiwari, son of Rangnath Tiwari, resident of Sherpur Jagariya, P.O.-Chainpur, P.S.-Chainpur, District-Kaimur.
267. Rambha Singh, son of Dayanand Singh, resident of Shivaji Nagar, Digha, P.O.-Digha Ghat, P.S.-Digha, District-Patna.
268. Vivek Bharti, son of Balmiki Parjapati, resident of Warisaliganj, P.O.-Makanpur, P.S.-Warisliganj, District-Nawada.
269. Nitish Kumar, son of Arvind Prasad, resident of Nimchak, Bathani, P.O.-Kurubigha, P.S.-Nimchak Bathani, District-Gaya.
270. Shailendra Kumar, son os Baleshwar Prasad, resident of Nawada, P.O.-Berami, P.S.-Mufasil Kadirganj, District-Nawada.
271. Manish Kumar, son of Sahdev Yadav, resident of Kawakol, P.O.-Lalpur, P.S.-Kawakol, District-Nawada.
272. Nilam Kumari, daughter of Dilip Kumar, resident of Sirdala, P.O.-Sirdala, P.S.-Sirdala, District-Nawada.
273. Ravi Kumar, son of Nandlal Saw, resident of Giriyak, P.O.-Durgapur, P.S.-Giriyak, District-Nalanda.
274. Jyoti Pandey, daughter of Ashok Pandey, resident of Akharpur, P.O.-Nemparganj, P.S.-Akbarpur, District-Nawada.
275. Jitendra Kumar Rajak, son of Indradev Rajak, resident of Kathwara, P.O.-Bharoundha, P.S.-Gurua, District-Gaya.
276. Avinash Kumar Bhushan, son of Birendra Kumar Singh, resident of Kathwara, P.O.-Bharoundha, P.S.-Gurua, District-Gaya.
277. Gayatri Kumari, daughter of Ramnarayan Kushwaha, resident of Bela Kothi, P.O.-Khajauli, P.S.-Khajauli, District-Madhubani.
278. Nisrat Jahan, daughter of Gufran Ahmad, resident of Deoria, P.O.-Deoria, P.S.-Maharajganj, District-Siwan.
279. Chandan Kumar, son of Madan Mohan Mandal, resident of Kumhara Vishnupur, P.O.-Kumhara Vishnupur, P.S.-Dumra, District-Sitamarhi.
280. Ravindra Kumar, son of Ram Kumar Mandal, resident of Kharapatti, P.O.-Baligarh, P.S.-Runnisaidpur, District-Sitamarhi.
281. Basant Kumar, son of Lallu Rajak, resident of Shekrpu, P.O.-Mic Bela, P.S.-Sadar, District-Muzaffarpur.
282. Ramashankar Kumar, son of Shatrughan Mandal, resident of Gangwara, P.O.-Baligarh, P.S.-Runnisaidpur, District-Sitamarhi.



283. Kaushal Mandal, son of Bishnu Mandal, resident of Sarhanchia, P.O.-Sarhanchia, P.S.-Aurai, District-Muzaffarpur.
284. Anil Kumar, son of Srinarayan Mandal, resident of Rampur, P.O.-Runnisaidpuri, P.S.-Runnisaidpur, District-Sitamarhi.
285. Niraj Kumar, son of Arun Singh, resident of Tilkhi, P.O.-Rajgir, P.S.-Rajgir, District-Nalanda.
286. Rajesh Kumar, son of Ramchandra Mandal, resident of Kharapatti, P.O.-Baligarh, P.S.-Runnisaidpur, District-Sitamarhi.
287. Kamaljit Kumar, son of Shree Bhagwan Rai, resident of Bhikampur, P.O.-Bhikhampur, P.S.-Bhagwanpur Hat, District-Siwan.
288. Omparkash Pandit, son of Durga Pandit, resident of Sonbarsa, P.O.-Sohsarai, P.S.-Bhagwanpur Hat, District-Siwan.
289. Kiran Kumari, daughter of Yugeswar Sah, resident of Sonbarsa, P.O.-Sohsaraon, P.S.-Bhagwanpur Hat, District-Siwan.
290. Md. Razzaque, son of Abdul Raquib, resident of Kashipur, P.O.-Singhia, P.S.-Kishanganj, District-Kishanganj.
291. Soni Kumari, daughter of Anil Kumar, resident of Masatthu, P.O.-Masatthu, P.S.-Belchhi, District-Patna.
292. Deepak Kumar, son of Santosh Kumar Ram, resident of Bharakhara, P.O.-Kakariya, P.S.-Dhansoi, District-Buxar.
293. Suraj Kumar, son of Harnedra Prasad, resident of Sikta, P.O.-Sikta, P.S.-Sikta, District-West Champaran.
294. Md. Sher Ali, son of Md. Ejaz Ahmad, resident of Meergyaschak, P.O.-Munger, P.S.-Kotwali, District-Munger.
295. Rohit Kumar, son of Ashok Prasad Sah, resident of Vishay, P.O.-Manikpur, P.S.-Tarapur, District-Munger.
296. Nawin Kumar, son of Manoj Kumar, resident of Kharia, P.O.-Kharia, P.S.-Bariyarpur, District-Munger.
297. Monu Kumar, son of Ganesh Yadav, resident of Mirzachak, P.O.-Lohchi, P.S.-Bariyarpur, District-Munger.
298. Shilpa Kumari, son of Sanjay Kumar Giri, resident of Keshari Mathiya, P.O.-Keshari Mathiya, P.S.-Ekma, District-Saran.
299. Chunchun Kumari, daughter of Satya Narayan Singh, resident of Baruni, P.O.-Barauni, P.S.-Teghra, Dist.-Begusarai.
300. Rana Mayank Kumar Singh, son of Rana Ranjeet Singh, resident of Raspur Patasiya W-8, P.O.-Raspur Patasiya, District-Mohiuddin Nagar, District-Samastipur.
301. Raju Kumar, son of Rajendra Prasad, resident of Mubarakpur, P.O.-Kurtha, P.S.-Kurtha, District-Arwal.
302. Nikhil Kumar, son of Shivji Singh, resident of sugibal, P.O.-Mohanpur, P.S.-Karakat, District-Rohtas.
303. Nitu Kumari, daughter of Lakhan Das, resident of Oriup, P.O.-Patharghatta, P.S.-Antichak (Kahalgaoon), District-Bhagalpur.



304. Mamta Kumari, daughter of Anand Kumar, resident of Paharipur, P.S.-Goh, P.O.-Dadar, District-Aurangabad.
305. Shatrudhna Kumar, son of Deelachand Saw, resident of Sansa, P.O.-Sansa, P.S.-Daudnagar, District-Aurangabad.
306. Kamini Kumari, daughter of Bijendra Sharma, resident of Mahavir Coloney, Chandauti More, P.O.-Chandauti, P.S.-Rampur, District-Gaya.
307. Santosh Kumar, son of Parmeshwar Sah, resident of Gangapur, P.O.-Prahladpur, P.S.-Mushahri, District-Muzaffarpur.
308. Saurav Kumar, son of Upendra Kumar Singh, resident of Phulwariya, P.O.-Kinaru, P.S.-Maniyari, District-Muzaffarpur.
309. Rajesh Kumar, son of Ram Dayal Mahto, resident of Ramchandrapur, P.O.-Ramchandrapur, P.S.-Sarairanjanj, District-Samastipur.
310. Md. Asif Raja, son of Md. Usman, resident of Gajikamtaul, P.O.-Anant Kamtaul, P.S.-Kurhani, District-Muzaffarpur.
311. Md. Imtiyaz, son of Md. Nisharul, resident of Gajikamtaul, P.O.-Anant Kamtaul, P.S.-Kurhani, District-Muzaffarpur.
312. Abdul Mannan, son of Abdus Salam, resident of Sadpura Badi Masjid, P.O.-Ramna, P.S.-Kazimohammadpur, District-Muzaffarpur.
313. Basant Kumar, son of Umashankar Mahto, resident of Dumaria, P.O.-Samunia, P.S.-Sahodra, District-West Champaran.
314. Bishun Dayal Uro, son of Purandeu Guro, resident of Bhitiharwa, P.S.-Gaunaha, District-West Champaran.
315. Priyanka Kumari, daughter of Bacha Ram, resident of Chawni Chawk, P.O.-Bettiah, P.S.-Bettiah, District-West Champaran.
316. Satan Kumar, son of Mohan Yadav, resident of Bhitiharwa, P.S.-Gaunaha, District-West Champaran.
317. Arjun Kumar Bhatt, son of Bhajan Chandra Bhatta, resident of Tilojpur, P.O.-Dhamsapur, P.S.-Manpur, District-West Champaran.
318. Kavita Rani, daughter of Ramesh Ram, resident of Jobani, P.O.-Jogbani, P.S.-Jogbani, District-Araria.
319. Sweety Kumari, daughter of Vidyalal Sah, resident of Raksa, P.O.-Karja, P.S.-Raksa Dih, District-Muzaffarpur.
320. Kiran Raj, daughter of Bedi Yadav, resident of Turki, P.O.-Mahuli, P.S.-Baheri, District-Darbhanga.
321. Narendra Kumar, son of Ramawatar Singh, resident of Pawara P.O.-Derwan, P.S.-Kudra, District-Kaimur.
322. Sujeet Pal, son of Raj Kumar Ray, resident of Brahampur, P.O.-M.L.T., P.S.-Brahampur, District-Muzaffarpur.
323. Avinash Mishra, son of Parashnath Mishra, resident of Baisi, P.O.-Baisi, P.S.-Karjain Bazar, District-Supaul.
324. Ashish Kumar, son of Rames Ram resident of Jogbani, P.O.-Jogbani, P.S.-Jogbani, District-Araia.
325. Joti Kiran, daughter of Krishana Prasad, resident of Ranipur, P.O.-Jhauganj,



P.S.-Bypass, District-Patna.

326. Kumar Shri Ram, son of Nandlal Rai, resident of Lahaladpur, P.O.-Bahara Gopi, P.S.-Rajepur, District-East Champaran.
327. Suraj Kumar, son of Harendra Prasad resident of Sikta Bazar, P.O.-Sikta, P.S.-Sikta, District-West Champaran.
328. Surabhi Kumari, daughter of Abhay Kuwar, resident of Balughat, P.O.-Head Post Office, P.S.-Nagarthana, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna
2. The Deputy Secretary, Education Department, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The Director, Secondary Education, Government of Bihar, Patna

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 6664 of 2020)

For the Petitioner/s : Mr. Dinu Kumar, Advocate
Ms. Ritika Rani, Advocate

For the Respondent/s : Mr. Lalit Kishore (AG)

(In Civil Writ Jurisdiction Case No. 6079 of 2020)

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

(In Civil Writ Jurisdiction Case No. 6356 of 2020)

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Respondent/s : Smt. Shilpa Singh (GA-12)

(In Civil Writ Jurisdiction Case No. 6767 of 2020)

For the Petitioner/s : Mr. Dinu Kumar, Advocate
Ms. Ritika Rani, Advocate

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15
Mr. AC to AAG-15

Mr. P. K. Shahi, Sr. Advocate

Mr. Mukesh Kumar, Advocate

Mr. Mrigank Mauli, Advocates

Mr. Prince Kumar Mishra, Advocate

(In Civil Writ Jurisdiction Case No. 7701 of 2020)

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate

For the Respondent/s : Mr. Lalit Kishore (AG)

(In Civil Writ Jurisdiction Case No. 7721 of 2020)

For the Petitioner/s : Mr. Y. V. Giri, Sr. Advocate

Mr. Ashish Giri, Advocate

For the Respondent/s : Mr. Lalit Kishore ((AG)

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
CAV JUDGMENT**

Date : 15-12-2020



Heard learned counsel for the petitioners and the State.

