

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1942 of 2024

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Pramod Kumar Yadav Son of Late. Vikram Roy, Resident of Village Lakhaura, P.S.-Lakhaura, District- East Champaran (Mothihaari) presently Working as Prakhand Teacher at Government Middle School, Lakhaura, Block- Motihari, District-East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Primary Education, Government of Bihar, Patna.

... .. Respondent/s

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with
Civil Writ Jurisdiction Case No. 2036 of 2024

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Keshav Kumar S/o Shiv Mangal Chaudhur R/o Village- Hanuman Nagar, Barharwa Lakhansen, P.S.- Dhaka, District- East Champaran, at present working as Block Teacher, Government Upgraded Middle School, Barharwa Siwan, Block- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Muzaffarpur Region, District- Muzaffarpur.
6. The District Education Officer, East Champaran, District- East Champaran.
7. The District Programme Officer, Establishment (Education) East Champaran, District- East Champaran at Motihari.
8. The Block Panchayat Raj Officer-Cum-Member Secretary, Block Teacher Employment Unit, Dhaka, Block- Dhaka, District- East Champaran at Motihari.
9. The Block Education Officer, Dhaka, Block- Dhaka, District- East Champaran at Motihari.

... .. Respondent/s



with
Civil Writ Jurisdiction Case No. 2192 of 2024

Pragatisheel Prarambhik Shikshak Shangh through its President Mangal Kumar Sah, aged About 39 Years, S/o Radhakishun Sah, R/o Village-Rajpur, P.O. Raghunathpur, P.S. Raghunathpur, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, (Secondary Education), Education Department, Govt. of Bihar, Patna.
4. The Director (Primary Education) Education Department, Govt. of Bihar, Patna.
5. The Bihar School Examination Board, Patna through it Secretary.
6. That Examination Controller, Bihar School Examination Board, Patna.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 2205 of 2024

Bihar Rajya Prarambhik Shikshak Sangh through its president Pradeep Kumar Pappu @ Pradeep Kumar, (M) aged about 47 years, S/o Satya Narayan Yadav, R/o Village Jirwa, P.O. Jirwa, P.S. Shankarpur, District Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, (Secondary Education), Education Department, Govt. of Bihar, Patna.
4. The Director (Primary Education), Education Department, Govt. of Bihar, Patna.
5. The Bihar School Examination Board, Patna through its Secretary.
6. That Examination Controller, Bihar School Examination Board, Patna.

... .. Respondent/s

with



Civil Writ Jurisdiction Case No. 2288 of 2024

1. Raju Kumar S/o Umesh Singh, R/o Village-Birpur, Ward No-10, P.S.-Birpur, District-Begusarai, at present working as Panchayat Teacher at Newly Created Government Primary School, Lakhanpur, Block-Birpur, District-Begusarai.
2. Niraj Kumar Rai @ Neeraj Kumar Rai, S/o Daya Shankar Rai, R/o Ward No. -26, Shri Ram Nagar, P.S.-Gopalganj, District-Gopalganj, at present working as Graduate Teacher at Government Upgraded Middle School, Fulguni, Block-Gopalganj, District-Gopalganj.
3. Dewanti Kumari, W/o Sri Puran Kumar, R/o Mohalla-Machhua Toli, Arya Kumar Road, P.S.-Kadamkuan, District-Patna, at present working as Graduate Teacher at Government Middle School, Kohra, Block-Makhdumpur, District-Jehanabad.
4. Vineet Kumar Pandey, S/o Shiv Bhajan Pandey, R/o At Kamla Niwas, Salimpur Ahra, Lane No-2, P.S.-Gandhi Maidan, District-Patna, at present working as Graduate Teacher at Government Upgraded Middle School, Kalpa Khurd, Block and District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The Bihar School Examination Board Patna through its Secretary.
6. The Chairman, Bihar School Examination Board, Patna
7. The Secretary, Bihar School Examination Board, Patna.
8. The Examination Controller (Various), Bihar School Examination Board, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2382 of 2024

1. Bihar Panchayat Nagar Prarambhik Sikshak Sangh through its President namely Anand Kaushal Singh, (Male) aged about 44 years, Son of Abhay Kumar Singh, Resident of Village and P.S. - Gidhaur, District - Jamui, Pin Code- 811305.
2. Ramchandra Roy, Son of Late Ram Narayan Roy, Resident of At and P.O.-



- Rupauli, P.S. - Mushari Gharari, District - Samastipur. Presently working as Panchayat Teacher in Primary School Saranga Tara (Urdu Morba), P.S. Halai (Tazpur), District - Samastipur.
3. Pankaj Kumar Singh, Son of Late Birendra Kumar Singh, Resident of Ward No. - 10, Rajeshwari, P.S. - Chhatapur, District- Supaul. Presently working as Prakhand Teacher in Middle School Katahi, P.S. - Chhatapur, District - Supaul.
 4. Prakash Kumar, Son of Arun Kumar Arun, Resident of At and P.O. - Bangaon, P.S. - Bajpatti, District - Sitamarhi, Presently working as Prakhand Teacher in Middle School Kodariya, P.S. - Runnisaidpur, District - Sitamarhi.
 5. Manoj Kumar, Son of Lalan Prasad, Resident of Village and P.O. - Sinduari, P.S. - Hajipur Sadar, District - Vaishali. Presently working as Block Teacher in Government Middle School Sinduari, P.S. - Hajipur Sadar, District- Vaishali.
 6. Md. Minhaj, Son of Chulahi Baks, Resident of Village- Ratania, P.S. - Azam Nagar, District- Katihar. Presently working as Prakhand Teacher in Utkramit Middle School Ratania, P.S. - Azam Nagar, District- Katihar.
 7. Rabindra Kumar Singh, Son of Shivpujan Singh, Resident of Mohalla - Netaji Tola Gurukul, Mahiyar, P.S. - Chapra Town, District - Saran at Chapra. Presently working as Nagar Teacher in Primary School Nai Bazar Hindi, Block- Chapra Town, District- Saran at Chapra.
 8. Rina Kumari, Wife of Mithilesh Kumar, Daughter of Rajendra Paswan, Resident of Village and P.O.- Korari, P.S. - Nagarnausa, District - Nalanda. Presently working as Prakhand Teacher in Utkramit Middle School, Nagwan, Block and P.S. - Nagarnausa, District- Nalanda.
 9. Ashok Kumar Singh, Son of Late Sarvanand Singh, Resident of Mohalla - New Atwarpur, P.O. - Kurthoul, P.S. Parsa Bazar, District - Patna. Presently working as Panchayat Teacher in Primary School Pipra, Block- Punpun, District- Patna.
 10. Purushottam Kumar, Son of Tarani Prasad Singh, Resident of Village - Ganaili, P.S. - Harpur, District- Munger. Presently working as Block Teacher in Middle School Ganaili, P.S. - Harpur, District - Munger.
 11. Subodh Kumar Paswan, Son of Late Bhajandev Paswan, Resident of Village- Fulakiya Tola, Ward No. 6, P.O. and P.S. - Chausa, District - Madhepura. Presently working as Panchayat Teacher in Navnirmit Primary School Madhurapur, Mushahari, P.S. - Chausa, District- Madhepura.
 12. Anil Kumar, Son of Ram Nagina Choudhary, Resident of Opposite Gate No. - 67, Kurzi More, P.O. - Sadakat Ashram, P.S. - Digha, District- Patna. Presently working as Panchayat Teacher in Primary School Abbu Mohammadpur, P.S. - Bakhtiyarpur, District- Patna.
 13. Barun Kumar, Son of Rajendra Roy, Resident of Village- Jadishpur Babadham, P.O. and P.S. - Surajgarha, District- Lakhisarai. Presently working as Panchayat Teacher in Navnirmit Primary School Sahani Tola, Kharpar, P.S. - Manikipur, District - Lakhisarai.

