

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10215 of 2013

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1. Mithilesh Kumari Jha Wife Of Kameshwar Jha Resident Of Bose Park, M.G. Road, P.S. - Kotwali, Town & District - Bhagalpur, Pin - 812001
 2. Shahla Sultana W/O - Dr. Md. Akhtar Towheed Resident Of Hakeem Ameer Hasan Lane , Mohalla - Tatarpur, P.S. - Tatarpur, Town & District - Bhagalpur , Pin - 812007
 3. Sunita Mishra W/O - Chandrabhan Chaube Resident Of K.B. Lal Road, Mohalla - Nathnagar, Town & District - Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Science & Technology, Govt. Of Bihar, Patna
2. The Principal Secretary, Department Of Industries, Govt. Of Bihar, Patna
3. The Joint Secretary, Department Of Industries, Govt. Of Bihar, Patna
4. The Director Handloom & Sericulture, Department Of Industries, Govt. Of Bihar, Patna
5. The Principal, Bihar Silk & Textile Institute, Nathnagar, Bhagalpur
6. The All India Council For Technical Education, Indira Gandhi Indoor Stadium, Indra Prastha Estate, New Delhi - 110002, Through Its, Secretary

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Adv.
Mr. Avanindra Kumar Jha, Adv

For the Respondent/s : Mr. Uday Shankar Sharan Singh, GP-19

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-11-2016

Heard learned counsel for the petitioners and counsel for the State.

In the present case, a basic claim has been made that the petitioners should be given the pay-scale of Teachers of the Institute recognized by the All India Council for Technical Education (in short "A.I.C.T.E."). The petitioners have entered into the service of Bihar Institute of Silk and Textile, Nathnagar, Bhagalpur on the post of



Lecturer on 9th September, 1983. For early period, there was a temporary recognition by the A.I.C.T.E. but that could not continue and ultimately on the ground of having no proper infrastructure, the Institute was deprived of the recognition from the A.I.C.T.E. The petitioners are claiming the scale of pay of Teachers recognized by the A.I.C.T.E. Admittedly that cannot be conferred to the petitioners as there is a class difference between them. It has come in the counter affidavit that some vocational courses are being taken by the Institute and the Government is willing to start various courses such as 4 year B. Tech (Silk)/B. Tech (Textile)/B. Tech (Textile Chemistry) and multiple programs in different spheres of Textile. A Detail Project Report recommending opening of one Textile Testing Lab and Computer Aided Design (CAD) centers incurring an investment of approximately 402 lakhs has been prepared and action is being taken accordingly.

Admittedly, there is no recognition from the A.I.C.T.E. Learned counsel for the petitioners submits that in view of the statement made in paragraph no.16 of the counter affidavit, the Government should take steps in that direction and the Government should start regular Engineering Course as has been mentioned in the aforesaid paragraph no.16 of the counter affidavit.

This Court cannot give a direction for the present but, it

will be good for the State that the Institute like Bihar Institute of Silk and Textile, Nathnagar, Bhagalpur be started, will give a new avenue in the academic fields as Bhagalpur area is a proper area for silk institute, having proper ambience for the development of silk institute as it is surrounded by silk industry.

This Court has hope and trust the Government will take proper step in the direction of opening the B. Tech Courses seriously.

With the aforesaid observation, this writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.11.2016
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