C.W.J.C. No. 6767 of 2020 has been filed by Neeraj Kumar and 70 other petitioners, C.W.J.C. No. 6664 of 2020 has been filed by Rahul Kiran and 16 other petitioners through Mr. Dinu Kumar and Ms. Ritika Rani, learned Advocates. C.W.J.C. No. 6079 of 2020 has been filed by Kumud Kant Pandey and 55 other petitioners, C.W.J.C. No. 6356 of 2020 has been filed by Chandan Kumar and 14 other petitioners through Mr. Sanjeev Kumar, learned Advocate. C.W.J.C. No. 7721 of 2020 has been filed by Prabha Kumari and 327 other petitioners through Mr. Ashish Giri, learned Advocate, whereas C.W.J.C. No. 7701 of 2020 has been filed by Priyanka Kumari through Mr. Shashi Bhushan Singh, learned Advocate.

2. Since all the writ applications involve the same question of fact and law and as such with the consent of the parties, the cases were heard on different dates and finally the judgment was reserved on 13.11.2020.

3. In C.W.J.C. No. 6767 of 2020 and C.W.J.C. No. 6664 of 2020 Mr. Dinu Kumar appeared on behalf of the petitioners. Mr. Y.V. Giri, learned senior counsel assisted by Mr. Sanjeev Kumar and Mr. Ashish Giri appeared in C.W.J.C. No. 6356 of 2020 and



7721 of 2020. Mr. Sanjeev Kumar appeared in C.W.J.C. No. 6079 of 2020 on behalf of the petitioners whereas Mr. Shashi Bhushan Singh appeared on behalf of petitioner in C.W.J.C. No. 7701 of 2020.

4. After the order dated 01.07.2020, invention applications have been filed in C.W.J.C. No. 6767 of 2020 i.e. I.A. No. 1 of 2020 has been filed by Mr. Anshul, I.A. No. 2 of 2020 has been filed by Mr. Prince Kumar Mishra and Mr. Mrigank Mauli, I.A. No. 3 of 2020 has been filed by Mr. Mukesh Kumar whereas I.A. No. 4 of 2020 has been filed by Mr. Vijay Anand.

5. After hearing Mr. Y.C. Verma, learned senior counsel, Mr. P. K. Shahi, learned senior counsel, Mr. Mrigank Mauli and Mr. Vijay Anand, Advocates all the interlocutory applications have been allowed. In batch of writ applications on behalf of respondent no.4, counter affidavit has been filed in C.W.J.C. No. 6767 of 2020 and C.W.J.C. No. 6664 of 2020. The petitioners in C.W.J.C. No. 6767 of 2020 have also filed rejoinder to the counter affidavit. Respondent No.6 has also filed counter affidavit in C.W.J.C. No. 7701 of 2020.

6. The basic facts are not in dispute and all the writ applications are based on the same foundational facts. The batch of writ applications challenge as to the order contained in Memo no.



514 dated 15.06.2020 (Annexure-11 in C.W.J.C. No. 6767 of 2020) whereby the Deputy Secretary, Education Department, Government of Bihar has issued guide line for preparation of select list in the respective employment unit. In the guide line, it was indicated that Memo No. 482 dated 08.06.2020 was issued in compliance of the direction issued by this Court on 21.01.2020 in C.W.J.C. No. 19842 of 2019 and the eligibility of the candidate for selection would be 23.11.2019.

7. In other words, the grievance of the petitioners in the batch of writ application is that vide notification dated 08.06.2020, the respondents have extended the date for submitting application in the light of judgment passed in C.W.J.C. No. 19842 of 2019 up to 14.07.2020, but vide Annexure-11, the Deputy Secretary, Education Department has fixed the cut-off date as 23.11.2019 contrary to the last date for submission of application. In sum and substance, their challenge in batch of writ applications is that once the last date for submission of application was extended up to 14.07.2020, the petitioners who acquired the eligibility condition on passing of CTET in December, 2019 i.e. after 23.11.2019 are eligible and the action of the respondents is arbitrary in excluding the petitioners from the zone of consideration on the ground that the cut off date is 23.11.2019.



8. For the purpose of deciding the batch of writ applications, the foundational facts are set out herein below:

On 05.07.2019, notification was issued by the Government of Bihar containing the guide line and time schedule for appointment on different posts of teachers. For ready reference, Annexure-2 is quoted herein below:

बिहार सरकार

शिक्षा विभाग

अधिसूचना

संचिका सं०. 7/विविध-25/2019...../ पटना दिनांक.....

SLP © No.20/2018 में माननीय उच्चतम न्यायालय द्वारा दिनांक 10.05.2018 को पारित आदेश के आलोक में विभागीय परिपत्र संख्या – 1713 दिनांक– 28.12.2018 में शिक्षक नियोजन नहीं किये जाने से संबंधित निहित निर्देश को शिथिल किया जाता है।

बिहार पंचायत प्रारंभिक शिक्षक (नियोजन एवं सेवा शर्त) नियामवली, 2012 (यथा संशोधित), बिहार नगर निकाय प्रारंभिक शिक्षक (नियोजन एवं सेवा शर्त) नियामवली, 2012 (यथा संशोधित) के नियम 17 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राज्य के निर्णयानुसार शिक्षक नियोजन नियामवली– 2012 के क्रम में शिक्षक नियोजन से संबंधित पूर्व में निर्गत सभी आदेशों, निदेशों एवं परिपत्रों को निम्न हद तक संशोधित करते हुए बिहार पंचायत प्रारंभिक शिक्षक नियोजन सेवा शर्त नियामवली, 2012 एवं बिहार नगर निकाय प्रारंभिक शिक्षक (नियोजन एवं सेवा शर्त) नियामवली, 2012 के आलोक में



राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन की कार्रवाई एवं प्रक्रिया के संबंध में निम्नांकित मार्गनिर्देश दिये जाते हैं-

(मार्ग निर्देश)

1- नियोजन हेतु समय तालिका- राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन की कार्रवाई निम्नलिखित समय तालिका के अनुसार की जायेगी-

क्रमांक सं०	विवरण	दिनांक
i	जिला शिक्षा पदाधिकारियों एवं जिला कार्यक्रम पदाधिकारियों का राज्य स्तरीय प्रशिक्षण कार्यक्रम	दिनांक- 25.07.2019 तक
ii	रिक्तियों का समेकन	दिनांक- 29.07.2019 तक
iii	नियोजन से जुड़े कर्मियों का जिला एवं प्रखंड स्तरीय प्रशिक्षण कार्यक्रम	दिनांक-03.08.2019 से 05.08.2019 तक
iv	जिला द्वारा रोस्टर का अनुमोदन एवं नियोजन इकाईयों को प्रेषण	दिनांक-16.08.2019 तक
v	सभी नियोजन इकाईयों द्वारा नियोजन हेतु सूचना का प्रकाशन	दिनांक- 20.08.2019
vi	आवेदन पत्र प्राप्ति की तिथि	दिनांक- 26.08.2019 से 25.09.2019 तक
vii	मेधा सूची की तैयारी	दिनांक- 26.09.2019 से 11.10.2019 तक
viii	मेधा सूची का नियोजन समिति द्वारा अनुमोदन	दिनांक- 17.10.2019 तक
ix	मेधा सूची का प्रकाशन	दिनांक-21.10.2019 तक
x	मेधा सूची पर आपति	दिनांक- 22.10.2019 से 05.11.2019 तक
xi	आपतियों का निराकरण	दिनांक- 11.11.2019 तक
xii	मेधा सूची का अंतिम प्रकाशन	दिनांक- 14.11.2019 तक
xiii	जिला द्वारा पंचायत एवं प्रखंड के मेधा सूची का अनुमोदन	दिनांक- 25.11.2019
xiv	नियोजन इकाई द्वारा मेधा सूची का सार्वजनीकरण	दिनांक- 29.11.2019 तक
xv	आवेदन के साथ संलग्न स्वअभिप्रमाणित प्रमाण पत्रों का मूल प्रमाण पत्र से मिलान एवं चयन सूची का निर्माण	दिनांक- 30.11.2019 से 07.12.2019 तक



xvi	नियोजन इकाई द्वारा नियोजन पत्र निर्गत करना	दिनांक— 09.12.2019 से 13.12.2019 तक
-----	--	-------------------------------------

2— नियोजन हेतु अर्हता तथा शिक्षक पदों की गणना एवं वितरण— नियोजन हेतु शिक्षक पदों की गणना प्राथमिक कक्षाओं (वर्ग I से V) के लिए अलग तथा उच्च प्राथमिक कक्षाओं (वर्ग VIसे VII) के लिए अलग की जायेगी। नियोजन की अर्हता संगत नियमावली-2012 के अनुरूप होगी। उक्त नियमावली के तहत प्रशिक्षित एवं टी0ई0टी0 अर्हताधारित अभ्यर्थी ही नियोजन के लिए आवेदन कर सकेंगे। इस संबंध में स्पष्ट करना है कि विभागीय आदेश ज्ञापांक— 837 दिनांक— 02.07.2019 के आलोक में बिहार प्रारंभिक शिक्षक पात्रता परीक्षा (BETET) 2012 उत्तीर्ण अभ्यर्थियों के उत्तीर्णता प्रमाण पत्र के वैधता की अवधि अगले दो वर्ष के लिए विस्तारित किया गया है।

प्राथमिक कक्षाओं के लिए निम्नांकित तीन विषयों के शिक्षक पद के नियोजन हेतु शैक्षणिक योग्यता निम्नवत होगी—

(क) सामान्य विषय के शिक्षक— (शैक्षणिक योग्यता— इंटरमीडियट)

(ख) उर्दू भाषा के शिक्षक — (शैक्षणिक योग्यता— बिहार मदरसा शिक्षा बोर्ड द्वारा प्रदत्त मौलवी अथवा

उर्दू योग्यताधारी अभ्यर्थी— 50 अंको के उर्दू में इंटरमीडियट उत्तीर्ण)

(ग) बंगला भाषा के शिक्षक— (शैक्षणिक योग्यता— इंटर से 100 अंकों का बंगला विषय में उत्तीर्ण)

एन0सी0टी0ई0 की अधिसूचना दिनांक — 28.08.2018 के अनुसार एन0सी0टी0ई0 द्वारा मान्यता प्राप्त संस्थान से शिक्षा—स्नातक की उपाधि प्राप्त अभ्यर्थी से तक पढ़ाने के लिए अध्यापक के रूप में नियुक्त हेतु योग्य माने जायेगे। किन्तु इस प्रकार अध्यापक के रूप में नियुक्त व्यक्ति को प्राथमिक शिक्षक के रूप में नियुक्त होने के दो वर्ष



के भीतर एन0सी0टी0ई0 द्वारा मान्यता प्राप्त प्राथमिक शिक्षा में 6 महीने का एक सेतु पाठ्यक्रम ब्रिज कोर्स आवश्यक रूप से पूरा करना होगा।

इसी प्रकार उच्च प्राथमिकता कक्षाओं (मध्य विद्यालय) के लिए आवश्यकतानुसार निम्नांकित विषयों के पद पद शिक्षकों के नियोजन हेतु शैक्षणिक योग्यता निम्नवत होगी—