... .. Petitioner/s



Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar Patna.
3. The Director, Secondary Education Education Department, Government of Bihar Patna.
4. The Director, Primary Education, Education Department, Government of Bihar Patna.
5. The Bihar School Examination Board, Patna through its Secretary.
6. The Chairman, Bihar School Examination Board, Patna.
7. The Secretary, Bihar School Examination Board, Patna.
8. The Examination Controller (Miscellaneous), Bihar School Examination Board, Patna.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 2783 of 2024

1. Subodh Kumar Suman Son of Shakindra Prasad, Resident of Village - Santnagar (Mai), P.S. - Parwalpur, District - Nalanda.
2. Kumar Amitabh Son of Shri Ram Krishna Prasad, Resident of Village- Mogal Kuan, P.S. - Sohsarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Deputy Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Under Secretary, Education Department, Government of Bihar, Patna.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 2823 of 2024

1. Nanhe Kumar Singh Son of Triveni Singh, Resident of Bhore, P.S.- Bhore, District- Gopalganj.
2. Hari Narayan Singh, Son of Vishwamitra Singh, Resident of Nautan, P.S.- Vijayipur, District-Gopalganj.



... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2922 of 2024

1. Samrendra Bahadur Singh Son of Sri Balindra Singh Resident of Village -Senduwar, Rampur, P.S. Ekma, District Saran.
2. Rahul Ranjan, Son of Sri Ram Binod Sharma, Resident of Nehru Nagar, P.S.- Patliputra, Town and District- Patna.
3. Jai Prakash Singh, Son of Sri Prabhu Nath Singh, Resident of Village- Itwa Bartwalia, P.O.- Itwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3056 of 2024

1. Bihar Rajya Panchayat/Prakhand/Nagar Shikshak Sangh, kedar Bhawan, Adalatganj, patna-800001, Through its General Secretary Ghaznafar Nawab (Male), Aged about 73 years, S/O Late Muzaffar Nawab, Resident of village-Pipla, P.S. Masaudhi, District-Patna at present Jansakti Press, Adalatganj, P.S. Kotwali, District-Patna.
2. Ram Kumar Vidyarthi, S/O Late Ram Rup Prasad, R/O Village-Dharhara, P.S. Punpun, District-Patna.
3. Manoranjan Kumar Yadav S/O Late Shyam Nath Yadav, R/O Village-Bhelura, Raghunathpur, P.S. Naubatpur, District-Patna.



... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Govern of Bihar, Patna.
3. The Director of Primary Education, Department of Education Government of Bihar, Patna.
4. The Director of Secondary Education, Department of Education Government of Bihar, Patna
5. The Secretary, Bihar School Examination Board, Patna
6. District Education Officer, Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3107 of 2024

1. Jai Prakash Rai Son of Sri Ram Ayodhya Rai Resident of Village- Rampur Pandey Tola, P.O. and P.S.- Bhagwanpur Hatt, District- Siwan.
2. Priyanka Kumari, Wife of Sri Amit Kumar Singh, Resident of Village and P.O.- Ratan Padauli, P.S.- Bhagwanpur Hatt, District- Siwan.
3. Kumari Renu Yadav, Wife of Sri Jai Prakash Rai, Resident of Village- Mahammadpur, P.O.- Aruan, P.S.- Bhagwanpur Hatt, District- Siwan.
4. Pawan Kumar Singh, Son of Sri Prabhu Nath Singh, Resident of Village- Lauwa Khurd, P.O.- Mirzapur, P.S.- Janta Bazar, District- Saran at Chapra.
5. Bharosa Kumari, Wife of Sri Birendra Kumar Prasad, Resident of Village- Karahi Khurd, P.O. and P.S.- Basantpur, District- Siwan.
6. Manish Kumar Pal @ Manish Kumar Paul, Son of Mohar Lal Prasad, Resident of Village and P.O.- Badkagaon, P.S.- Bhagwanpur Hatt, District- Siwan.
7. Ramita Kumari, Wife of Sri Manoj Kumar, Resident of Basantpur, P.O. and P.S.- Basantpur, District- Siwan.
8. Jitendra Kumar, Son of Sri Gurucharan Prasad, Resident of Village- Mahammadpur Patti, P.O.- Kala Dumra, P.S.- G.B. Nagar, Tarwara, District- Siwan.
9. Praveen Kumar, Son of Sri Vidya Bhushan Pandey, Resident of Mundipur, P.O.- Huleshra, P.S.- Bhagwanpur Hatt, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.



2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Buddha Marg, Patna.
4. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3122 of 2024

1. Shashi Ranjan Suman Son of Late Ramchandra Singh, Resident of Village - Bangaon Bazar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
2. Raj Kumar Singh, Son of Late Harihar Singh, Resident of Village - Birampur, P.S- Koilwar, District- Bhojpur presently posted as teacher in Rajkiya Middle School, Birampur.
3. Ravi Shankar Rai, Son of Dadhibal Rai, Resident of Village - Chini Mill Bazar, Gajadhar Road, P.S and District- Buxar presently posted as teacher in Rajkiya Primary School, Gopalpur.
4. Kunal Kumar, Son of Late Chhatrapati Shivraj Singh, Resident of Village - Ishakchak Bhuram Phulwari, P.S and District- Bhagalpur presently posted as teacher in Rajkiya Primary School, Mahua.
5. Jitendra Kumar Sudhanshu, Son of Nageshwar Rai, Resident of Village - Dhankaul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
6. Ajaz Ahmad, Son of Hasan Ahmad, Resident of Village - Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Madaripur Urdu.
7. Shailendra Kumar Singh, Son of Ramdev Singh, Resident of Village- Karisath, P.S- Udwanthnagar, District- Bhojpur presently posted as teacher in Rajkiya Primary School, Karisath.
8. Ajay Kumar Singh, Son of Ram Hulas Singh, Resident of Village - Dagraha, District- East Champaran presently posted as teacher in Upgraded Middle School, Dagraha.
9. Upendra Pandey, Son of Sukdeo Pandey, Resident of Village - Korigama, P.S- Chakiya, District- East Champaran presently posted as teacher in Rajkiya Primary School, Sahtha Mathia.
10. Md. Tanweer Ahmad, Son of Md. Salahuddin, Resident of Village- Harpurwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Urdu.
11. Jay Prakash Kumar, Son of Kailashpati Prasad, Resident of Village - Bangaon Bazar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
12. Deepak Kumar, Son of Lakshmikant Upadhyay, Resident of Village - Nonar, P.S- Piro, District- Bhojpur presently posted as teacher in Upgraded Middle School, Arai Dih.



13. Mahipal Singh, Son of Kuldeep Singh, Resident of Village - Tetardih Katar, P.S- Piro, District- Bhojpur presently posted as teacher in Upgraded Middle School, Tetardih.
14. Rajesh Kumar Singh, Pradip Kumar Singh, Resident of Village -Gidha, P.S- Koilwar, District- Bhojpur presently posted as teacher in Middle School, Tanpur
15. Raju Kumar Singh, Son of Dilip Kumar Singh, Resident of Village - Pitro, P.S- Piro, District- Bhojpur presently posted as teacher in Middle School, Manaini.
16. Babita Kumari, Daughter of Janardan Prasad Sharma, Resident of Village -Kalyanpur, P.S- Udwanthnagar, District- Bhojpur presently posted as teacher in Upgraded Middle School, Chaurai.
17. Ravindra Kumar, Son of Sridhan Prasad, Resident of Village - Nawanagar, P.S and District- Buxar presently posted as teacher in Middle School Rupsagar, Nawanagar.
18. Ajit Kumar Singh, Son of Jang Bahadur Singh, Resident of Village - Bagen, P.S- Brahmpur, District- Buxar presently posted as teacher in Primary School, Katandera Began.
19. Anshuman Kumar, Son of Ramashish Singh, Resident of Village - Madila, P.S- Dumraon, District- Buxar presently posted as teacher in Primary School, Singhiyani Dera.
20. Rohit Kumar, Son of Dadan Singh, Resident of Village and P.S- Nawanagar, District- Buxar presently posted as teacher in Kanya Middle School, Nawanagar.
21. Sunil Kumar Singh, Son of Kashinath Singh, Resident of Village - Sonbarsha, P.S- Nawanagar, District- Buxar presently posted as teacher in Middle School, Salsala.
22. Anant Tiwary, Son of Kunj Bihari Tiwary, Resident of Village - Itauna, P.S- Nawanagar, District- Buxar presently posted as teacher in Middle School, Mariya.
23. Nawal Kishore Prasad Singh, Son of Nageshwar Singh, Resident of Village - Paharpur, P.S- Saraiya, District- Muzaffarpur presently posted as teacher in Primary School, Jhajhapar.
24. Unus Akhtar, Son of Rahmat Ali, Resident of Village - Mahanand Bakhri, P.S- Mehsi, District- East Champaran presently posted as teacher in Primary School, Barakpur Urdu.
25. Sachchidanand Singh, Son of Ram Sofal Singh, Resident of Village - Bhatahi, P.S- Jandaha, District- Vaishali presently posted as teacher in Upgraded Middle School, Dagraha.
26. Shyam Nandan Kushwaha, Son of Jagdish Bhagat, Resident of Village - Mathiya Bariarpur, P.S- Nakta Motipur, District- Muzaffarpur presently posted as teacher in Upgraded Middle School, Damodarpur Kanya.
27. Mala Kumari, Wife of Amrendra Kumar, Resident of Village and P.S- Maripur, District- Muzaffarpur presently posted as teacher in Primary School, Maurabad.
28. Shama Parvin, Wife of Isteyak Ahmad, Resident of Village - Ramraji Road,



