

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16356 of 2022

1. Pravin Chandra Roy Son of Sri Sudhir Chandra, Resident of Flat No. 203 Jaihind Apartment, Gali No. 24, Sadh Nagar, Part-2 Palam, P.S.- Sagarpur, District- South West Delhi, New Delhi-110045.
2. Sudhanshu Kumar Abhishek son of Hazarilal Gupta, resident of Village- Rajpur, P.O.- Rajpur, P.S.- Kesariya, District- East Champaran.
3. Utsav Krishna Murari Son of Deoniti Prasad, Resident of Village- Murarpur, P.O.- Katari, P.S.- Korma, District- Sheikhpura.
4. Kalpana Kumari D/o Uday Pratap Singh Resident of Anand Bhawan, Pustakalaya Lane, behind Sheo Mandir Lohanipur, P.S.- Kadam Kuan, District- Patna.

.. ... Petitioners

Versus

1. The Chairman, Bihar Public Service Commission 15, Nehru Path, Bailey Road, Patna- 800001.
2. The Examination Controller, Bihar Public Service Commission, 15 Nehru Path, Bailey Road, Patna.
3. The State of Bihar through Secretary, Information Public Relation Department, Govt. of Bihar, Patna.

... ... Respondents

Appearance :

For the Petitioner/s	:	Mr.U.S. Verma, Advocate
For the Respondent/s	:	Mr.K.K. Singh, AC to SC-10
For the BPSC	:	Mr.Sanjay Pandey, Advocate
		Mr.Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners, learned counsel for the Bihar Public Service Commission, Patna and learned counsel for the State.

Petitioners, in the present case, are seeking the following reliefs:-

“(i) To set-aside the 3rd revised notice (bearing No. 02/2021) dated 14.11.2022 by which the Commission (Respondent) has changed the entire subject the examination advertise beyond the syllabus and Notice dated 16.02.21 for the post of Assistant Director-cum-



District Public Relation Officer which is not permissible in the eye of law.

(ii) To hold effective the 1st part notice advertisement dated 12.02.2021 the advertisement for 31 post of vacancy of Assistant Director-cum-District Public Relation Officer define in the clause-5 in pursuance to said advertisement the petitioners filled up the form and waiting for the date of examination then later on announced/ published accordingly examination will be commenced from 16.11.2022 to 18.11.2022.

(iii) To any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.”

It is the case of the petitioners that the Bihar Public Service Commission, Patna (in short the ‘B.P.S.C.’) published advertisement for 31 post of Assistant Director-cum-District Public Relation Officer vide advertisement dated 12.02.2021. It is submitted that the advertisement contains different subjects in which the examination had to take place and according to it the candidates had to appear in the compulsory papers which are shown under clause-5 of the advertisement.

Learned counsel submits that the petitioners had filled upon their applications under the said advertisement. Pointing out to Annexure ‘6’ which is the programme of the examination subject-wise, learned counsel submits that in the said programme, on 27.11.2022 in the second sitting the subject has been shown as “Journalism”. This, according to learned counsel, was not the subject in which the candidates were required to appear as per the advertisement.



Learned counsel submits that the B.P.S.C. introduced a new subject without any syllabus as per the advertisement so the notice of the programme dated 14.11.2022 (Annexure '6') is beyond the jurisdiction and is in violation of the principles of natural justice.

A counter affidavit has been filed on behalf of respondent nos. 1 and 2. In the counter affidavit, it is stated that in the advertisement for paper-5 of written examination the syllabus defined is "Syllabus of Bachelor of Mass Communication (BMC) Honours course of Patna University".

It is stated that the concerned department vide it's letter no. 1035 dated 23.08.2021 provided the syllabus of paper-5 . Thereafter, the Commission published the syllabus of paper-5 on 28.10.2022. Again the concerned department vide letter no. 1553 dated 21.11.2022 provided the detailed syllabus of paper-5. Thereafter, the commission published the detailed syllabus of paper-5 on it's website on 22.11.2022. The Commission, in it's counter affidavit has categorically given the details of the syllabus and it has been stated that the syllabus of any paper has not been changed. The written examination has been conducted from 26.11.2022 to 28.11.2022.

A counter affidavit has also been filed on behalf of



respondent no. 3. It is stated that the Commission has already conducted the examination as per the revised schedule.

Having heard learned counsel for the petitioners and the State as also the learned counsel for the B.P.S.C., this court is of the considered opinion that the petitioners are unable to make out a case showing change of syllabus by the B.P.S.C. A bare perusal of the advertisement shows that paper-4 and paper-5 are “पत्रकारिता का सिद्धान्त, संवाद प्रेषण एवं सम्पादन (हिन्दी एवं अंग्रेजी)” and “जन-सम्पर्क का महत्व एवं आधुनिक प्रचार माध्यम”. In front of paper-4 and paper-5 the syllabus has been duly mentioned and it is not the case of the petitioners that the questions which were put to the candidates in the examination were not from the syllabus provided by the respondents in the advertisement. Not a single example has been cited in this regard by the petitioners.

In such circumstance, this Court finds no merit in this writ application. It is dismissed, accordingly.

(Rajeev Ranjan Prasad, J.)

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