(क) स्नातक गणित एवं विज्ञान के शिक्षक (शैक्षणिक योग्यता):—

(i) गणित, भौतिकी, रसायन में स्नातक

अथवा

(ii) रसायन, वनस्पति विज्ञान, जंतु विज्ञान में स्नातक

अथवा

(iii) बी0 सी0 ए0 योग्यताधारी

अथवा

(iv) राष्ट्रीय अध्यापक शिक्षा परिषद् (मान्यता मानदण्ड तथा क्रियाविधि) विनियमम् 2014 के तहत इंजीनियरिंग से स्नातक जिसमें विज्ञान और गणित की विशेषज्ञता हो की बी0एड0 में नामांकन हेतु पात्रता निर्धारित की गयी है। तदनुरूप वैसे अभ्यर्थी जो इंजीनियरिंग से स्नातक, जिसमें विज्ञान और गणित की विशेषज्ञता हो तथा बी0एड0 एवं BETET उत्तीर्ण हो की "स्नातक गणित एवं विज्ञान " में मध्य विद्यालय के शिक्षक के पद पर नियोजन की पात्रता होगी।

(ख) स्नातक सामाजिक विज्ञान के शिक्षक शैक्षणिक योग्यता—

इतिहास, भूगोल, राजनीति शास्त्र, दर्शनशास्त्र, अर्थशास्त्र, मनोविज्ञान, समाजशास्त्र में स्नातक स्तर में किसी दो विषय में उत्तीर्ण किन्तु इनमें एक पठित विषय इतिहास या भूगोल अवश्य हो।

अथवा



बी0 कॉम

(ग) स्नातक भाषा के शिक्षक (शैक्षणिक योग्यता)– हिन्दी के लिए स्नातक स्तर पर पठित हिन्दी विषय अर्थात् सहायक विषय अथवा प्रतिष्ठा के रूप में रखा गया हो तथा अंग्रेजी के लिए स्नातक स्तर पर पठित अंग्रेजी विषय अर्थात् सहायक विषय अथवा प्रतिष्ठा के रूप में रखा गया हो।

(घ) संस्कृत भाषा के शिक्षक (संस्कृत में स्नातक /शास्त्री की डिग्री)

(ङ) उर्दू शिक्षक (शैक्षणिक योग्यता– आलीम की डिग्री अथवा उर्दू भाषा में स्नातक)

जिला के विभिन्न इकोईयों में रिक्त पदों की सूचना प्राप्त कर रोस्टर पंजी को भरा जाना उपेक्षित है।

3– आरक्षण रोस्टर का पालन एवं बैकलॉग– नियोजन में आरक्षण सामान्य प्रशासन विभाग द्वारा निर्गत अधिसूचनाओं/ परिपत्रों के सापेक्ष दिया जाना है। इस क्रम में सामान्य प्रशासन विभाग द्वारा बिहार पदों एवं सेवाओं की रिक्तियों तथा शैक्षणिक संस्थानों में नामांकन में (आर्थिक रूप से कमजोर वर्गों के लिए) आरक्षण नियमावली 2019 के तहत आर्थिक रूप से कमजोर वर्ग के लिए 10 प्रतिशत आरक्षण, संकल्प संख्या 13062 दिनांक 12.10.2017 के तहत सभी पदों एवं सेवाओं में दिव्यांगजनों को 04 प्रतिशत क्षैतिज आरक्षण, संकल्प संख्या 13185 दिनांक 09.09.2015 द्वारा बिहार राज्य के वैसे स्वतंत्रता सेनानियों, जिन्हें केन्द्र सरकार द्वारा पेंशन स्वीकृत है, के पोता/पोती/नाती/नतनी को नियुक्ति में 02 प्रतिशत क्षैतिज आरक्षण का लाभ देय होगा।

4– महिलाओं के लिए पदों का निर्धारण:– प्रत्येक विषयक के प्रत्येक कोटि में नियोजन, नियमावली के अनुसार 50 प्रतिशत महिलाओं का नियोजन होगा। महिला अभ्यर्थी नहीं मिलने पर यह पद रिक्त रहेंगे।



5- शिक्षक नियोजन हेतु सूचना का प्रकाशन:- प्रत्येक नियोजन इकाई के द्वारा अपने-अपने नियोजन इकाई के लिए निर्धारित तिथि को शिक्षक नियोजन हेतु सूचना का प्रकाशन निश्चित रूप से किया जायेगा। प्रकाशित सूचना में नियोजित किये जानेवाले शिक्षक पदों की कोटिवार संख्या का उल्लेख रहेगा। प्रखंड विकास पदाधिकारी एवं प्रखंड शिक्षा पदाधिकारी के द्वारा यह सुनिश्चित किया जायेगा कि ग्राम पंचायतों के द्वारा निर्धारित तिथि की सूचना का प्रकाशन कर दिया जाए। ग्राम पंचायतों द्वारा प्रकाशित सूचना प्रकाशित सूचना की एक प्रति प्रखंड विकास पदाधिकारी के कार्यालय के सूचनापट्ट पर भी प्रकाशित की जायेगी। इसी प्रकार प्रखंड एवं नगर निकाय के शिक्षकों के नियोजन से संबंधित सूचना प्रकाशन की प्रति जिला शिक्षा पदाधिकारी के कार्यालय के सूचना पट्ट पर भी प्रकाशित की जायेगी। जिला शिक्षा पदाधिकारी कार्यालय के द्वारा यथासंभव नियोजन संबंधी सभी सूचनायें जिला के एन0आई0सी0 के वेबसाइट पर भी देने की कार्रवाई की जायेगी।

6- आवेदन पत्र- किसी भी भारत के नागरिक के द्वारा आवेदन पत्र नियमानुसार संबंधित नियोजन इकाई के पास निर्धारित तिथि तक हाथों-हाथ अथवा निबंधित डाक/स्पीड पोस्ट द्वारा भेजा जाएगा। आवेदन का प्रपत्र अलग ही उपलब्ध कराया जायेगा।

7- आवेदन पत्रों का पंजी में संधारण:- प्रत्येक ग्राम पंचायत के नियोजन इकाई के द्वारा शिक्षक नियोजन हेतु प्राप्त आवेदन पत्रों का ब्योरा पंजी में संधारित किया जायेगा। पंजी के प्रत्येक पृष्ठ पर सचिव तथा शिक्षक सदस्य का तिथि युक्त हस्ताक्षर अनिवार्य होगा। नियोजन इकाई के सचिव केद्वारा आवेदन प्राप्ति की अंतिम तिथि को आवेदन पत्रों की प्रविष्टि के उपरांत पंजी को क्लोज कर दिया जायेगा। इसी प्रकार मेधा सूची एवं काउंसलिंग हेतु अलग-अलग पंजिका संधारित किया जायेगा। पंचायत समिति तथा नगर



निकायों में प्राप्त आवेदन पत्रों का संधारण, मेधा सूची का निर्माण आदि कम्प्यूटर में भी किया जायेगा।

8- पूर्व के नियोजित शिक्षकों द्वारा आवेदन:- राज्य के प्रारंभिक विद्यालयों में पूर्व के नियोजित शिक्षक , जो शिक्षक पात्रता परीक्षा में उत्तीर्ण हुए हैं के द्वारा दूसरे नियोजन इकाईयों में नियोजन हेतु उचित नियोजन पदाधिकारी के अग्रसारण से आवेदन दिया जा सकेगा। बिना उचित सील से प्राप्त आवेदन को रद्द किया जा सकेगा। ऐसे आवेदकों का किसी नियोजन इकाई में किया गया तथा नियोजन प्रथम नियोजन माना जायेगा और कोई लाभ अनुमान्य नहीं होगा।

9- मेधा सूची की तैयारी एवं प्रकाशन:- प्रत्येक नियोजन इकाई के द्वारा नियमों के आलोक में मेधासूची तैयार की जायेगी। निर्धारित तिथि को मेधासूची का प्रकाशन प्रत्येक कोटि में किया जायेगा। अभ्यर्थी के द्वारा अपने आवेदन पत्र के साथ स्वअभिप्रमाणित प्रमाण पत्र दिये जायेंगे, जिसके आधार पर मेधासूची तैयार की जायेगी। अभ्यर्थी के द्वारा दिये गये स्वअभिप्रमाणित प्रमाण पत्रों एवं अंक पत्रों का मिलान एवं जाँच निर्धारित तिथि को की जायेगी। इस हेतु जिला शिक्षा पदाधिकारी द्वारा प्रत्येक नियोजन इकाई के लिए प्रमाण पत्रों की जांच का केन्द्र/स्थल निर्धारित किया जायेगा।

10- राष्ट्रीय संस्थानों/प्रशिक्षण संस्थानों के द्वारा प्रदत्त प्रमाण पत्रों की मान्यता :- शिक्षा विभाग द्वारा राष्ट्रीय संस्थानों के द्वारा प्रदत्त उपाधि/ प्रमाण पत्र को शिक्षक नियोजन हेतु अमान्य किये जाने संबंधी विभिन्न आदेशों/निर्देशों का अनुपालन किया जायेगा।

11- नियोजन हेतु अभ्यर्थी की नियोजन पत्र निर्गत करना:- अंतिम रूप से प्रकाशित मेधासूची के बाद एवं मूल प्रमाण पत्रों मिलान के आधार पर नियमों के अंतर्गत जिला द्वारा प्रदत्त आरक्षण रोस्टर का पालन करते हुए चयनित सूची तैयार कर चयनित अभ्यर्थियों को नियोजन पत्र भेजा जायेगा। नव नियोजित शिक्षक को योगदान कराने के



उपरांत उनके शैक्षणिक/प्रशैक्षणिक/टी0ई0टी0 प्रमाण पत्रों की जांच संबंधित बोर्ड/विश्वविद्यालय/संस्थान से कराने के उपरांत ही वेतन भुगतान किया जायेगा। जांच करने की जिम्मेदारी संबंधित नियोजन इकाई के सदस्य सचिव की होगी, उसमें शिक्षा विभाग के पदाधिकारी द्वारा आवश्यक सहयोग प्रदान किया जायेगा।

यह स्पष्ट किया जाता है कि नियोजन नियमावली के अनुसार प्रत्येक बार रिक्ति के अनुसार ही चयनित अभ्यर्थी को नियोजन पत्र निबंधित डाक द्वारा भेजा जायेगा।

नियोजन पत्र प्राप्ति के बाद निर्धारित अवधि के अंदर संबंधित अभ्यर्थी पदस्थापन वाले विद्यालय में योगदान कर लेंगे।

12- अपीलीय प्राधिकार:- शिक्षक नियोजन से संबंधित शिकायतों का निष्पादन बिहार राज्य विद्यालय शिक्षक एवं कर्मचारी-शिकायत निवारण नियमावली-2015 के तहत जिला स्तर पर पदस्थापित जिला अपीलीय प्राधिकार के द्वारा किया जायेगा। पूर्व के लंबित अपील के मामले पूर्व की नियमावली के आलोक में निष्पादित किया जायेगा।

13- शिक्षक नियोजन का अनुश्रवण एवं प्रतिवेदन:-शिक्षक नियोजन की कार्रवाई का अनुश्रवण प्रत्येक स्तर से किया जायेगा तथा जिला शिक्षा पदाधिकारी द्वारा निर्धारित प्रपत्र में जिलावार नियोजन की सूचना विभाग को उपलब्ध कराई जायेगी।

नियोजन से संबंधित उक्त कार्यक्रम में विभाग के पूर्वानुमति के बिना परिवर्तन नहीं किया जा सकता है। साथ ही, विभाग के पूर्वानुमति के बिना निर्धारित समय तालिका से हटकर यदि किसी नियोजन इकाई के द्वारा शिक्षकों का नियोजन किया जाता है, तो ऐसे नियोजन को विभाग द्वारा मान्यता नहीं दी जायेगी, और तदनुरूप अनुवर्ती कार्रवाई की जायेगी।

उक्त पृष्ठभूमि में नियोजन के कैलेण्डर को दृढ़ता से लागू किया जाए तथा निर्धारित तिथि तक पूर्व प्रक्रिया को अनिवार्य रूप से पूर्ण किया जाय।