- P.S- Maripur, District- Muzaffarpur presently posted as teacher in Middle School, Garahiyachak.
29. Rita Kumari, Wife of Vijay Kumar, Resident of Village - Loknathpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 30. Dinesh Kumar Safi, Son of Fuden Baitha, Resident of Village - Parmanandpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 31. Umesh Baitha, Son of Jailal Baitha, Resident of Village- Kachaharipur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 32. Ram Pravesh Kumar, Son of Mahendra Mahto, Resident of Mohalla - Ram Padarath Nagar, P.S.- Town, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 33. Ranjeet Kumar Rama, Son of Ram Sundar Mahto, Resident of Village - Kailashpuri, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 34. Narendra Kumar Pandit, Son of Baldeo Pandit, Resident of Village- Dhankaul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 35. Sudhanshu Kumar, Son of Ram Sagar Chaudhary, Resident of Village - Bangaon Airaji, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 36. Nisha Kumari, Wife of- Pavitra Pankaj, Resident of Village - Vishwanathpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhagwanpur Chaube.
 37. Sanju Kumari, Wife of Amit Kumar Anju, Resident of Jhuranjhapra, Road No. 4, P.S- Muzaffarpur town, District- Muzaffarpur presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 38. Archana Kumari, Wife of Sushil Kumar, Resident of Village - Bangaon, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 39. Kiran Kumari, Wife of Narendra Pandit, Resident of Village - Dhankaul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 40. Pramila Kumari, Wife of Naresh Kumar Pandit, Resident of Village - Dhankaul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 41. Afsana Khatoon, Wife of Wazair Mansuri, Resident of Nagar Parishad, P.S and District- Sheohar presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 42. Md. Iftkhar Ali, Son of Jafrul Hasan, Resident of Village - Belahiya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Dhankaul Bujurg.
 43. Rahul Raj, Son of Mahesh Ram, Resident of Village - Rajopatti, P.S and District- Sitamarhi presently posted as teacher in Rajkiya Middle School,



Harpurwa Goat.

44. Md. Jamshed Alam, Son of Safikur Rahman, Resident of Village - Harpurwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
45. Ram Yatan Rai, Son of Rajdo Rai, Resident of Village - Bhaganpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
46. Sajda Parween, Wife of Tanvir Alam, Resident of Village - Bhavdepur, P.S and District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
47. Asha Kumari, Wife of Rajesh Kumar, Resident of Village - Rasalpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
48. Sarika Kumari, Wife of Rupesh Kumar, Resident of Village - Kailashpuri, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
49. Ram Naresh Baitha, Son of Ramashankar Baitha, Resident of Village - Harpurwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Goat.
50. Khusboo Kumari, Wife of Alok Anand, Resident of Village - Parshurampur, P.S- Parsauni, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Urdu.
51. Noori Khatoon, Wife of Md. Waris, Resident of Village - Bhairokori, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Harpurwa Urdu.
52. Lalbabu Chaudhary, Son of Pradip Chaudhary, Resident of Village - Harpurwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Harpurwa Hindi.
53. Sudhanjali Kumari, Wife of Vishwanath Mahto, Resident of Village- Mohanpur, P.S and District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Harpurwa Hindi.
54. Nikhat Parvin, Wife of Tufail Ahmad, Resident of Village - Indrwa, P.S. Parihar, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Alamnagar Naim Tal.
55. Deepmala Kumari, Wife of Shivshankar Kumar, Resident of Village - Ramnagra, P.S- Riga, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Alamnagar Naim Tol.
56. Hasib Ahmad, Son of Ateek Ahmad, Resident of Village - Mirjapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Alamnagar Naim Tol.
57. Noorjahan Begam, Wife of Kalimullah, Resident of Village - Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Dhankaul Ansari tol.
58. Geeta Kumari, Wife of Mahesh Paswan, Resident of Village - Bahadurpur, P.S. Bahadurpur, District- Darbhanga presently posted as teacher in Rajkiya Primary School, Dhankaul, Ansari Tol



59. Wazair Mansuri, Son of Amirullah Mansuri, Resident of Nagar Parishad, Ward No. 7, P.S. Sheohar, District- Sheohar presently posted as teacher in Rajkiya Primary School, Dhankaul, Ansari Tol
60. Archana Kumari, Wife of Ranjeet Kumar, Resident of Village - Bangaon Airaji, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Balak.
61. Rajiv Kumar, Son of Nagendra Baitha, Resident of Village - Bangaon, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Daudpur Indira Awas.
62. Richa Rani, Wife of Bharat Kumar, Resident of Village - Bangaon Airaji, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Daudpur Indira Awas.
63. Md. Nasim Ahmad, Son of Md. Ibrahim, Resident of Village- Madhurapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Daudpur Indira Awas.
64. Madhuri Kumari, Wife of Ashok Kumar Thakur, Resident of Village - Pratap Nagar Mehsaul, P.S and District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
65. Nagma Afrin, Wife Md. Aftab Alam, Resident of Village - Mill Tola Rajopatti, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
66. Kumari Laxmi, Wife of Sanjay Kumar, Resident of Village - Kurthaiya, P.S- Bajpatti, District- Sitamarhi, presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
67. Kaushal Kumari, Wife of Arun Kumar, Resident of Village - Bangaon Bajar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
68. Rekha Kumari, Wife of Awadesh Kumar, Resident of Village - Bangaon, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
69. Priyadashni Kumari, Wife of Dinesh Kumar, Resident of Village - Bharokothi, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bangaon Bazar.
70. Ramjee Paswan, Son of Mahendra Paswan, Resident of Village - Muraliyadih, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mahmada.
71. Raunak Parwin, Daughter of Md. Salauddin, Resident of Village Madhubangoat, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mahmada.
72. Sanjay Kumar, Son of Rajkumar Shah, Resident of Village -Sahabazpur, P.S- Riga, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mahmada.
73. Rajiya Parwin, Wife of Md. Sanaullah, Resident of Village- Muraliyadih, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Muraliyadih.
74. Phool Kumari, Wife of Rakesh Ranjan, Resident of Village -Sandwara



