

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21395 of 2018

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Keertiman Kumar Singh Son of Late Dayanand Sigh, Resident of Village-
Bishunpur, P.S.- Muffasil, District- Begusarai,

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Govt, of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt, of Bihar, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Begusarai.
5. The District Programme Officer, (Establishment) Begusarai.
6. The District Magistrate, Begusarai.
7. The District Compassionate Committee through District Magistrate, Begusarai.
8. The Deputy Collector, Establishment, Begusarai.
9. The Mayor-cum-Chairman, Teacher Employment Unit, Municipal Corporation, Begusarai.
10. The Headmaster, Nationalized B.P. Inter School, Begusarai.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Babu Nandan Prasad, Advocate
For the Respondent/s : Mr.Kameshwar Kumar- Gp17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 05-03-2020 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner is aggrieved by the order dated
01.08.2018 passed by the Chairman, Nagar Shikshak Niyojan
Unit, Nagar Nigam (Annexure-8).

Learned counsel for the petitioner submits that the
claim of the petitioner was rejected on the ground that the



petitioner is not qualified for appointment as Panchayat Shikshak considering the aforesaid ground that the petitioner was not found suitable for appointment on compassionate ground.

After coming into force of sub-clause (7) of the Bihar Panchayat Primary Teacher (Employment and Service Conditions) Rules, 2006, the respondents have decided to make appointment on the post of Panchayat Teacher/Block Teacher/Town Teacher. In 2012, the respondents have fixed the eligibility criteria/qualification for appointment as Niyojit Shikshak as trained with TET qualification which rendered the claim of the compassionate appointment virtually redundant.

A special Committee was constituted by the Education Department comprising of the Additional Secretary, Education Department; Deputy Director, Primary Education Directorate, Deputy Director, Higher Education and Assistant Director, Secondary Education. The Committee recommended for appointment of a person on compassionate ground on the posts of Clerk and Peon in terms of Memo No. 1275 dated 26.09.2019.

Considering the aforesaid recommendation of the Special Committee vide Memo No. 1275 dated 26.09.2019, the



writ petition is disposed of with a direction to the respondents to reconsider the case of the petitioner afresh for appointment on compassionate ground against class III or IV post if the petitioner is not found eligible for appointment as Panchayat Teacher. In this regard necessary decision shall be taken within a maximum period of sixty days from the date of receipt/production of a copy of this order.

The order as contained in Annexure-8 rejecting the claim of the petitioner shall not come in the way of the respondents in taking any decision in the light of the recommendation of the High Power Committee contained in Memo No. 1275 dated 26.09.2019.

With the aforesaid observations and directions, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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