बिहार राज्यपाल के आदेश से,

ह0/—

उप सचिव,

शिक्षा विभाग।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि— सभी प्रमण्डलीय आयुक्त / सभी महापौर नगर निगम / सभी जिला पदाधिकारी / सभी उप विकास आयुक्त / सभी क्षेत्रीय शिक्षा उप निदेशक / सभी मुख्य कार्यपालक पदाधिकारी / कार्यपालक पदाधिकारी / सभी जिला शिक्षा पदाधिकारी / सभी जिला कार्यक्रम पदाधिकारी / सभी अध्यक्ष नगर परिषद / नगर पंचायत / सभी कार्यक्रम पदाधिकारी (शिक्षा) / सभी प्रमुख पंचायत समिति / सभी प्रखंड विकास पदाधिकारी / सभी प्रखंड शिक्षा पदाधिकारी / सभी मुखिया ग्राम पंचायत / सभी ग्राम पंचायत के सचिव को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

ह0/—

उप सचिव,

शिक्षा विभाग।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि— राज्य परियोजन निदेशक, बिहार शिक्षा परियोजना परिषद / निदेशक प्राथमिक शिक्षा / निदेशक, माध्यमिक शिक्षा / सभी सदस्य जिला शिक्षक नियोजन अपीलीय प्राधिकार / आप्त सचिव, माननीय मंत्री शिक्षा विभाग को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

ह0/—

उप सचिव,

शिक्षा विभाग।



ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि- आई0टी0 मैनेजर, शिक्षा विभाग को सूचनार्थ एवं आवश्यक कार्यार्थ
प्रेषित ।

उप सचिव,

शिक्षा विभाग ।

9. The notification (Annexure-2) contained a detailed guide line for calculation of vacancy, details with regard to in service training, intimation of approval of roster to the employment unit, publication of notice for appointment by employment unit, last date for submission of application, date for publication of merit list, approval of merit list by the employment committee, publication of merit list, inviting objection on the merit list, disposal of objection on merit list, final publication of merit list and also details with regard to verification of certificate etc. and issuance of appointment letter by the employment Unit.

10. In Annexure-2, last date for submission of application form was 25.09.2019. The notification was subsequently modified vide notification as contained in Annexure-4. The last date for submission of application was fixed as 23.11.2019. This modification was issued in the light of approval of NCTE, the proposal of the State Government for extension of life of the validity of passing TET. The result of TET was published in 2012 and was only valid for seven years i.e. up to May, 2019. Subsequently, on the request of the State Government, the NCTE



extended the validity of TET for a further period of two years, as would be evident from Annexure-3 dated 02.07.2019. In the aforesaid background the last date was extended vide Annexure-4 dated 22.11.2019. The schedule for preparation of merit list was also modified vide Annexure-5 dated 04.10.2019. Annexures- 4 and 5 are quoted herein below:

Annexure-4

बिहार सरकार

शिक्षा विभाग।

अधिसूचना

संचिका सं०-7/विधि-25/2019...../ पटना दिनांक-.....

विभागीय अधिसूचना संख्या-1329 दिनांक- 04.10.2018 के द्वारा राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन के संबंध में संशोधित समय-तालिका संसूचित किया गया था। जिला शिक्षा पदाधिकारियों के साथ नियोजन प्रक्रिया की समीक्षा में यह पाया गया है कि कई जिलों में रोस्टर का अनुमोदन एवं अनुमोदित रोस्टर नियोजन इकाईयों को कतिपय कारणों से प्रेषण नहीं किया गया है। अपरिहार्य कारणवश अधिसूचना सं०-1329 दिनांक- 04.10.2019 की कंडिका-2 में अंकित नियोजन हेतु समय-तालिका निम्नवत संशोधित किया जाता है।

1- नियोजन हेतु समय तालिका:- राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन की कार्रवाई निम्नलिखित समय तालिका के अनुसार की जायेगी:-

क्र०सं०	विवरण	दिनांक
i	आवेदन पत्र प्राप्ति की तिथि	दिनांक- 23.11.2019 तक



ii	मेधा सूची की तैयारी	दिनांक-05.12.2019 तक
iii	मेधा सूची का नियोजन समिति द्वारा अनुमोदन	दिनांक-11.12.2019 तक
iv	मेधा सूची का प्रकाशन	दिनांक- 16.12.2019 तक
v	मेधा सूची पर आपति	दिनांक- 02.01.2020 से 17.01.2020 तक
vi	आपतियों का निराकरण	दिनांक-21.01.2020 तक
vii	मेधा सूची का अंतिम प्रकाशन	दिनांक-25.01.2020 तक
viii	जिला द्वारा पंचायत एवं प्रखंड के मेधा सूची का अनुमोदन	दिनांक-24.02.2019 तक
xi	नियोजन इकाई द्वारा मेधा सूची का सार्वजनीकरण	दिनांक-29.02.2019 तक
x	अनुमोदित मेधा सूची एवं आरक्षण रोस्टर पंजी के अनुरूप उपलब्ध रिक्ति के सापेक्ष चयन सूची का निर्माण	दिनांक-05.03.2020 तक
xi	चयनित अभ्यर्थियों के प्रमाण पत्रों की जांच एवं नियोजन पत्र निर्गत करना	दिनांक-31.03.2020 तक

2- यदि निर्धारित तिथि तक प्रमाण पत्रों की जांच नहीं हो तो इसकी सूचना प्राथमिक शिक्षा निदेशालय को देते हुए अंतिम तिथि के विस्तार का अनुरोध संबंधित जिला शिक्षा पदाधिकारी के द्वारा किया जा सकता है।

3- अधिसूचना संख्या- 1329 दिनांक- 04.10.2019 में अंकित शेष प्रशिष्टि यथावत् रहेगी।

बिहार राज्यपाल के आदेश से,

ह0/-

उप सचिव,

शिक्षा विभाग।

ज्ञापांक-7 / विविध -25 / 2019..... /

पटना दिनांक.....



प्रतिलिपि— सभी प्रमण्डलीय आयुक्त / सभी महापौर नगर निगम / सभी जिला पदाधिकारी / सभी उप विकास आयुक्त / सभी क्षेत्रीय शिक्षा उप निदेशक / सभी मुख्य कार्यपालक पदाधिकारी / कार्यपालक पदाधिकारी / सभी जिला शिक्षा पदाधिकारी / सभी जिला कार्यक्रम पदाधिकारी / सभी अध्यक्ष नगर परिषद / नगर पंचायत / सभी कार्यक्रम पदाधिकारी सभी प्रमुख पंचायत समिति / सभी प्रखंड विकास पदाधिकारी / सभी प्रखंड शिक्षा पदाधिकारी / सभी मुखिया ग्राम पंचायत / सभी ग्राम पंचायत के सचिव को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित ।

ह0 / -

उप सचिव,

शिक्षा विभाग ।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि— राज्य परियोजन निदेशक, बिहार शिक्षा परियोजना परिषद / निदेशक प्राथमिक शिक्षा / निदेशक, माध्यमिक शिक्षा / सभी सदस्य जिला शिक्षक नियोजन अपीलीय प्राधिकार / आप्त सचिव, माननीय मंत्री शिक्षा विभाग को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित ।

ह0 / -

उप सचिव,

शिक्षा विभाग ।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि— आई0टी0 मैनेजर, शिक्षा विभाग को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित ।

उप सचिव,

शिक्षा विभाग ।



Annexure-5

बिहार सरकार
शिक्षा विभाग।
अधिसूचना

संचिका सं०- 07 / विविध- 25 / 2019..... / पटना दिनांक-.....

विभागीय अधिसूचना संख्या- 1098 दिनांक- 22.08.2019 के द्वारा राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन के संबंध में संशोधित समय-तालिका संसूचित किया गया था। जिला शिक्षा पदाधिकारियों के साथ नियोजन प्रक्रिया की समीक्षा में यह पाया गया है कि कई जिलों में रोस्टर का अनुमोदन एवं अनुमोदित रोस्टर का नियोजन इकाईयों को कतिपय कारणों से प्रेषण नहीं किया गया है। राज्य के विभिन्न जिलों में बाढ़ एवं जल-जमाव की स्थिति को यान में रखते हुए अधिसूचना संख्या-1098 दिनांक- 22.08.2019 के कंडिका-2 में अंकित नियोजन हेतु समय-तालिका निम्नवत् संशोधित किया जाता है-

1- नियोजन हेतु समय तालिका:- राज्य के प्रारंभिक विद्यालयों में वर्ष 2019-20 में शिक्षकों के नियोजन की कार्यवाही निम्नलिखित समय तालिका के अनुसार की जायेगी:-

क्र० सं०	विवरण	दिनांक
i	जिला द्वारा रोस्टर का अनुमोदन एवं नियोजन इकाईयों को प्रेषण	दिनांक- 09.10.2019 तक
ii	सभी नियोजन इकाईयों द्वारा नियोजन हेतु सूचना का प्रकाशन	दिनांक- 10.10.2019
iii	आवेदन पत्र प्राप्ति की तिथि	दिनांक- 09.11.2019 तक
iv	मेधा सूची की तैयारी	दिनांक- 20.11.2019 तक
v	मेधा सूची का नियोजन समिति द्वारा अनुमोदन	दिनांक- 26.11.2019 तक
vi	मेधा सूची का प्रकाशन	दिनांक- 29.11.2019 तक
vii	मेधा सूची पर आपत्ति	दिनांक- 13.12.2019 तक
viii	आपत्तियों का निराकरण	दिनांक- 20.12.2019 तक
ix	मेधा सूची का अंतिम प्रकाशन	दिनांक- 21.12.2020 तक
x	जिला द्वारा पंचायत एवं प्रखंड के मेधा सूची का	दिनांक- 11.01.2020 तक



	अनुमोदन	
xi	नियोजन इकाई द्वारा मेधा सूची का सार्वजनीकरण	दिनांक— 16.01.2020 तक
xii	आवेदन के साथ संलग्न स्वअभिप्रमाणित प्रमाण पत्रों का मूल प्रमाण पत्र से मिलान एवं चयन सूची का निर्माण	दिनांक— 20.01.2020 से 25.01.2020 तक
xiii	चयनित अभ्यर्थियों के प्रमाण पत्रों की जाँच एवं नियोजन पत्र निर्गत करना	दिनांक— 29.01.2020 से

2— अभ्यर्थी का चयन सूची में अंकित वरीयता ज्ञापांक अक्षुण्ण रहेगा तथा चयन सूची के अभ्यर्थी के योगदान की तिथि से यह अप्रभावित रहेगा।

3— अधिसूचना संख्या— 1098 दिनांक 22.06.2019 में अंकित शेष प्रविष्टि यथावत रहेगी।

बिहार राज्यपाल के आदेश से,

ह0 /—

उप सचिव,

शिक्षा विभाग।

ज्ञापांक—7 / विविध —25 / 2019..... / पटना दिनांक.....

प्रतिलिपि— सभी प्रमण्डलीय आयुक्त / सभी महापौर नगर निगम / सभी जिला पदाधिकारी / सभी उप विकास आयुक्त / सभी क्षेत्रीय शिक्षा उप निदेशक / सभी मुख्य कार्यपालक पदाधिकारी / कार्यपालक पदाधिकारी / सभी जिला शिक्षा पदाधिकारी / सभी जिला कार्यक्रम पदाधिकारी / सभी अध्यक्ष नगर परिषद / नगर पंचायत / सभी कार्यक्रम पदाधिकारी सभी प्रमुख पंचायत समिति / सभी प्रखंड विकास पदाधिकारी / सभी प्रखंड शिक्षा पदाधिकारी / सभी मुखिया ग्राम पंचायत / सभी ग्राम पंचायत के सचिव को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

ह0 /—



उप सचिव,

शिक्षा विभाग।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि- राज्य परियोजन निदेशक, बिहार शिक्षा परियोजना परिषद /
निदेशक प्राथमिक शिक्षा / निदेशक, माध्यमिक शिक्षा / सभी सदस्य जिला शिक्षक नियोजन
अपीलीय प्राधिकार / आप्त सचिव, माननीय मंत्री शिक्षा विभाग को सूचनार्थ एवं आवश्यक
कार्यार्थ प्रेषित।

ह0 / -

उप सचिव,

शिक्षा विभाग।

ज्ञापांक-7 / विविध -25 / 2019..... / पटना दिनांक.....