- Chowk, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Muraliyadih.
75. Shabnam Kumari, Wife of Ashok Mishra, Resident of Village -Patdaura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Sandwara Hajam Tol.
 76. Pawan Kumari Yadav, Wife of Sukesh Kumar, Resident of Villag- Basaha, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Sandwara Hajam Tol.
 77. Pratibha Kumari, Wife of Sanjit Kumar, Resident of Village -Fatehpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Sandwara Hajam Tol.
 78. Ramakant Singh, Son of Rajnandan Singh, Resident of Village -Mahmada, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhuban Bazar.
 79. Manoj Kumar, Son of Deo Narayan Paswan, Resident of Village -Hasanpur, P.S- Barharwa, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Raghunathpur.
 80. Mukesh Kumar, Son of Dinbandhu Raut, Resident of Village-Bangaon, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Raghunathpur.
 81. Beauty Kumari, Wife of Mukesh Kumar Singh, Resident of Village -Sardiha Ward No. 12, P.Sand District- Saharsa presently posted as teacher in Rajkiya Primary School, Raghunathpur.
 82. Mausam Kumari, Wife of Rituraj, Resident of Village -Jihuli Ward No. 2, P.S. Patahi, District- East Champaran presently posted as teacher in Rajkiya Primary School, Raghunathpur.
 83. Nibha Kumari, Wife of Vijaykant Sharma, Resident of Village -Barharwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Barharwa Hindi.
 84. Vinod Paswan, Son of Deo Narayan Paswan, Resident of Village -Hasanpur Ward No. 5 Barharwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Barharwa Hindi.
 85. Anil Kumar, Son of Mohit Kumar Sharma, Resident of Village -Loknathpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Loknathpur.
 86. Akhilesh Kumar, Son of Ram Nagina Prasad Chaudhary, Resident of Village -Bhadiyan, P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Loknathpur.
 87. Shatrughan Kumar Singh, Son of Ram Nandan Singh, Resident of Village -Loknathpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Loknathpur.
 88. Asgari, Wife of Md. Anjar Ansari, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Loknathpur.
 89. Riyasat, Son of Ainul Haque, Resident of Village -Nagra, P.S- Benipatti, District- Madhubani presently posted as teacher in Rajkiya Middle School,



Loknathpur.

90. Prabhakar Verma, Son of Chandra Mohan Prasad, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Ramnagar.
91. Neeta Kumari, Wife of Kamlesh Srivastava, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Humayupur Ansari Tol.
92. Najra Khatoon, Wife of Tufail Ahmad, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Humayupur Ansari Tol.
93. Shashi, Wife of Shatrughan Kumar Singh, Resident of Village -Loknathpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Loknathpur.
94. Mukesh Kumar Srivastava, Son of A.N.P Srivastava, Resident of Mohalla- Behind of Laxmi Kishori High School, P.S. Town, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Muraul.
95. Manoj Kumar, Son of Harischandra Sah, Resident of Village -Madhukarpur Bagha, P.S- Sonbarsha, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Muraul.
96. Jay Kishore Bhagat, Son of Shiv Narayan Bhagat, Resident of Village -Muraul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Muraul.
97. Usha Verma, Daughter of Yugal Kishore Verma, Resident of Village -Muraul, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Muraul.
98. Nutan Bharti, Daughter of Ramesh Prasad, Resident of Village -Dumra Bari Bazar, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Muraul.
99. Tufail Ahmad, Son of Habib Shah, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Humayupur.
100. Shila Kumari, Wife of Akhilesh Paswan, Resident of Village -Madhubani Belahiya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Belahiya.
101. Usha Kumari, Wife of Mritunjay Kumar, Resident of Village -Sirkhiriya, P.S- Runni Saidpur, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Belahiya.
102. Ananti Kumari, Wife of Rambabu Chaudhary, Resident of Village -Juran Chapra, Road No. 4, P.S and District- Muzaffarpur presently posted as teacher in Rajkiya Middle School, Belahiya.
103. Md. Gulam Rabbani, Son of Md. Kamrul Haque Ansari, Resident of Village -Rajopatti Chak Mahila, P.Sand District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Belahiya.
104. Shivjee Thakur, Son of Chandeshwar Thakur, Resident of Village -Belahiya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Belahiya.



105. Kiran Kumari, Wife of Ram Balak Singh, Resident of Village -Bathnaha, P.S- Bathnaha, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Bhasepur Bintol.
106. Md. Noor Alam, Son of Haji Mohammad Ekbal Hussain, Resident of Village -Phulwariya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basul Urdu.
107. Md. Arshad, Son of Md. Farooque, Resident of Village -Phulwariya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Phulwariya Urdu.
108. Madan Kumar, Son of Lakshmeshwar Jha, Resident of Village -Radhaur, P.S- Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basaul Urdu.
109. Gayatri Kumari, Wife of Sanjit Kumar Safi, Resident of Village -Banauli Harari Dularpur, P.S. Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basaul Urdu.
110. Sarvesh Kumar, Son of Nand Kishore Sah, Resident of Village -Basaul, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basaul Urdu.
111. Arbain Khatoon, Daughter of Md. Ekbal, Resident of Village -Bari Phulwariya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Phulwariya Urdu.
112. Taskin Ara Begam, Wife of Md. Kamre Alam, Resident of Village -Phulwariya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Phulwariya Urdu.
113. Nujhat Parvin, Wife of Md. Ajar, Resident of Village -Phulwariya, P.S.- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Phulwariya Urdu.
114. Anu Kumari, Wife of Arvind Kumar, Resident of Village -Mahiyar P.S.- Bathnaha, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Guru Jee Tola, Raipur.
115. Abdul Khalique, Son of Md. Habib, Resident of Village -Bantara, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bantara Urdu.
116. Renu Kumari, Wife of Anil Kumar Verma, Resident of Village -Patdaura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Bantara Kurmi Tol.
117. Babita Kumari, Wife of Sanjay Kumar Thakur, Resident of Village -Bajitpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Bantara Kurmi Tol.
118. Sujit Kumar, Son of Surendra Prasad Chaudhary, Resident of Village -Bajitpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Bantara Kurmi Tol.
119. Maimuna Khatoon, Wife of Md. Sabir, Resident of Village -Nunahi, P.S- Parihar, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bantara Urdu.
120. Pratibha Kushwaha, Wife of Surya Bhushan Singh, Resident of Village



- Adhkhani, P.S-Parihar, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bantara Urdu.
121. Sunita Devi Wife of Pawan Kumar, Resident of Village -Bajitpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bajitpur.
 122. Nitish Kumar, Son of Deonath Rai, Resident of Village -Bariyarpur, P.S. Dumar, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhikha.
 123. Rupam Kumari, Wife of Kameshwar Paswan, Resident of Village -Parsandi, P.S- Parihar, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhikha.
 124. Sangita Kumari, Wife of Santosh Kumar Jha, Resident of Village and P.S- Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhikha.
 125. Anukampa Kumari, Wife of Arun Kumar, Resident of Village -Jawahi, P.S- Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhikha.
 126. Rekha Bharti, Wife of Shiv Shankar Mahto, Resident of Village -Dostiya, P.S- Sonbarsha, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhikha.
 127. Vimla Kumari, Wife of Hari Kishore Pandit, Resident of Village -Bishanpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Bishanpur.
 128. Farjana Fatmi, Wife of Md. Abrar, Resident of Village -Phulwariya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Kanchanpur Uttar Tol.
 129. Sudish Kumar, Son of Raj Kishore Sah, Resident of Village -Punaura, P.S- Dumra, District- Sitamarhi presently posted as teacher in Primary School, Bhikha Bin tol.
 130. Rupa Kumari, Wife of Sunil Kumar, Resident of Village -Bangaon Bazar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Bantara Urdu.
 131. Radhe Shyam Singh, Son of Krishnandan Singh, Resident of Village -Pathrahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Narha Kala.
 132. Vikash Kumar Anshu, Sonelal Paswan, Resident of Village -Patdaura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Shivaipatti.
 133. Basisth Kumar Bihari, Son of Sogarath Baitha, Resident of Village -Mahuain, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mahuain Pathak Tol.
 134. Bipin Kumar Chhatradhari, Son of Upendra Kumar, Resident of Village -Narha Kala, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Narha Kala.
 135. Alok Kumar Ranjan, Son of Awadh Prasad, Resident of Village -Kurthahiya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in



Rajkiya Middle School, Narha.

