

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.34518 OF 2018

Date: 28.09.2018

Between:

J.Ramchandraiah, s/o. Anthaiah, Aged 36 years,
Occu: Teacher, R/o. 3-4/1, Pulusumamidi, Vikarabad,
Ranga Reddy district.

....Petitioner

and

The State of Telangana, rep.by its Principal Secretary,
School Education Department, Secretariat, Hyderabad
and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.34518 OF 2018

ORDER:

Petitioner joined service as Language Pandit Training (LPT). He belongs to Scheduled Caste category. He made application to the District Educational Officer on 13.08.2018 to grant permission to prosecute Bachelor of Education (B.Ed.) course of study in Social studies during the academic years 2018-19 and 2019-20. Initially said application was processed and orders were passed on 21.08.2018 granting permission to prosecute B.Ed., course of study with pay and allowances and all other service benefits. However, having realized that petitioner is not entitled to prosecute B.Ed., course of study as per the G.O.Ms.No.342 Social Welfare (B3) Department, dated 30.08.1997, by the order impugned, earlier permission granted is now withdrawn.

2. According to learned counsel for petitioner, as petitioner belongs to Scheduled Caste category, he wants to learn more and equip himself by prosecuting further course of study, which is useful to him as Teacher.

3. Government formulated the scheme to encourage the persons belong to SC/ST categories working in Government service to acquire higher qualifications while in employment to enable them to secure further promotions. To this extent, Government issued orders vide G.O.Ms.No.342, dated 30.08.1997. As can be seen from paragraph-2 of said G.O., primary requirement to apply the G.O., is that there must be higher qualification prescribed to get eligibility for promotion and when candidate does not have the

qualification. In such a case, in order to encourage persons belong to SC/ST category to acquire requisite qualification, this scheme is floated, which enable the candidates to prosecute higher course of study treating them as if they are in continuous service with all benefits of employment. As noted above, petitioner is qualified to be promoted as School Assistant and he does not require to acquire B.Ed., for the purpose of securing promotion as School Assistant. Thus, having regard to the mandate of G.O.Ms.No.342 dated 30.08.1997, earlier permission granted to the petitioner was reviewed and within a few days from the earlier order, by order dated 29.08.2018 the earlier permission is withdrawn.

4. This special privilege conferred on the employees belong to SC/ST category is only to enable them to acquire higher qualification, wherever it is required to secure promotion, but cannot be made use only to hone of his skill or to secure higher qualifications. Thus, I do not see any illegality in the decision impugned in the writ petition warranting interference by this Court. Writ Petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 28.09.2018
kkm

HONOURABLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.341518 OF 2018

Date: 28.09.2018

kkm