

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3863 of 2022

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Dheeru Yadav S/o Laxman Singh Yadav, R/o Type 2 House No. 9, Mandi Samiti, Roza, Shahjahanpur, Uttar Pradesh-242406. Presently at 2/33 Boys Hostel 3, Punjab University, Sector 14, Chandigarh-160014.

... .. Petitioner/s

Versus

The State of Bihar through the Principal Secretary, General Administrative Dept, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhav Kumar
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 20-04-2022

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for the following relief/reliefs:

“That the present Writ Petition is being filed under Article 226 of the Constitution of India to issue a writ of Mandamus or any other order/direction in the nature of Mandamus to direct the Respondent to modify/amend the Guidelines issued by the General Administrative Department, Government of State of Bihar, with regard to the allotment of scribe to Visually Impaired Candidates (herein



referred to as “VI Candidates”) for the State Level Competitive Examinations in consonance with the guidelines dated 29.08.2018, issued by the Department of Empowerment of the Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment, Government of India; to issue a writ of Mandamus or any other order/direction in the nature of Mandamus to direct the Respondent to put in place a Grievance Redressal System so as to enable the Petitioner and other similarly placed candidates to put forth their issues and grievances in case the scribe allotted to them is not suitable; to issue a writ of Mandamus or any other order/direction in the nature of Mandamus to allow the Petitioner to opt for his own scribe for the purpose of writing the 67th Bihar State Service Commission (herein referred to as “BPSC”) Examination and for BPSC Examination for the post of Child



Development Project Officer under Social Welfare Dept., Govt. of Bihar, to issue a writ of Mandamus or any other order/direction in the nature of Mandamus to direct the Respondent to provide full particulars in advance of the scribe supposed to be allotted to the Petitioner and other similarly placed candidates along with a meeting with the scribe scheduled 48 hours prior to the examination in order for the Petitioner and other similarly placed candidates to ascertain the suitability of the scribe; to issue a writ of Mandamus or any other order/direction in the nature of Mandamus to direct the Respondent to take audio-video recordings of the scribe's reading and writing skills during the examination; to pass any other order/direction as this Hon'ble Court may deem fit in the facts and circumstances of the case."

The grievance of the petitioner is to modify the existing guideline in respect of taking the assistance of the



scribe by disabled persons (blind persons) to write various competitive examinations. In this regard, the petitioner submitted representation on 27.12.2021 followed by e-mail on 07.01.2022 to the sole respondent. Therefore, the sole respondent is hereby directed to take note of petitioner's grievance stated in the representation dated 27.12.2021 and e-mail dated 07.01.2022. if the petitioner's grievance is considered, in that event, the respondent is hereby directed to take note of Section 33 relating to identification of post for reservation under the Rights of Persons with Disabilities Act, 2016. In other words, whether the State has identified which are the posts reserved under the Disabilities Act, 2016. If the posts are identified, in that event, the guideline must provide scribe to such of disabled persons with blindness in appropriate manner. This may also be taken note of and decision be taken within a period of four months from the date of receipt of this order.

At this stage, learned counsel for the petitioner submitted on instruction that the petitioner while writing earlier examination, he was not provided a scribe who had the knowledge of reading and writing of English and Hindi. Therefore, the same shall be taken note of before providing scribe to the petitioner in the ensuing examination to be held on



07.05.2022 onwards. The concerned authority is hereby directed to ascertain from the scribe as to what is the standard of knowledge of reading and writing of both Hindi and English language be examined and provide scribe to the petitioner.

With the above observation, the present petition stands disposed of.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.04.2022
Transmission Date	NA