136. Raj Kumar, Jagdish Mahto, Resident of Village -Bachopatti, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bajopatti Goat.
137. Seema Kumari, Wife of Arvind Mishra, Resident of Village -Narha, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kurathiya.
138. Manoj Kumar, Rajdeo Prasad Singh, Resident of Village -Patdaura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Sadwara.
139. Md. Nasim Ahmad, Son of Md. Usuf Ansari, Resident of Village -Madhurapur, P.S.- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhurapur Urdu.
140. Shahina Parvin, Wife of Md. Safique, Resident of Village -Sandwara, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhurapu Urdu.
141. Renu Kumari Wife of Mahadeo Prasad, Resident of Village -Madhurapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhurapu Urdu.
142. Sadrul Ganni Ansari Son of Abdul Ganni, Resident of Village and P.S- Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhurapu Urdu.
143. Nilam Kumari, Wife of Mukesh Kumar, Resident of Village -Rani Chhapra, and District- East Champaran presently posted as teacher in Rajkiya Middle School, Madhurapur Mandal Tol.
144. Sujit Kumar Singh, Son of Dip Narayan Singh, Resident of Village -Bakhari, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Madhurapur Mandal Tol.
145. Devendra Mandal, Son of Ram Lakhan Mandal, Resident of Village -Mahmadpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Basantpur Basant.
146. Vijay Kumar Sharma, Son of Hari Kishore Jha, Resident of Village -Bangaon, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Basantpur Basant.
147. Pawan Kumar Dipak, Son of Ram Nandan Mandal, Resident of Village -Madhurapur Mandal Tol, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Madhurapur.
148. Bikao Ram, Mukha Ram, Resident of Village -Madhurapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Madhurapur Mandal Tol
149. Md. Sanaullah, Md. Sarful Hasan, Resident of Village -Barharwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Barharwa Hindi.
150. Md. Kamran, Son of Md. Jubair, Resident of Village -Mahauli Mankar, P.S- Jale, District- Darbhanga presently posted as teacher in Rajkiya Middle School, Baburban.



151. Amol Paswan, Son of Ram Bahadur Paswan, Resident of Village -Rampur Pachasi, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Baburban.
152. Vinod Sah, Vaidyanath Sah, Resident of Village -Bakhri, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Baburban.
153. Riyaj Ahmad, Son of A. Waris, Resident of Village and P.S- Harlakhi, District- Madhubani presently posted as teacher in Rajkiya Middle School, Baburban.
154. Tej Narayan Paswan, Son of Prabhu Paswan, Resident of Village -Baburban, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Baburban.
155. Sulekha Kumari, Wife of Vinod Kumar Resident of Village -Baburban, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Usufpur.
156. Saba Parvin, Wife of Shakil Ahmad, Resident of Village -Rajopatti, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Usufpur.
157. Rizwana Khatoon, Wife of Md. Nisarul, Resident of Village -Usufpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Usufpur.
158. Abdullah, Son of Md. Jiyaur Rahman, Resident of Village -Bakhri, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
159. Md. Amanullah, Son of Md. Wakaullah, Resident of Village -Bajpatti Goat, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
160. Nasrin Tabassum, Wife of Md. Amanullah, Resident of Village -Bajpatti Goat, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
161. Ishrat Jahan Khalique, Wife of Md. Atikur Rahman, Resident of Village -Bajpatti Goat, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
162. Md. Suhail, Son of Khalil Ansari, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
163. Amina Khatoon, Wife of Lutfullah, Resident of Village -Bajpatti Goat, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Halim Tol.
164. Reena Kumari, Wife of Sunil Kumar Chaudhary, Resident of Village -Harpurwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Abidpur Goat.
165. Ritu Kumari, Wife Rishikesh Kumar, Resident of Village -Nocha, P.S- Parihar, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basha Kanya.
166. Krishna Kumari, Wife of Raj Kumar, Resident of Village -Basha, P.S-



- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basha Kanya.
167. Reena Kumari, Wife of Laliteshwar Kumar, Resident of Village -Basha, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Basha Kanya.
168. Sukesh Kumar, Vishnudeo Rai, Resident of Village -Basha, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Kachaharipur Koriyahi.
169. Shiv Shankar Paswan, Son of Surendra Paswan, Resident of Village -Parsauni, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhuban Goat Kanya Urdu.
170. Yasmin, Wife of Md. Athar Kamal, Resident of Village -Kachaharipur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kachaharipur Urdu.
171. Md. Wahid Ali Ansari, Son of Md. Haruf Ansari, Resident of Village -Rajopatti, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kachaharipur Urdu.
172. Minnat Parvin Wife of Sheikh Mohammad Wajaifa, Resident of Village -Bantara, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kachaharipur Urdu.
173. Jahan Ara Begam, Wife of Mahboob Raja, Resident of Village -Barharwa, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kachaharipur Urdu.
174. Md. Imam Ali, Son of Islam Shah, Resident of Village -Ramangara, P.S- Riga, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Kachaharipur Urdu.
175. Pinki Kumari, Wife of Rakesh Kumar Sah, Resident of Village -Jaitpur, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
176. Usha Kumari, Wife of Surendra Kumar Nirala, Resident of Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
177. Swati Suman, Wife Birendra Kumar Karn, Resident of Village -Taraiya, P.S- Madhwapur, District- Madhubani presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
178. Farhat Jahan, Wife of Asfaque Ahmad, Resident of Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
179. Premchandra Rai, Son of Shital Rai, Resident of Village -Inratol Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
180. Baliullah Ansari, Son of Oli Mohammad, Resident of Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Piprahi Urdu.
181. Md. Badre Alam, Son of Basir Ahmad, Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School,



Piprahi Urdu

182. Jitendra Kumar Singh, Son of Jagbahadur Mahto, Resident of Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Farua Bhawani.
183. Md. Ahmad Raja, Son of Md. Alam, Resident of Village -Piprahi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Farua Bhawani.
184. Vikas, Son of Jagdish Mishra, Resident of Village -Bhasepur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ratwara.
185. Jay Shankar Jha, Son of Bholi Jha, Resident of Village -Bhalni Madan, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ratwara.
186. Vivek Sharan, Son of Basant Sharan, Resident of Village -Shanti Nagar, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ratwara.
187. Pallavi Kumari, Wife of Yog Narayan Singh, Resident of Village -Rampur Parori, P.S- Dumra, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ratwara.
188. Juli Kumari, Wife of Parween Kumar, Resident of Village -Sirsi, P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ratwara.
189. Rajiv Kumar, Son of Binda Singh, Resident of Village -Saura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Rudauli.
190. Sagufta Pravin, Wife of Mobsir Hayat, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Rudauli.
191. Kumari Poonam Kashyap, Wife of Ramesh Prasad Sah, Resident of Village -Manik Chowk, P.S- Runni Saidpur, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Rudauli.
192. Md. Hasan Imam, Son of Ainul Haque, Resident of Village -Gorar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Urdu Hasanpur.
193. Mahfooj Alam, Son of Modsir Hayat, Resident of Village -Awapur, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Urdu Hasanpur.
194. Lalita Baitha, Wife of Bathu Baitha, Resident of Village -Saura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Bhalni Madan.
195. Margoob Ahmad, Son of Abdul Malik, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.
196. Naushad Ahmad, Son of Momtaj Ahmad, Resident of Village -Gorar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.



