

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4827 of 2015

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1. Rinkee Kumari. W/o Sri Amit Kumar. R/o at & P.O.- Karma, P.S.- Suryapura, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Rohtas (Sasaram).
4. The Block Development Officer, Block - Suryapura, District - Rohtas at Sasaram.
5. The Block Education Officer, Block- Suryapura, District - Rohtas at Sasaram.
6. The District Programme Officer (Estt) Rohtas Sasaram.
7. The Panchayat Secretary Gram Panchayat Raj, Goshaldih, Block - Suryapura, District - Rohtas, Sasaram.
8. The Mukhiya, Gram Panchayat Raj, Goshaldih, Block - Suryapura, District - Rohtas, Sasaram.
9. The Member District Teacher Employment Appellate Authority, Rohtas (Sasaram).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Respondent/s : Mr. GP27- PURNENDU SINGH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-07-2015

10.07.2015

Heard learned Sr. counsel for the petitioner and counsel for the State.

There could be a reason for the petitioner to make grievance against adjudication made by the District Teachers Employment Appellate Tribunal, Rohtas at Sasaram in rejecting the claim of the petitioner to grant her trained scale. But the question is whether such decision is required to be interfered with at all if the petitioner does not hold the requisite training in terms of

the rules. A very detailed consideration of the claim of the petitioner has been considered in light of the rules governing such requirements after verification of the qualification held by the petitioner including the fact and the material annexed in the writ application, especially Annexure-2 that the petitioner had obtained some kind of a certificate of training for nursery teachers.

Not every kind of training can be utilized to beget advantage of a trained teachers scale. If the petitioner expects the government to pay her a pay-scale then it is also expected that she has the requisite training and qualification in consonance with the rules and not by contrived kind of reasoning.

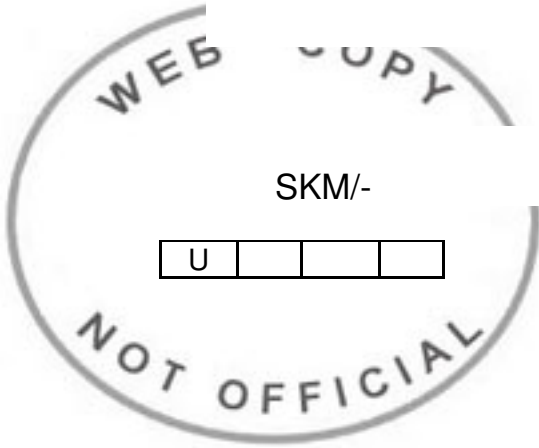
Today a downloaded material / notification of National Council of Teachers Education has also been produced. This clearly indicates that the institution from where the petitioner had obtained training was given recognition only for the nursery teacher education. Nursery teacher education training cannot substitute itself as a matter of requirement for primary teachers.

The stand of the State is in similar terms. Other questions also have been raised as to why the petitioner is not entitled to. The fact is that the petitioner's claim has rightly been rejected for trained scale in



absence of recognized training in terms of the rules.

Writ application has no merit, it is dismissed.



(Ajay Kumar Tripathi, J.)