प्रतिलिपि- आई0टी0 मैनेजर, शिक्षा विभाग को सूचनार्थ एवं आवश्यक कार्यार्थ
प्रेषित।

उप सचिव,

शिक्षा विभाग।

11. It appears that C.W.J.C. No. 19842 of 2019 was filed by Sanjay Kumar Yadav and others challenging the decision of the State Government not to treat D.El.Ed training through NIOS as appropriate. The petitioners have challenged the decision of the Director, Primary Education dated 11.09.2019 and submitted that their training is appropriate and they cannot be denied selection on the ground that their training is of 18 months and not of 24 months. The writ Court on



consideration of various aspect of the matter allowed the writ application on 21.01.2020. The relevant part of the judgment dated 21.01.2020 passed in C.W.J.C. No. 19842 of 2019 is quoted herein below:

“14. From bare perusal of the decisions, it is apparent that the NCTE recognized one time the course in D.El.Ed. conducted by NIOS. The relaxation of some period was only granted to the inservice teachers who had not obtained the required degree training course such as B.Ed./D.El.Ed. which is made minimum requisite qualification for appointment on the post of teachers in elementary and primary schools thus, it cannot be said that the teachers who had obtained D.El.Ed. through NIOS and any other institute duly recognized by the NCTE is not at par with the two years period D.El.Ed. course as prescribes under Section 23(2) of the NCTE Act and Rule 5 of the Bihar Panchayat Primary Teacher Rules. From perusal of the letter as contained in Annexure-10 issued by the Under Secretary (Regulation), NCTE, it appears that the NCTE has simply informed the Additional Chief Secretary, Education Department, Government of Bihar by way of clarification that as per the NRC, NCTE order dated 22.09.2017 the D.El.Ed. (ODL) programme of NIOS is only for those un-trained inservice teachers in Govt./Govt. aided/private unaided schools appointed on or before 10.08.2017 but it is nowhere mentioned that the said course cannot be treated at par with the two years training course and on the basis of such directions, two years degree course whereas the same course was duly recognized by the NCTE in pursuance of the direction issued by the Government of India, MHRD under Section 29 of the NCTE Act.



15. Thus, I find that on such misrepresentation and misreading of the clarification issued by the NCTE, the Director, Primary Education has illegally issued direction that the persons who had obtained D.El.Ed. course duly run for 18 months by NIOS are not eligible for appointment on the post of teachers in primary schools and thus, the letter as contained in Annexure-11 is illegal, unsustainable and violative of Article 14 of the Constitution. Accordingly, Annexure-11 is set aside.

16. The writ petitions are allowed. The respondents are directed to allow the petitioners to apply within one month and consider the case of the petitioners for appointment on the post of primary teachers.”

12. After the judgment of the Writ Court, the issue of validity of D.El.Ed. course of 18 months was taken up by the Additional Chief Secretary, Education Department, Government of Bihar and on the request of Additional Chief Secretary, Education Department, Government of Bihar, on 19.05.2020 the NCTE decided to accept the verdict of the Court in Sanjay Kumar Yadav Case (supra) and NCTE also intimated the Education Department to take further necessary action in the matter.

13. Once the State Government as well as NCTE party to the writ application, bearing C.W.J.C. No. 19842 of 2019 (Sanjay Kumar Yadav & Ors Vs. The State of Bihar & Ors) accepted the verdict of the learned Single Judge and decided to implement the direction issued by the writ



Court to be effect that the petitioners be allowed to participate in the selection process for which the Writ Court directed the respondents to grant one month time and consider the case of the petitioners for appointment to the post of Primary Teachers. The respondent State in all fairness issued notification as contained in Annexure-10 dated 08.06.2020. This notification was issued in the light of the judgment of the learned Single Judge in C.W.J.C. No. 19842 of 2019 and in the light of the acceptance of verdict of the Writ Court by NCTE dated 19.05.2020. In the aforesaid background the last date for submission of application was extended up to 14.07.2020. For compliance of direction in C.W.J.C. No. 19842 of 2019 for the petitioners and others, who were eligible up to 23.11.2019 but for their 18 months training through NIOS they were excluded from selection process.

14. In the peculiar facts and circumstances mentioned above i.e. the direction in judgment of the Writ Court in C.W.J.C. No. 19842 of 2019 (Sanjay Kumar Yadav & Ors Vs. The State of Bihar & Ors) and acceptance of its verdict by NCTE as well as the State Government, notification dated 08.06.2020 was issued but certain Employment units were under confusion whether the notification dated 08.06.2020 extends for last date of submission of application in the light of the judgment of the Writ Court in C.W.J.C. No. 19842 of 2019 and acceptance of its verdict by the State Government as well as NCTE as extension of time



for all candidates completed NIOS 18 months training upto the last date as per notification dated 08.06.2020 or those who were eligible in terms of the previous notification dated 22.11.2019 i.e. upto 23.11.2019 the Deputy Secretary, Education Department issued clarification for consumption of all employment units that the D.El.Ed. course conducted by NIOS for a period of 18 months, instead of two years was held to be valid by the Writ Court in C.W.J.C. No. 19842 of 2019 and NCTE as well as State Government accepted the verdict and as such only those D.El.Ed. candidates, who have the necessary 18 months training up to 23.11.2019 are eligible for consideration in compliance of the direction issued by the Writ Court and it was only for that the last date of submission of application was extended up to 14.07.2020. The aforesaid clarificatory order issued by the Deputy Secretary, Education Department dated 15.06.2020 is impugned in the batch of writ applications.

15. Mr. Dinu Kumar, learned counsel for the petitioners submits that once the selection process has commenced, the respondents were not justified in changing the rule of game in the mid way. He also contended that the petitioners, who passed the CTET in the month of December, 2019 are eligible for consideration for appointment and non-acceptance of their application for employment as teacher is illegal and arbitrary.



16. Mr. Y.V. Giri, learned senior counsel for the petitioners has further added the aforesaid submission of Mr. Dinu Kumar on the ground that once the date of submission of application has been extended, the eligibility has to be extended up to the last date of submission of application. In the present writ application, last date for submission of application was 14.07.2020 and, as such, those who acquired the eligibility by passing CTET in December, 2019 are eligible and action of the respondents in excluding them from the zone of consideration is illegal and arbitrary. He placed reliance on the judgment of the L.P.A. Court in L.P.A. No. 68 of 2020 to contend that once the corrigendum was issued and the last date for submission of application has been extended, the eligibility criteria has to be decided up to the last date of submission of the application. Mr. Giri, learned senior counsel next contended that he is not aggrieved by Annexure-10, but aggrieved by the subsequent decision dated 15.06.2020 (Annexure-11 of C.W.J.C. No. 6767 of 2020), which was not the Governmental decision but a Departmental decision. He submits that these petitioners, who have passed CTET in December, 2019, have been illegally and arbitrarily excluded from the zone of consideration by Annexure-11. He placed reliance on the decision of this Court in C.W.J.C. No. 6670 of 2020 and analogous cases.

17. In this batch of writ applications, the stand of the State, as evident from the counter affidavit of respondent no.4 is that Annexure-11



dated 15.06.2020 is clarification and not independent Government decision for the purpose of appointment on the post of teacher. The relevant part i.e. para 4 and 7 to 22 of the counter affidavit of the respondents is quoted herein below:

“4. That the present writ petition has been filed for quashing of the order issued vide memo no. 514 dated 15.06.2020, contained as Annexure-11 whereby it has been clarified that the cutoff date for acquiring of academic and training eligibility, for the purpose of appointment on the post of teacher, had been 23.11.2019 and as such candidates subsequently passing CTET examination in the month of December 2019 would not be eligible for applying for appointment in light of departmental notification issued vide memo no. 482 dated 08.06.2020 as the same was exclusively meant for candidates passing 18 months in service course of D.El.Ed. conducted by NIOS, for which order dated 21.01.2020 had been passed by the Hon’ble High Court in C.W.J.C. No. 19842 of 2019 (Sanjay Kumar Yadav & Ors Vs. The State of Bihar & Ors).

7. That the issue involved in the present writ petition basically relates to appointment of teachers for class I to V and VI to VIII, for 2019-20, for which advertisement had been issued by the department vide memo no. 866 dated 05.07.2019, and it is connection with the said process of appointment that the impugned order had been issued vide memo no. 514 dated 15.06.2020, (Annexure-11) whereby it has been clarified that 23.11.2019 is the cutoff date for the academic and training eligibility for the purpose of appointment on the post of teacher and as such CTET



candidates who had passed eligibility test in December 2019, would not be eligible for applying in the aforesaid process of appointment.

8. That it is submitted that initially vide memo no. 866 dated 05.07.2019 (Annexure-2 of the writ petition) an advertisement had been issued inviting application from eligible candidates for making appointment on the post of primary teachers, for 2019-20, in the State of Bihar.

A bare perusal of terms and conditions of the said advertisement clearly shows that there was no provision for an appearing candidate in any of the essential qualifications required for appointment on the post of teacher. The date for filling up forms in the terms of the aforesaid advertisement dated 05.07.2019 was from 26.08.2019 to 25.09.2019.

9. That it is submitted that it was on account of certain inevitable technical impediments such as non-finalisation of roster at certain districts that the date for filling of forms earlier provided vide advertisement dated 05.07.2019, was extended vide Annexure-5 up to 09.11.2019, and further upto 17.10.2019 and thereafter vide Annexure-4 upto 23.11.2019.

10. That through the aforesaid subsequent corrigendum to the original advertisement dated 05.07.2019 (Annexure-2 of writ petition), the terms and conditions of the original advertisement were never changed save and except that the date for filling of forms had been extended and consequently the follow up to be undertaken.

11. That it is submitted that as per the corrigendum dated 22.11.2019 (Annexure-4) to the original advertisement, the last date for filling up of forms by an



eligible candidate was 23.11.2019, in other words the cutoff date for academic and training eligibility for the purpose of appointment in question was 23.11.2019.

12. That it is submitted that the petitioners of the present writ petition had become eligible for being considered for appointment as teacher, only after passing of CTET examination in December 2019, whereas the cutoff for academic and training eligibility for the purpose of appointment in question was 23.11.2019.

13. That as the CTET result of the petitioners were declared in the month of December 2019, and thus they were not even having the basic eligibility criteria for applying pursuant to advertisement dated 05.07.2019 (Annexure-2 of the writ petition) and its subsequent corrigendum, whereby the last date for filling up of forms had been extended up to 23.11.2019, and thus the petitioners have no right to challenge the selection process.

14. That it was in the meantime that the order issued by the Director, Primary Education, Bihar, Patna vide letter dated 11.09.2019 holding that in service candidates who had completed D.El.Ed. Training through National School of Open Schooling, will not be considered for selection / appointment as teacher, was challenged vide C.W.J.C. No. 19842 of 2019 (Sanjay Kumar Yadav & Ors Vs. The State of Bihar & Ors) and the said writ petition was finally allowed by order dated 21.01.2020 (Annexure-6 of the writ petition) whereby the aforesaid letter dated 11.09.2019 had been set aside with the observation that the respondents are directed to allow the petitioners (of the said writ petition) to apply within one month and consider the case of the petitioners (of the said writ petition) for appointment on the post of primary teacher.