197. Renu Kumari, Son of Pawan Paswan, Resident of Village -Bela, P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.
198. Altaf Hussain, Son of Md Yusuf, Resident of Village -Madhurapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.
199. Farjana Khatoon, Wife of Suhail Ahmad, Resident of Village -Gorar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.
200. Mobin, Son of Farmood Ansari, Resident of Village -Humayupur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madhopur Tol.
201. Narendra Kumar Pinchu, Son of Ram Asre Ram, Resident of Village -Kumhra Bishanpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Primary School, Saura.
202. Pratibha Kumari, Wife of Rajiv Kumar, Resident of Village -Saura, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Saura.
203. Pramila Kumari, Wife of Lotan Sah, Resident of Village -Madhopur Chaturi, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Saura.
204. Abdur Rab, Son of Abdul Ahad, Resident of Village -Madaripuri, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
205. Kabir Ahmad, Son of Jahir Ahmad, Resident of Village -Rajghatta, P.S and District- Madhubani presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
206. Md. Khairul Basar, Son of Murtaja Ansari, Resident of Village -Belahiya, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
207. Farhat Ara, Wife of Kafil Ahmad, Resident of Village -Mirjapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
208. Farhat Ara, Wife of Md. Aslam, Resident of Village - Nanpur, P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
209. Reyaj Ahmad, Son of Saukat Ali, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mirjapur Urdu.
210. Munni Kumari, Wife of Shiv Rao Ambedkar, Resident of Village -Bajitpur, P.S- Dumra, District- Sitamarhi presently posted as teacher in Primary School, Natwa Tol.
211. Md. Mobsir Hussain, Son of Noman Ahmad, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Natwa Tol.
212. Pawan Paswan, Son of Bhuran Paswan, Resident of Village -Jalalpur Bagri,



- P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mahboob Ali Tol.
213. Md. Lalbabu, Son of Md. Alauddin, Resident of Village -Bhakhrohar, P.S- Bairganiya, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mirjapur Urdu.
214. Saba Mahmood, Son of Md. Jaib, Resident of Village -Awapur, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mirjapur Urdu.
215. Nikhat Parvin, Wife of Aijaj Ahmad, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mirjapur Urdu.
216. Asharful Nisha, Wife of Md. Jiyaul Hasan, Resident of Village -Mirjapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mirjapur Urdu.
217. Jamil Ahmad, Son of Md. Yahya, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Mirjapur Urdu.
218. Kalim Akhtar, Son of Md. Nasim Akhtar, Resident of Village -Madaripur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Madaripur Paschim.
219. Jiyaul Hussain, Son of Md. Mojibur Rahman, Resident of Village -Mirjapur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Primary School, Madaripur Paschim.
220. Sanjay Kumar Suman, Son of Shivdhari Bhagat, Resident of Village -Loknathpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Barai Tol.
221. Parimal Kumar, Son of Ram Parikshan Chaudhary, Resident of Village -Kumarpatti, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Barai Tol.
222. Mahmood Alam, Son of Md. Mustakh, Resident of Village -Awapur, P.S- Pupri, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Urdu.
223. Tanveer Alam, Son of Md. Nazir Alam, Resident of Village -Bela, P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Urdu.
224. Anju Kumari, Wife of Lakshmi Paswan, Resident of Village -Muraliyadih, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Urdu.
225. Akhtari Khatoon, Wife of Jiyaul Haque, Resident of Village and P.S- Nanpur, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Madaripur Urdu.
226. Hemant Kumar, Son of Madan Singh, Resident of Village -Sirasiya Tariyani Chapra, P.S and District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Sauli.
227. Lalbabu Das, Son of Ramchandra Das, Resident of Village -Chandauli, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Primary



School, Mahti Tamyatol Chandauli.

228. Shashi Ranjan, Son of Raj Kishore Singh, Resident of Village -Madhkaul Jafarpur, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Madhkaul.
229. Deepak Kumar Singh, Son of Lakshmeshwar Singh, Resident of Village -Dumra, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Hasaur.
230. Dinesh Kumar, Son of Rajendra Bhagat, Resident of Village -Bhandari, P.S- Belsand, District- Sitamarhi presently posted as teacher in Primary School, Bharwari Chamar Tol.
231. Rajeshwar Kumar, Son of Banarji Rai, Resident of Village -Pachnaur, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Pachnaur.
232. Md. Mahfooj Alam Son of Abul Khair, Resident of Village -Basahiya, P.S- Piprahi, District- Sheohar presently posted as teacher in Rajkiya Middle School, Repauli.
233. Shambhu Mandal, Son of Akhileshwar Mandal, Resident of Village -Basantpur P.S- Riga, District- Sitamarhi presently posted as teacher in Rajkiya Primary School, Sauli Goat.
234. Kumari Bibha Rai, Wife of Narendar Kumar, Resident of Village -Pachnaur, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Ganeshpur.
235. Narendra kumar, Son of Ramdeo Rai, Resident of Village -Pachnaur, P.S- Belsand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Sukhi.
236. Ranjeet Kumar, Son of Raghunath Prasad, Resident of Village -Madhuban Bazar, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mairuki.
237. Diwakar Kumar, Son of Anil Kumar, Resident of Village -Bari Bajitpur, P.S- Bajpatti, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Mairuki.
238. Motilal, Son of Heera Lal, Resident of Village -Nawahi, P.S-Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Srikhandi Mikka Kanya.
239. Md. Zubar Alam, Son of Md. Alauddin Ansari, Resident of Village -Matauna, P.S- Sursand, District- Sitamarhi presently posted as teacher in Rajkiya Middle School, Sigiyahi.
240. Chandrekha Kumari, Wife of Dinesh Kumar, Resident of Village -Bhandari, P.S- Belsand, District- Sitamarhi presently posted as teacher in Primary School, Deuri Guest House.
241. Sunila Kumari, Wife of Rambabu Thakur, Resident of Village -Bhandari, P.S- Belsand, District- Sitamarhi presently posted as teacher in Middle School, Jafarpur Mushar Tol.
242. Gajendra Kumar, Son of Nagendra Singh, Resident of Village -Patahi, P.S- Belsand, District- Sitamarhi presently posted as teacher in Middle School, Rukunpur Patahi.



... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Secondary Education Department, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3436 of 2024

1. Kamleshwar Prasad Yadav Son of Shiv Narayan Prasad Yadav, Resident of Village - Pathra, P.O. - Rasidpur, P.S. - Garkha, District- Saran at Chapra, Presently working as Block Teacher in U.M.S. Pathra, Garkha, Saran.
2. Kumar Amarendra Pandey, Son of Sri Mithilesh Kumar Pandey, Resident of Village- Akhtiyarpur, P.O. and P.S. - Garkha, District - Saran at Chapra, Presently working as Block Teacher in UMS Akhtiyarpur Hindi, Garkha, Saran.
3. Sunita Kumar, Wife of Kumar Amarendra Pandey, Resident of Village- Akhtiyarpur, P.O. and P.S. - Garkha, District- Saran at Chapra, Presently working as Block Teacher in UMS Akhtiyarpur Hindi, Garkha, Saran.
4. Vijai Kumar, Son of Sri Bhagirath Prasad, Resident of Village- Mosaheb Tola, P.O.- Paharpur, P.S. Garkha, District - Saran at Chapra, Presently working as Block Teacher in M.S. Mahamda, Garkha, Saran.
5. Shashi Kant, Son of Sri Bidya Nand Singh, Resident of Village and P.O.- Mahammadpur, P.S.- Garkha, District- Saran at Chapra, Presently working as Block Teacher in UMS Akhtiyarpur Hindi, Garkha, Saran.
6. Ajay Kumar Prasaad, Son of Sri Sunil Kumar Prasad, Resident of Village - Maiki, P.O. - Garkha, P.S. - Garkha, District- Saran at Chapra, Presently working as Block Teacher in UMS Akhtiyarpur, Garkha, Saran.
7. Shri Nath Singh, Son of Nageshwar Singh, Resident of Village and P.O.- Pirauna, P.S. - Garkha, District - Saran at Chapra, Presently working as Block Teacher in UMS Akhtiyarpur Hindi, Garkha, Saran.
8. Vinay Kumar, Son of Sri Muneshwar Ray, Resident of Village- Narayanpur, P.O.- Rahampur, P.S.- Garkha, District - Saran at Chapra, Presently working as Block Teacher in UMS Bangari, Grakha, Saran.
9. Dilip Kumar, Son of Sri Lakshman Prasad, Resident of Village - Banwari Basant, P.O. - Basant, P.S.- Garkha, District- Saran at Chapra, Presently working as Panchayat Teacher in P.S. Khoripakar, Saran.
10. Mala Devi, W/o Sri Jitendra Kumar Singh, Resident of Village - Kadna, P.O.- Mahammadpur, P.S. - Garkha, District - Saran at Chapra, Presently working as Panchayat Teacher in P.S. Khoripakar, Saran.



