

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24509 of 2019

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1. Chanchal Kumari D/o Deo Narayan Prasad Resident of Flat No. 201(B), Ne Vrindavan Appartment, Malahi Pakari, P.o.- Lohia Nagar, Kankarbagh, Distt.- Patna (Bihar), Pin-800020
 2. Chandani Kumari D/o Deo Narayan Prasad Resident of Flat No. 201(B), Ne Vrindavan Appartment, Malahi Pakari, P.o.- Lohia Nagar, Kankarbagh, Distt.- Patna (Bihar), Pin-800020

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Secretary, Deptt. of Education, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna
2. Gurunanak Institute of Management Hema Majra Road, Mullana, Ambala-133203
3. The Principal Secretary Department of Education, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna
4. The Principal Secretary Deptt. of Welfare, Govt. of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Deo Narayan Prasad, Adv. Mr. Manish Kumar, Adv.
For the Respondent/s	:	Mr.Smt. Shilpa Singh (Ga12) Mr. Ranjan Kumar, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-12-2019 The petitioner has questioned the validity of resolution dated 05.07.2019, issued under the signature of Additional Secretary, Department of Education, Government of Bihar (Annexure-1) to the extent the earlier policy decision of the State Government under Bihar Student Credit Card Yojna has been modified to a limited extent.

2. Under the said Scheme of the State Government launched with issuance of resolution No. 617 dated 28.03.2018,



effective from 2nd October, 2016, financial support to the candidates desirous of obtaining higher education in any part of the country in any recognised institution was stipulated. It provided that the students, in order to avail the benefit under the Scheme, must have taken admissions either in the State of Bihar or in any State of the country in an institution which is recognised according to the concerned regulatory authority.

3. By the impugned resolution dated 05.07.2019, the Scheme has been modified and it has been provided that the benefit under the Scheme shall be allowed, in case of students who have taken admission outside the State of Bihar, if such institutions have been given A-Grade by NAAC, NBA or NIRF. It has further been mentioned that the said modification shall be valid from the date of issuance of the resolution.

4. It is the case of the petitioners that they have taken admission in Gurunanak Institute of Management on 01.07.2019, i.e. before issuance of the said resolution dated 05.07.2019. The said institute is a higher educational institute recognised by AICTE and affiliated with Kurukshetra University, Haryana. Admittedly, the said institute does not have the prescribed accreditation, as contemplated in the resolution dated 05.07.2019 under challenge. In my considered view, the



subsequent decision of the State Government is apparently a policy matter of the State Government in relation to grant of benefit of students Credit Card Scheme.

5. It is not the petitioner's case that they got themselves admitted in institutions outside the State of Bihar keeping in mind the Scheme of the State Government that they would be getting benefit of credit. It is mentioned in the resolution, which is under challenge, that the same will operate from the date of issuance. Evidently, it has prospective effect.

6. Such policy decision of the State Government, in my opinion, would not require any interference by this Court in a proceeding under Article 226 of the Constitution of India. I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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