15. That it was in light of the said judgment and order dated 21.01.2020 passed in CWJC No. 19842/2019 that the respondent authority came out with an another corrigendum dated 08.06.2020 vide memo no. 482 (Annexure-10 of the writ petition) to the original advertisement dated 05.07.2019, allowing candidates possessing 18 months D.El.Ed. Training course through National School of Open Schooling to submit applications from 15.06.2020 to 14.07.2020.

16. That it needs to be emphasised that the aforesaid corrigendum dated 08.06.2020 (Annexure-10 to the writ petition) was exclusively in deference to the order dated 21.01.2020 passed by this Hon'ble Court in CWJC No. 19842/2019 allowing such candidates to apply, who had acquired 18 months D.El.Ed. Course through NIOS.

17. That it is submitted that on account of certain confusion that the respondent authority was constrained to issue the order dated 15.06.2020 (Annexure-11) impugned in the present writ petition, whereby it had categorically been clarified that the corrigendum dated 08.06.2020 issued vide memo no. 482 (Annexure-10) was exclusively issued in obedience to the order passed by this Hon'ble Court, allowing only such candidates who had acquired 18 months D.El.Ed. training course through NIOS in terms of the order passed by this Hon'ble Court and that no other candidate specially those who had passed in CTET in December 2019 were not eligible for applying for appointment in terms of the aforesaid corrigendum dated 08.06.2020 for the reason that the cutoff date for academic and training eligibility for the purpose of appointment in question was 23.11.2019.



18. That thus it is respectfully submitted that the impugned order dated 15.06.2020 in no way tries to change the terms and conditions of the advertisement dated 05.07.2019.

In fact the impugned order dated 15.06.2020 only clarifies that the corrigendum issued vide memo no.482 dated 08.06.2020 (Annexure-10) was only confined for such candidates who had acquired 18 months D.El.Ed. training course through NIOS and candidates passing CTET examination in December 2019 would not be eligible to fill forms in terms of the said corrigendum dated 08.06.2020.

19. That it is submitted that ones the petitioners have no eligibility in terms of advertisement notice, on the cutoff date they have no right to hold the whole process of selection to ransom. The fact that the petitioners had acquired the required eligibility subsequently, is of no relevance for the present process of appointment of teachers for 2019-20.

20. That it is submitted that the selection process in question need not be fiddled with as the petitioners lacked eligibility condition on the cutoff date.

21. That it has categorically been held by the Hon'ble Apex Court in the judgment in the case of Ashok Kumar Sharma and others Vrs. Chandra Shekhar, reported in (1997) 4 SCC 18, that qualification prescribed for appointment for public employment under the relevant statutory rule shall be on the last date of receipt of application pursuant to the advertisement calling for applications for the post.

22. That it is submitted that since the petitioners as per the advertisement dated 05.07.2019 as well as its subsequent corrigendum dated 22.11.2019 did not possess the



basis eligibility criteria of having qualified the eligibility test as on 23.11.2019, hence through the impugned order dated 15.06.2020, candidates passing CTET examination in December 2019, had rightly been held ineligible for applying for appointment in question.

The order impugned is basically a clarification to the said effect and not a change in terms and conditions of the original advertisement dated 05.07.2019.”

18. Similar was the stand of respondent no.6 in C.W.J.C. No. 6356 of 2020 and as such to avoid multiplicity the same has not been discussed here. Intervenor Rajesh Kumar has filed counter affidavit in support of writ petition, but there is no new or additional facts.

19. On behalf of the State, a Supplementary counter affidavit has been filed. Para 4 to 10 thereof is quoted herein below:

4. That instant Supplementary Counter Affidavit is being filed for bringing on record certain facts for the kind consideration by the Hon'ble Court.

5. That it is respectfully submitted that due to non completion of rosters, reservation in different districts the dates for submitting applications were extended in following manner:

Vide Memo No.	Dated	Time to make application
864	05.07.2019	26.08.19 to 25.09.19
1098	22.08.19	18.09.19 to 17.10.19
1329	04.10.19	17.10.19 to 09.11.19
1563	22.11.19	Till 23.11.19



6. That it is respectfully submitted that soon after making extension on 22.08.2019 the department vide its letter no. 1192 dated 12.09.2019 clarified that candidates shall have to pass educational as well as training exams on the last date of the date of submission of applications.

7. That it is submitted that for the last time the department made extension on 22.11.2019 whereby and whereunder the date of submission of form was finally extended till 23.11.2019 and if it is being read in consonance with letter no. 1192 dated 12.09.2019 it will be amply clear that last date for passing educational as well as training course was till 23.11.2019.

8. That it is necessary to bring on record the brief facts of CWJC No. 19842/2019 Sanjay Kumar Yadav & Ors Vs. State of Bihar & Ors and other analogous cases which were filed in between 30.08.19 to 07.11.2019 and petitioners of those cases stated that they all have training certificates obtained from N.I.O.S. prior to 23.11.2019 and TET or CTET certificate also prior to 23.11.2019 and accordingly they prayed that their application forms may be accepted. (Paragraph IV of the prayer of CWJC No.19842/2019).

9. That in view of the aforesaid background of facts the Hon'ble Court vide its order dated 21.01.2020 allowed the writ petitions and directed the respondents to allow the petitioners of those cases to apply within one month so that their candidature could be considered for appointment.

In compliance of the aforesaid order of this Hon'ble Court dated 21.01.2020 the authorities vide notification no.482 dated 08.06.2020 gave one month's time since 15.06.2020 to 14.07.2020 for such candidates those who



are covered with aforesaid order of this Hon'ble Court to make applications.

10. That it is respectfully submitted that respondents have proceeded after 14.07.2020 in terms with their programme and in all the districts have finalized merit list also as per schedule.”

20. Intervenor Raushan Kumar has filed counter affidavit on the same line of counter affidavit of State.

21. Learned counsel appearing on behalf of the intervenor applicant Rajesh Kumar has also supported the State action. Their contention is basically on the ground that the candidates with D.El.Ed. of 18 months training were excluded from the zone of consideration and only after the judgment in Sanjay Kumar Yadav case, the respondents issued notification in compliance of the direction issued by the writ court, which was accepted by the State as well as by the NCTE and as such the last date for submission of application vide notification dated 08.06.2020 is not extension of cut off date. They submitted that it was not extension of eligibility and cut off date, but it was in compliance of the direction of this Hon'ble Court to facilitate the petitioners and alike, who were otherwise eligible on the cut off date on 23.11.2019, but for D.El.Ed. 18 months training conducted by NIOS, they were excluded from the zone of consideration and as such in the light of the direction issued by the writ Court, the opportunity for submission of their



application was only considered and Annexure 10 dated 08.06.2020 is designed to provide special opportunity to the petitioners in Sanjay Kumar Yadav Case (supra). The last date for submission of application was not for other category of candidate and hence it cannot be read as extension of time for all and extension of cut off date and as to eligibility. Their contention is that the cut off date for eligibility is 23.11.2019 and cannot be read as extension up to 14.07.2020. As per the desire of parties, Court granted time for filing of written submissions and parties have filed their written submissions.

22. Written submission of petitioners in C.W.J.C. No. 7721 of 2020:

BRIEF FACTS:

1. That there are four categories of petitioners in the present writ application i.e. B.Ed. degree holders, D.EL.ED degree holders from NIOS, D.EL.ED degree holders under regular courses and handicapped category as detailed in para 10 (Pg. 40) of the writ petition. All the writ petitioners have attained CTET in December 2019.
2. That originally advertisement was issued for appointment of teachers in the State of Bihar dated 05.07.2019 by the state government (Annexure 2 – Pg. 53) in terms of which the last date of submission of the Application was 25.09.2019 which was extended subsequently by notification dated 04.10.2019 upto 09.11.2019 (Annexure 3 – Pg. 57), by notification dated 22.11.2019 upto 23.11.2019 (Annexure 4 – Pg. 59).
3. That thereafter pursuant to the direction of this Hon'ble Court dated 21.01.2020 passed in CWJC No. 19842 of 2019 (Annexure 7 – Pg. 80) another notification dated 08.06.2020 issued by the state government (Annexure 9 - Pg. 120) in terms of which the D.EL.ED candidate from



NIOS and CTET/CTET passed candidate were permitted to submit application from 15.06.2020 to 14.07.2020.

4. However, vide notification 15.06.2019 (Annexure 10 - Pg. 122) issued under the signature of the Deputy Secretary Education Department, the cut off date for eligibility criteria was fixed to be 23.11.2019.

RELIEF SOUGHT FOR:

5. That thus in the present writ application the challenge is against the said decision dated 15.06.2019 fixing the cutoff date for eligibility criteria to be 23.11.2019 and for a declaration that the cutoff date shall be the last extended date for submission of the application which is 14.07.2020 and also for a declaration that the extension of the date for application form by notification dated 08.06.2020 (Annexure 9 – Pg. 120) shall also be for all the other candidates including the B.Ed. degree holders, D.EL.ED degree holders from NIOS, D.EL.ED holders under regular courses and all handicapped category and not only limited to the writ petitioners in CWJC No. 19842 of 2019.

GROUND FOR CHALLENGE:

I. Fixing of cut off date to be 23.11.2019 contrary to law:

- a. The original advertisement has been issued by the state government, in which no cutoff date for eligibility was prescribed and even the last notification dated 08.06.2020 was issued by the state government wherein no cut off date for eligibility was prescribed. Hence, in this circumstance the law has been well settled that in absence of a prescribed cutoff date in the advertisement the relevant date for eligibility becomes the last date of submission of the application form. Thus, in the present case the cutoff date for eligibility will be last date for submission of the application form in terms of the notification dated 08.06.2020 which is 14.07.2020 and thus not 23.11.2019 as introduced by letter dated 15.06.2019 and hence liable to be quashed.



- b. Reference in this regard maybe made to the following decisions:
- Order dated 07.10.2020 in LPA No. 68 of 2020 (Bihar Staff Selection Commission & Ors. v. Md. Zishan Danish)
 - (2007) 4 SCC 54, Para 15, 18, 20.
- c. That the impugned decision of fixing the cutoff date to be 23.11.2019 contrary to the advertisement also amounts to changing the rules of the selection process in the middle and hence on this ground also the impugned decision is fit to be set aside.
- d. Reference in this regard may be made to the following decisions:
- (2015) 8 SCC 484, Para 4, 8, 9.
 - (2008) 7 SCC 11, Para 14 to 16.
 - (2009) 4 SCC 555, Para 27, 28, 29, 30, 31
 - Oder dated 04.11.2020 in CWJC No. 6670 of 2020 (Hareram Kumar & Ors. v. The State of Bihar), Para 28, 32.

II. Impugned order of fixing the cutoff date not decision of the State Government.

- A. The original advertisement as well as the subsequent notification dated 08.06.2020 have been issued by the decision of the state government as the same is under the direction of the Governor of Bihar, in terms of which there is no cutoff date fixed for eligibility meaning thereby that the eligibility was to be judged on the basis of the qualification on the last date of submission of the application form which in the present case would be 14.07.2020. However, an artificial cutoff date has been introduced for eligibility to be 23.11.2019 vide letter dated 15.06.2019 (Annexure 10 – Pg. 122) under the signature of the Deputy Secretary Education Department.



B. That is thus submitted that the said decision is contrary to the advertisement itself issued by the state government and the same thus not having any sanctity in law as not a decision of the state government and merely a decision of an individual authority and therefore not in terms of Article 166 of the Constitution of India and as such untenable in the eyes of law.