- 11. Tarkeshwar Thakur, Son of Sri Ram Balak Thakur, Resident of Village and P.O.- Itwa, P.S. - Garkha, District - Saran at Chapra, Presently working as Block Teacher in UMS Bangari, Saran.
- 12. Kanchan Ray, W/o Sri Santosh Kumar, Resident of Village - Mubarakpur, P.O. - Gurukul Mehiya, P.S.- Garkha, District- Saran at Chapra, Presently working as Block Teacher in M.S. Mahamda, Saran.
- 13. Firoj Hasan, Son of Isa Anari, Resident of Village and P.O.- Sadhpur, P.S.- Garkha, District - Saran at Chapra, Presently working as Panchayat Teacher in P.S. Bagahi, Saran.
- 14. Tahir Hussain, Son of Mohammad Khalil Ansari, Resident of Village and P.O.- Sadhpur, P.S. - Garkha, District - Saran at Chapra, Presently working as Block Teacher in U.M.S. Pathra, Saran.
- 15. Farhat Afreen, W/o Firoj Hasan, Resident of Village and P.O.- Sadhpur, P.S. - Garkha, District- Saran at Chapra, Presently working as Block Teacher in U.M.S. Sadhpur, Saran.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
- 2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
- 3. The Director, Secondary Education, Govt. of Bihar, Buddha Marg, Patna.
- 4. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3997 of 2024

Vimal Kumar, son of Shri Dwarika Singh, resident of Village - Kurmuri, Kurmohi, P.S. - Sikrahata, District - Bhojpur, PIN-802207.

... .. Petitioner/s

Versus

- 1. The State of Bihar Through the Chief Secretary, Bihar, Patna.
- 2. The Additional Chief Secretary, Department of Education, Bihar, Patna - 800015.
- 3. The Joint Secretary, Department of Education, Bihar, Patna.
- 4. The Director, Secondary Education, Education Department, Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 4106 of 2024



=====

Arun Kumar Thakur Son of Late Hira Lal Thakur Resident of Ward No.16,
Jagdamba Nagar, Jamla Road, Nakachhed Tola, Police Station -Motihari
Town, District-East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Muzaffarpur Region, District-Muzaffarpur.
6. The District Education Officer, East Champaran at Motihari.
7. The District Programme Officer, Establishment (Education), District-East Champaran at Motihari.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 4565 of 2024

=====

Parivartankari Prarambhik Sikshak Sangh, Bihar Regd. Office at Raksha
(South), Via Kanti, P.S. Karja, District-Muzaffarpur, represented through its
State President Banshi Dhar Brajwasi, S/o Nandkishore Sahani, R/o-Village-
Raksha (South), P.s.-Karja District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, New Secretariat, Patna.
4. The Director, Secondary Education, Education Department, Govt. of Bihar, New Secretariat, Patna.
5. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :



(In Civil Writ Jurisdiction Case No. 1942 of 2024)

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate
Mr. Alok Kumar Singh, Advocate
For the State : Mr. P.K. Shahi, AG
Mr. Vikas Kumar, AC to AG
Mr. Sanjiv Kumar, AC to AG
Mr. Amish Kumar, AC to AG
Mr. Vipin Kumar, AC to AG
Mr. Ajit Kumar, GA-9

(In Civil Writ Jurisdiction Case No. 2036 of 2024)

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
Mr. Arinjay Kumar, Advocate
Mr. Mukesh Kumar Singh, Advocate
Mr. Md. Danish Quamar, Advocate
For the State : Mr. P.K. Shahi, Advocate General

(In Civil Writ Jurisdiction Case No. 2192 of 2024)

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
Mrs. Ruchi Mandal, Advocate
For the Respondent/s : Mr. P.K. Shahi, AG

(In Civil Writ Jurisdiction Case No. 2205 of 2024)

For the Petitioner/s : Mr. D.S. Naidu, Sr. Advocate
Mr. Shashi Bhushan Kumar, Advocate
Mr. Animesh Kumar, Advocate
For the State : Mr. P.K. Shahi, Advocate General
Mr. Vikas Kumar, AC to AG
Mr. Sanjiv Kumar, AC to AG
Mr. Vipin Kumar, AC to AG
Ms. Anukriti Jaipuriyar, Advocate
For the Respondent/s : Mr. Lalit Kishore, Sr. Advocate
(In Civil Writ Jurisdiction Case No. 2288 of 2024)
For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
Mr. Arinjay Kumar, Advocate
Mr. Mukesh Kumar Singh, Advocate
Mr. Md. Danish Quamar, Advocate
For the State : Mr. P.K. Shahi, Advocate General
For BSEB : Mr. Manish Kumar, Advocate
Mr. Gyan Shankar, Advocate

(In Civil Writ Jurisdiction Case No. 2382 of 2024)

For the Petitioner/s : Mr. D.S. Naidu, Sr. Advocate
Mr. Animesh Kumar, Advocate
Mr. Onkar Kumar, Advocate
Mr. Nawal Kishore Singh, Advocate
For the State : Mr. P.K. Shahi, AG
For BSEB : Mr. Manish Kumar, Advocate

(In Civil Writ Jurisdiction Case No. 2783 of 2024)

For the Petitioner/s : Mr. Rikesh Sinha, Advocate
For the State : Mr. P.K. Shahi, Advocate General

(In Civil Writ Jurisdiction Case No. 2823 of 2024)

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate
For the State : Mr. P.K. Shahi, Advocate General

(In Civil Writ Jurisdiction Case No. 2922 of 2024)

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the State : Mr. P.K. Shahi, Advocate General

(In Civil Writ Jurisdiction Case No. 3056 of 2024)

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Mrs. Priyanka Singh, Advocate
Mr. Avijeet Singh, Advocate



Mr. Adarsh Singh, Advocate
Mr. Pratyush Pratap Singh, Advocate
Mr. Mukesh Kumar, Advocate
Mr. Vikash Kumar Jha, Advocate
For the State : Mr. Arvind Ujjwal, Advocate
For BSEB : Mr. Sunil Kr. Mandal, SC-3
(In Civil Writ Jurisdiction Case No. 3107 of 2024)
For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the State : Mr. P.K. Shahi, Advocate General
(In Civil Writ Jurisdiction Case No. 3122 of 2024)
For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
Mr. Ayush Kumar, Advocate
Mr. Kanishk Raustubh, Advocate
Mr. Shikhar Mani, Advocate
Mr. Rishabh Gupta, Advocate
Mr. Kanishka Shankar, Advocate
For the State : Mr. P.K. Shahi, Advocate General
(In Civil Writ Jurisdiction Case No. 3436 of 2024)
For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. P.K. Shahi, Advocate General
(In Civil Writ Jurisdiction Case No. 3997 of 2024)
For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Mrityunjay Kumar, Advocate
For the State : Mr. P.K. Shahi, Advocate General
(In Civil Writ Jurisdiction Case No. 4106 of 2024)
For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the State : Mr. P.K. Shahi, Advocate General
(In Civil Writ Jurisdiction Case No. 4565 of 2024)
For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate
For the State : Mr. P.K. Shahi, Advocate General
Mr. Lalit Kishore, Sr. Advocate
Mr. Gyan Shankar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR

CAV JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-04-2024

The State has been grappling with the twin issues;
of providing standard education to the school going
children, and appointment & continuance of the teachers,
which issues are inextricably linked with each other and



hence, inevitably jinxed by reason of the appointments carried out unscrupulously and on fraudulent certificates. The State has experimented with different modes of selection of teachers; many of which failed, and from its long experience has come out with two new rules, both with the avowed object of maintaining high standard of education; one, by ensuring selection through a written examination, of trained qualified hands and the other, for augmenting the skills of those continuing, by requiring them to undergo a test, with offer of better facilities on qualifying the same. The State walks a tightrope insofar as maintaining an equilibrium in providing such quality education, at the same time ensuring that the present crop of teachers do not lose their livelihood. One of such enactments dealing with the existing *Niyojit* Teachers, the Bihar School Exclusive Teachers Rules, 2023 (for brevity 'Exclusive Teachers Rules-2023'), is challenged as *ultra vires*, incompetent and having been enacted within an occupied field; ie: occupied by the existing rules regulating the appointment and service of teachers.