C. Reference in this regard may be made to the following decisions:

- Oder dated 04.11.2020 in CWJC No. 6670 of 2020 (Hareram Kumar & Ors. v. The State of Bihar), Para 17 (IV), 26, 32.
- (2016) 2 PLJR 459, Para 1, 8, 9, 15, 19, 20, 22.
- (1987) 3 SCC 34, Para 23, 25 to 29.
- (2011) 8 SCC 670, Para 17, 18, 22, 23, 24.

III. Petitioners thus, eligible to participate.

- That once it is held that the letter dated 15.06.2019 is untenable and that the cutoff date of eligibility shall be the last date of submission of the application form and not 23.11.2019, the petitioners would thus be eligible to participate as having attained the qualification criteria of CTET in the month of December 2019 prior to the last date of submission of the application form which is 14.07.2020, in terms of notification of the state government dated 08.06.2020.
- That it is submitted that the said notification dated 08.06.2020 will also be applicable not only to the writ petitioners in CWJC No. 19842 of 2019 but even to the other candidates who are B.Ed. qualified etc. as there cannot be two different qualification cutoff dates for common appointment which will become discriminatory and thus violative of Article of 14 of the constitution of India.
- That thus, all the candidates who have qualification criteria prior to the last date of submission of the form i.e. 14.07.2020 will form one



common class together and there cannot be made any distinction or a further subclass amongst them on basis of their degree as the advertisements issued by the state government does not make any such distinction between the candidates on the basis of their degrees and hence, non-extension of the benefit of submission of the application form in terms of the notification dated 08.06.2020 to others will thus amount to creating a class amongst class without any rational distinction and thus violative of Article 14 of the constitution of India.

- e. Reference in this regard may be made to the following decisions:
- (2018) 1 SCC 149, Para 7, 8, 17.
 - (2003) 2 SCC 349, Para 7, 8, 12.
 - Oder dated 04.11.2020 in CWJC No. 6670 of 2020 (Hareram Kumar & Ors. v. The State of Bihar), Para 17 (II), 26, 39, 30, 32.
- f. That another reason for extending the benefit of notification dated 08.06.2020 to other candidates as well and not only limited to the writ petitioners of CWJC NO. 19842 of 2019 is that the said decision is a decision in rem and not persona.
- g. That it has been settled by various judicial pronouncements that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by the Hon'ble Supreme Court from time to time postulates that all similarly situated persons should be treated similarly. Merely because they did not approach the court earlier, they are not to be treated differently. Reference be made to (2015) 1 SCC 347, para 22.



- h. That further, it is submitted that a judgment in rem is generally said to be a judgment declaratory of the status of some subject matter, whether this be a person, or a thing. Where the intervention of the court is sought for the adjudication of a right or title to property, not merely as between the parties but against all persons generally, the action is in rem. It is a judgment of a court determining the status of a person or thing. Reference be made to the case of **Deccan Paper Mills Co. Ltd. v. Regency Mahavir Properties & Ors. reported in (2020) SCC Online SC 655, para 25 to 27.**
- i. That thus, viewed from the said angle it is apparent that the decision of the court in CWJC No. 19842 of 2019 was a decision determining the status of the class of persons i.e. D.EL.ED candidates from NIOS who were held to be eligible and hence being a decision in rem and therefore will cover not only the writ petitioner therein but all other similarly situated.
- j. That the petitioners have already explained that even the B.Ed. degree holders are similarly situated to that of the D.EL.ED. candidates as they are treated equally for appointment to the post of teachers in terms of the advertisements without any distinction. Thus, once the qualification of D.EL.ED. candidate is considered on basis of the eligibility date on the last date of submission of the form in terms of notification dated 08.06.2020, the other candidates as well possessing the required qualification as on last date of submission of the application form also requires to be given similar opportunity, failing which it will be discriminatory and violative of Article 14 and 16 of the Constitution of India.

ALTERNATIVE ARGUMENT: It is submitted that if the contention of the B.Ed. candidates is not accepted then in such cases at least those



petitioners who have D.EL.ED. degrees from NIOS as detailed in para 10 (Pg. 40-41) of the writ petition be granted the benefit of the notification dated 08.06.2020 for considering their case for appointment as they have attained the CTET in the month of December 2019 i.e. prior to the last date of submission of the application form as provided by notification dated 08.06.2020 which is 14.07.2020.

CONCLUSION:

In the said background it is apparent that the impugned letter dated 15.06.2019 (Annexure 10 – Pg. 122) fixing the cutoff date of eligibility as 23.11.2019 is not tenable in the eyes of law and thus fit to be quashed holding that the cutoff date for eligibility is not 23.11.2019 but the last date of submission of the form as extended by notification dated 08.06.2020 (Annexure 9 – Pg. 120) and accordingly extend the benefit of the same notification not only to the writ petitioners in CWJC No. 19842 of 2019 but also to other D.EL.ED. candidates from NIOS, D.EL.ED. candidates from regular courses and also B.Ed. degree holders and handicapped category people who have attained CTET qualifications prior to the last date of the submission of the form i.e. 14.07.2020 like that of the petitioners.

23. Mr. Sanjeev Kumar has filed verbatim the same written submission in C.W.J.C. No.6356 of 2020 and C.W.J.C. No. 6079 of 2020 for the sake of brevity and to avoid duplicacy written submission in C.W.J.C. No. 6079 of 2020 is quoted below:

1. That in the present writ petition altogether 56 petitioners are there who have completed the course of D.El.Ed. and passed the examination in the year 2019 from National Institute of Open Schooling (NIOS). Thereafter they have qualified the Central Teacher Eligibility TEST (CTET) from Central Board of Secondary



Education (C.B.S.E.) Delhi. The examination for which was held on 08.12.19 and the result of the said examination was published on 27.12.2019 (Annexure-13 of I.A. Petition).

2. That during pendency of this writ application, the petitioners have filed Interlocutory Application on 07.07.20 for quashing the Memo No. 514 dated 15.06.20 (Annexure-15) issued by Deputy Secretary, Education Department, Bihar, Patna by which the applications of the petitioners who have passed Central Teachers Eligibility Test (CTET) in the month of December for Session 2019-20 are not acceptable for employment of Panchayat Teachers.

3. That this Hon'ble Court in C.W.J.C. No. 19842 of 2019 vide Order dated 21.01.20 has allowed the candidates who have passed D.El.Ed. examination for NIOS and also qualified in Central Teachers Eligibility Test (CTET).

4. That the present writ application is fully covered with C.W.J.C. No. 19842 of 2019 (Sanjay Kumar Yadav & Ors Vs. The State of Bihar & Ors).

5. That in the light of the said order dated 21.01.20, the Deputy Secretary, Education Department, Bihar, Patna vide Memo no. 482 dated 08.06.20 has directed the candidates who have qualified the Central Teacher Eligibility Test to fill up the form for employment of the post of Panchayat Teachers from 15.06.20 to 14.07.20 (Annexure-14 of I.A. Petition).

6. That thereafter, the Deputy Secretary, Education Department vide Memo No. 514 dated 15.06.20 has directed the Employment Unit inter alia that the candidates who have passed CTET examination in December 2019, they are not eligible for their appointment of the said post (Annexure-15 of I.A. Petition).

7. That the Director, Primary Education, Bihar, Patna vide Memo no. 757 dated 12.09.19 had directed all the District Education Officers and District Programme Officer (Establishment) inter alia that for the employment of Teacher of the year 2019-20, the candidates



have to pass the Training Examination till last date of fill up the forms (Annexure-16 of I.A. Petition).

8. That in view of Memo dated 12.09.19 (Annexure-16) the petitioners are very much eligible to fill up the form for employment of Panchayat Teachers as the last date of submission of form is 14.07.20 and the petitioners have qualified the CTET examination in December, 2019.

9. That it may be stated and submitted that during the pendency of selection process, the State Government cannot change the criteria.

10. That under the aforesaid circumstances, this Hon'ble Court may direct the respondents to allow the petitioners to fill up the form for employment of Panchayat Teacher.”

24. Mr. Shashi Bhushan Singh has filed written submission on behalf of petitioner in C.W.J.C. No. 7701 of 2020, which is quoted below:

“1. That writ application has been filed for quashing the Memo No. 514 dated 15.06.2020 to the extent by which the candidates declared successful in C.T.E.T. in the month December 2019 have been deprived to participate in the selection process of teacher and for a direction to allow the petitioner to participate in the selection process which is going on in view of Advertisement No. 1098 dated 22.8.2019 read with 482 dated 8.6.2020.

2. That the petitioner has passed Intermediate examination in the year 2010 in second division and D.El.Ed. In session 2017-19 and result was published in the month of December 2019 (Annexure-2) and She has also cleared Central Eligibility Test (CTET) in December 2019 (Annexure-1).

3. That an advertisement was made (Annexure-3) for the purpose of appointment of teacher in which D.El.Ed. passed candidates have been restrained to participate in the selection process of teacher.



4. That against the decision of the State Govt. that D.El.Ed. certificate holders are not eligible then CWJC No. 19842/2019 was filed and after hearing the parties the Hon'ble High Court has held that said certificate is valid one and decision of the Govt. is contrary to Article 14 of the Constitution of India (Annexure-5).

5. That vide Memo No. 482 dated 08.06.2020 D.El.Ed. certificate holders have been allowed to participate in the selection process but by issuance of subsequent letter contained in Memo no. 514 dated 15.06.2020 whereby those candidates who have declared successful in CTET before 23.11.2019 can only be allowed.

6. That by issuance of subsequent letter, a rider has been put in the original advertisement to change the criteria as made in the original advertisement. The Hon'ble Apex Court has held that during the selection process criteria for selection cannot be changed.

7. That in the present case earlier D.El.Ed. certificate holders were not allowed and after interference of the Hon'ble Court the said certificate has been made valid for the appointment to the post of Assistant Teacher but putting a rider that the CTET passed candidate before 23.11.2019 can only be eligible is nothing but to change the criteria of selection during the pendency of the selection process, which is not permissible in law has held in **Salm Samarjeet Singh Vs. High Court of Manipur & Imphal Writ Petition (c) 294 of 2015**.

8. That since the decision of the State Govt. as well as impugned order is in teeth of law therefore the same is required to be quashed.”

25. On behalf of Intervenor Rajesh Kumar written submission in support of writ petition has been filed. Although as per Patna High Court Rules intervention for only opposition is permissible Under Chapter XXIC Rule 5 proviso but for wide discussion, the Court allowed his



intervention but no new fact or additional facts or question of facts and or law was either argued or submitted in the written notes of arguments.

26. On behalf of intervenor represented by Mr. P.K. Shahi, learned senior counsel, a written notes of argument has been filed, which is quoted below:

“2. The petitioners have admittedly passed the CTET in the month of December, 2019 whereas the advertisement was issued in the month of July, 2019, therefore, they are not eligible to participate in the present selection process.

3. From text and context of notification no. 482 dated 08.06.2020 it is crystal clear that the said notification was issued exclusively for those who were/are covered by CWJC No. 19842 of 2019 and other analogous cases.

4. So far letter dated 15.06.2020 is concerned, the same is nothing but a clarification whereby it has been clarified that the Departmental notification no. 482 dated 08.06.2020 is not for those who have acquired eligibility after 23.11.2019, therefore, the petitioners are not eligible to participate in the light of notification dated 08.06.2020.

5. So far submission of the petitioners that letter dated 15.06.2020 changes the criteria of selection is wholly misconceived and unsustainable.”

27. Mr. Mrigank Mauli, learned advocate has filed written submission, which is quoted below:

I. FACTS

The Petitioners have challenged the Departmental Notification issued vide Memo No. 514 dated 15/06/2020 (Annexure-P/11), whereby it has been clarified that the cut-off date for acquiring of academic and training



eligibility, for the purpose of appointment on the post of teacher had been 23/11/2019 and as such candidates who have subsequently passed the CTET examination in the month of December 2019 would not be eligible for appointment in light of Departmental Notification issued vide Memo No.482 dated 08/06/2020 as same has been exclusively issued for candidates, who have passed 18 months in-service course of D.El.Ed. conducted by NIOS for which order has been passed in the case of CWJC No.19842/2019 (Sanjay Kumar Yadav Vs The State of Bihar) by Hon'ble Patna High Court.

II ISSUES/SUBMISSIONS:-

D. The Departmental Notification issued vide Memo No.482 dated 08/06/2020 is exclusively meant for candidates who have passed 18 months in-service course of D.El.Ed. conducted by National Institute of Open Schooling pursuant to order dated 21/01/2020 passed in the case of CWJC No.19842/2019 (Sanjay Kumar Yadav and Ors Vs The State of Bihar) by Hon'ble Patna High Court.

- It is submitted that vide Letter dated 11/09/2019 issued by Director, Primary Education, Government of Bihar, candidates who have passed 18 months D.El.Ed. course conducted by National Institute of Open Schooling were not allowed to apply in the selection process initiated vide Memo No. 866 dated 05/07/2019 for appointment of teachers for class 1 to 5 and 6 to 8 for 2019 – 20, on the ground that their degrees are of 18 months and not of 2 year. D.El.Ed. Candidates who have done their training from NIOS, challenged the said action before the Hon'ble Patna High Court vide CWJC No.19842/2019 (Sanjay Kumar Yadav and ors Vs The State of Bihar). The Hon'ble Court was pleased to allow writ petition with following direction:-

“15. Thus, I find that on such misrepresentation and misreading of the clarification issued by the NCTE, the Director, Primary Education has illegally issued direction that the persons who had obtained D.El.Ed. course duly run for 18 months by NIOS are not eligible for appointment on the post of teachers in primary schools and thus, the letter as contained in Annexure-11 is illegal,



unsustainable and violative of Article 14 of the Constitution. Accordingly, Annexure-11 is set aside.

16. The writ petitions are allowed. The respondents are directed to allow the petitioners to apply within one month and consider the case of the petitioners for appointment on the post of primary teachers.”

- It is submitted that vide aforesaid order dated 21/01/2020, the Hon'ble Patna High Court, Patna was pleased to quash the letter dated 11/09/2019 issued by Director, Primary Education, Government of Bihar. Since the last date for making application has expired, the state was directed to allow the petitioners therein, to apply within one month and consider the case of the petitioners for appointment on the post of primary teachers. Thereafter in compliance of the order dated 21/01/2020 passed in CWJC No. 19842/2019 (Sanjay Kumar Yadav Vs State of Bihar), Education Department, Bihar, vide Memo No. 482 dated 08/06/20, published schedule for submission of application from candidates who have done their D.El.Ed. degree within 18 months from NIOS.

B. That this selection process is being done to complete the selection process initiated vide Departmental Notification No. 864 dated 05/07/2019, therefore only those NIOS candidates who have completed their 18 months D.El.Ed. course are covered in terms of the judgment of the Patna High Court, Patna, can make application. It is further submitted that date for acquiring essential educational and training qualifications is 23/11/2019. Therefore, those candidates who have passed their CTET examination in December 2019 are not eligible for participation in this selection view of the Departmental Notification No. 482 dated 08/06/2020.

C. The aforesaid order has been challenged in this writ petition stating that rules of the advertisement have been changed in mid way, which is clearly misconceived.

- It is more than evident that this selection process is being done to complete the selection process initiated vide Departmental Notification No. 864



dated 05/07/2019. Furthermore, last date for acquiring essential educational and training qualifications is 23/11/2019, wherein these petitioners have passed their CTET examination only in December – much after the cut off date.

- It is clear that the Notification bearing Memo No.514 dated 15/06/2020– issued by Deputy Secretary, Department of Education, Bihar, is not a fresh recruitment invitation rather same is continuation of the recruitment process initiated vide Departmental Notification No. 864 dated 05/07/2019. It is stated that last date for acquiring essential educational and training qualifications is 23/11/2019, when these petitioners have not even passed their CTET examination by that time. Furthermore, in compliance of the order dated 21/01/2020 passed in CWJC No.19842/2019, the Memo No. 514 dated 15/06/2020, has been issued inviting application from those NIOS candidates who have completed their 18 months D.El.Ed. course and are covered in terms of the judgement of the Patna High Court, Patna. Therefore, there is no infirmity in excluding candidates who have passed CTET in December.
- It is submitted that there is no change in the rules of advertisement, rather Memo No. 514 dated 15/06/2020 has been issued in compliance of the order dated 21/01/2020 passed in CWJC No.19842/2019, wherein it has been specifically directed to give 4 weeks times to make application to those NIOS candidates, who have completed 18 months D.El.Ed. course.

D. Eligibility condition should be examined as on the last date of receipt of applications. Petitioners did not possess requisite eligibility qualification till the prescribed date i.e., 23/11/2019.

- There can be no dispute to the settled legal proposition that the selection process commences on the date when applications are invited. Any person eligible on the last date of submission of application has a right to be considered against the said vacancy provided he fulfills the requisite qualification. Admittedly, all the petitioners were not having the training



qualification as on 23/11/2019 and they acquired the same in the month of December 2019.

- The cut-off date by reference to which the eligibility requirement must be satisfied by the candidate seeking a public employment is the date appointed by the relevant service rules and if there be no cut-off date appointed by the rules then such date as may be appointed for the purpose in the advertisement calling for applications; and if there being no such date appointed then the eligibility criteria shall be applied by reference to the last date appointed by which the applications have to be received by the competent authority.
- **(Bhupinderpal Singh Vs State of Punjab (2000) 5 SCC 262) (para 13)**
- **Rajesh Kumar Sharma Vs State (NCT of Delhi) and others (2013) 11SCC 58- (para 11 ,12 15, 17, 19)**
- **U P Public Service Commission Vs Alpana (1994) 2 SCC 732)**
- **Rekha Chaturvedi Vs University of Rajsthan 1993 Supp (4)SCC 706 (para 10)**

Conclusion

That it is stated that in the aforesaid view of the matter, the present case is required to be dismissed as the order under challenge does not require any interference as none of these Petitioners have passed CTET examination prior to 23/11/2019.

28. On consideration of the rival contention of the parties, the Court is of the considered view that the cut off date 23.11.2019 was never extended. The Court also finds that the judgment in Sanjay Kumar Yadav case (supra) was accepted by the State Government as well as by the NCTE and in terms of the direction issued in Sanjay Kumar Yadav case (supra) the respondents were under obligation to consider their case for



selection and appointment as teacher. The Court on scrutiny of the facts find that Annexure-10 was issued in the backdrop of the judgment passed in Sanjay Kumar Yadav case (supra) and acceptance of the verdict of the writ court by the State of Bihar as well as NCTE. The Court is also of the considered view that notification as contained in Annexure-10 has to be read in the context it was issued i.e. in compliance of the direction issued in Sanjay Kumar Yadav case (supra) and it cannot be read as extension of time for submission of application and extension of cut of date of eligibility, since the petitioners have passed CTET after the cut off date i.e. 23.11.2019, their passing CTET cannot be taken as appropriate for the purpose of deciding their eligibility on 23.11.2019.

29. The Court on scrutiny of entire materials on record finds that the judgment in L.P.A. No. 68 of 2020 is inapplicable in the facts of the case. It is well settled that the judgment is an authorities of what it decides and not what finds as a matter of corollary. Reference in this connection was made by the Apex Court in the case of **Deena Dayal Vs. The Union of India**, reported in **AIR 1983 SC 1155**. Contents as well as context of the judgment is relevant in applying the test of binding precedent. The contents and context in the judgment in L.P.A. No. 68 of 2020 is distinguishable and not applicable in the present case.

30. The Court is also of the considered view that the instant case is a peculiar case where in order to comply the direction of this Court in



Sanjay Kumar Yadav case (supra), the respondents have issued notification for submission of application up to 14.07.2020. A conjoint reading of the judgment passed in Sanjay Kumar Yadav case (supra), the decision of NCTE on the request of the Additional Chief Secretary, Education Department dated 29.05.2020 and the notification as contained in Annexure-10 any prudent man can come to a definite conclusion that the date was extended to facilitate the D.El.Ed. candidates, who were otherwise eligible up to 23.11.2019, but were not treated as eligible by the respondents on the ground that their training of 18 months through NIOS is inappropriate and as such Annexure-10 has to be read as opportunity to the writ petitioners in Sanjay Kumar Yadav case (supra) and no other class of candidate.

31. Mr. Ashish Giri, learned counsel has relied upon various judgments of this Court as well as the Apex Court. It is to be noted here that the reliance of Mr. Giri on the judgment in L.P.A. No. 68 of 2020 as well as (2007) 4 SCC 54 is misconceived as in the peculiar facts of this case the last date vide Annexure-10 was to facilitate D.L.Ed. Candidates covered by Sanjay Kumar Yadav case and not an independent decision for universal extension of time for submission of application. The submission that fixation of cut off date is contrary to advertisement is also misconceived. The action of the respondent if examined in the perspective of decision of learned Single Judge in Sanjay Kumar Yadav



case and acceptance of the verdict of the learned Single Judge accepting 18 months training through NIOS as appropriate training will make it crystal clear that the last date was extended by Annexure-10 dated 08.06.2020 is for specific class for a specified purpose and cannot be read as extension of time for all and as such reliance on the judgment in (2015) 8 SCC 484, (2008) 7 SCC 11, (2009) 4 SCC 555 and Hareram Kumar case is totally misplaced.

Similarly, the submission of Mr. Giri that petitioners are covered by judgment in CWJC No. 19842 of 2019 is also misconceived. It is well settled that a judgment is an authority of what it decides and not what follow logically. The decision in Sanjay Kumar Yadav Case (C.W.J.C. No. 19842 of 2019) cannot be stretched and applied in this case. Since the Court does not find merit in the contention that cut off dated 23.11.2019 has to be treated as extended vide Annexure-10, hence the alternative submission is noted to be rejected.

32. The Court does not find substance in the submission of the petitioners that they have passed CTET in December, 2019 and therefore they became eligible for consideration for appointment in terms of Annexure-4, which was only extended vide Annexure-10 for the limited purpose of facilitating the candidates covered by the judgment in Sanjay Kumar Yadav case (supra). The submission of Mr. Giri, learned senior counsel that Annexure-11 dated 15.06.2020 is not a Governmental



decision not expressed in the name of Governor does not merit any consideration for the reason that Annexure-11 dated 15.06.2020 was only clarification for the consumption of employment unit in the light of the judgment in Sanjay Kumar Yadav case (supra) and acceptance of its verdict by the State of Bihar as well as NCTE. The clarification for selection to the employment unit is not required to be authenticated in the name of Governor and as such the Court does not find any merit in the contention of the writ petitioners.

33. For the reasons and the discussion made in para 31, the submission of Mr. Sanjeev Kumar that the petitioners are covered by the decision in C.W.J.C. N. 19842 of 2019 is hereby rejected.

34. Similarly, the Court does not find any substance in the argument of Mr. Shashi Bhushan Singh that Annexure-10 be read as open for all category, the notification Annexure-10 has to be read in the context it was issued for those covered by judgment of Sanjay Kumar Yadav case.

35. For the reasons stated above, all the writ applications lack substance and the same are dismissed. However, there should be no order as to costs.



36. Consequently, the respondents are directed to take steps for completion of selection process and issuance of appointment letter forthwith.

(Anil Kumar Upadhyay, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	13.11.2020
Uploading Date	16.12.2020
Transmission Date	