2. Shri Y.V.Giri, learned Senior Counsel appearing



for the petitioners, who are *Panchayat* Teachers (alternatively called '*Niyojit*'), pointed out that all the petitioners are persons having qualifications for teaching in elementary, secondary and higher secondary schools, as prescribed by the National Council of Teacher Education (for brevity '*NCTE*'). They were appointed under the Bihar Panchayat Primary Teacher (Appointment and Service Conditions) Rules, 2006 (for short '*Primary Teacher Rules-2006*') and later were regulated by the Bihar Panchayat Teachers Rules, 2012 (for brevity '*Panchayat Teachers Rules-2012*'). Some of them were *Shiksha Mitras* appointed prior to 2006 who were absorbed as *Niyojit* Teachers under the Primary Teacher Rules-2006. When the Panchayat Teachers Rules-2012 came into force, all the teachers in place were required to sit for an examination to test their competence and only those who qualified in the test were given a regular pay scale and increments, as per Rule 15B. Only teachers who qualified were continued, on establishing their competence, and it is urged that these teachers cannot now be put through the rigmarole of another competency test, when they have already



established their competence.

3. Then came the Bihar Panchayat Elementary School Service (Appointment, Promotion, Transfer, Disciplinary Proceeding and Service Condition) Rules, 2020 (for brevity, 'Local Bodies Rules-2020'). There was a dispute between the Government teachers and the *Niyojit* Teachers, the former of whom though discharging identical duties were getting a better pay and emoluments. The matter was taken up to the Hon'ble Supreme Court, which rejected the claim of equality at par with the government teachers, as raised, in ***State of Bihar & Ors. v. Bihar Secondary Teachers Struggle Committee Munger & Ors.; (2019) 18 SCC 301***. The specific contention taken by the government before the Hon'ble Supreme Court was that the government teachers were a vanishing class and that the State Government had improved the working conditions of the *Niyojit* Teachers and they cannot be treated at par with the government teachers. While continuing under the Local Bodies Rules-2020, the present rules of Exclusive Teachers Rules, 2023 came into force, wherein there is a further selection mandated by appearing in a competence test. It is



asserted that the *Niyojit* teachers proved themselves when the Panchayat Teachers Rules-2012 came into force and there is no question of periodic & recurrent testing of competence. It is argued that the rules now promulgated are in violation of Article 20; since it brings in discrimination insofar as creating two classes of teachers within the same schools. The object of the rule itself is to deny equivalent benefits to the *Niyojit* Teachers. Reliance is placed on ***State of Punjab v. Jagjit Singh, (2017) 1 SCC 148***. We have to immediately notice that in ***Struggle Committee (supra)***, ***Jagjit Singh (supra)*** was held to have not taken into account the earlier decisions of the Hon'ble Supreme Court (sic-para100).

4. Shri Dama Sheshadri Naidu, learned Senior Counsel, also appearing for the petitioners, while adopting the arguments addressed, points out that there is clear and patent discrimination insofar as creating, not two, but four classes of teachers; one the old State Government Teachers, then *Niyojit* Teachers and now the two cadres created by the Bihar State School Teacher (Appointment, Transfer, Disciplinary Proceedings & Service Conditions) Rules,



2023 (for brevity, 'State School Teachers Rules-2023') and the Exclusive Teachers Rules-2023. There is also one other hidden class, who were appointed on the basis of the undertaking given before the Hon'ble Supreme Court, in which again more than 30,000 teachers were appointed.

5. The Hon'ble Supreme Court in ***Struggle Committee (supra)*** reckoned State Teachers as a vanishing class; which is now reintroduced by the State School Teacher Rules-2023. The Exclusive Teachers Rules-2023 creates discrimination insofar as no career progression being possible, after being appointed as Exclusive Teachers. The *Niyojit* Teachers may as well continue in their status, acquired over the years, in which case they would be regulated by the Local Bodies Rules-2020, wherein there are promotional avenues; which is absent for the Exclusive Teachers. The pay fixation with respect to Exclusive Teachers is separate and many of them would not get any benefit by moving to the new cadre created of Exclusive Teachers. The end result would be, (i) no monetary benefit, (ii) stagnation due to existing career progression being taken away and (iii) loss of seniority. This is the sum & total



of the creation of a cadre of Exclusive Teachers, who will be neither here nor there. They would not be treated at par with the newly recruited teachers under the State School Teacher Rules-2023 and they would be a class apart from the *Niyojit* Teachers, continued as such, resulting in palpable and patent discrimination.

6. We were taken through the rules to point out the glaring inconsistencies, specifically in Rule 3 (3), which provides for continuance of teachers as local bodies teachers, even if they do not qualify in the competency tests. The *Panchayat or Niyojit* or local bodies teachers, all these terms used alternatively, for those appointed by the local bodies and continued as such stand distinguished from the State School Teachers, now sought to be appointed. The proviso to Rule 4 left their fate to a Committee constituted by the Department, which at present has recommended for termination of persons who do not qualify after three attempts in the competency test, which is against the statute itself.

7. The learned Advocate General was quick to respond that now there is a provision for five opportunities



to sit for the competency test and it has been clearly stated in the counter affidavit that there would be no termination. Shri Naidu then would rely on *Mohinder Singh Gill vs. Chief Election Commissioner; (1978) 1 SCC 405* to contend that there can be no substitution of the executive order or even the rules promulgated, with averments made in the counter affidavit.

8. Shri Naidu then vehemently pointed out that the rules brought out under Article 309 of the Constitution, is clearly in an occupied filed. The Local Bodies Rules-2020 and the earlier Rules of 2006 and 2012 were not rules brought out under Article 309. The Local Bodies Teacher Rules-2020, which still survives, is brought out as seen from the Rules itself in exercise of powers conferred under Article 243-G of the Constitution of India and Sections 22 and 47 read with Section 146 of the Bihar Panchayat Raj Act, 2006. Article 243-G, with the object of democratic decentralization, conferred onerous responsibilities on the Panchayat Raj institutions and the Bihar Panchayat Raj Act translated it into effect by providing for selection & appointment of teachers and instructors in elementary



schools, situated in the rural areas of the State, specifically keeping in mind the 73rd amendment of the Constitution of India. Having thus delegated the duties of selection & appointment to the Panchayat Raj Institutions, there cannot be a further rule brought out under Article 309.

9. Article 309 and the proviso to it under which the aforesaid impugned rule is brought out, is termed as a transitory provision; only intended to avoid a vacuum till a provision on that behalf is made by or under an Act of the appropriate legislature under Article 309 itself. Hence, when a statutory rule is in force, which also has the imprimatur of the legislature, definitely the field is occupied by the aforesaid legislation and the rule now brought out under Article 309 impinges upon the occupied field. Reliance is placed on *A.B. Krishna v. State of Karnataka, (1998) 3 SCC 495* and *Dr. Yadav v. R.K.Singh* in *C.A.5506/2003* decided on 18.07.2023 by the Hon'ble Supreme Court, wherein the situation is identical and hence, the rule has to be struck down in toto.

10. We put a specific query as to, whether the rule is not beneficial to the *Niyojit* Teachers; the persons who



qualify in the test being absorbed as Exclusive Teachers with benefits similar to State School Teachers, while even those who did not qualify, being allowed to continue as *Niyojit* Teachers. Shri Naidu metaphorically refers it to be akin to '*a spider inviting a fly into its parlor*' and asserts that it would only end up in the demise of the fly. The *Niyojit* Teachers would as well continue as they are and, in that circumstance, even if the rule is struck down, they would be entitled to continue under the Local Bodies Rules-2020 with which they are satisfied.

11. Shri Rajendra Narayan, learned Senior Counsel also adopts the arguments addressed and adds a further ground insofar as the occupied field being relevant also by virtue of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 (for brevity '*Redressal Rules-2020*'). The said Rules are repealed under the Exclusive Teachers Rules-2023, which would not be permissible under Article 309, since the former is a statutory rule. This also would lead to an anomalous situation of bringing both the *Niyojit* Teachers and Exclusive Teachers under the Exclusive



Teachers Rules-2023; at least for redressal of disputes. This is not possible or legal since the Local Bodies Rules-2020 occupies the field and there cannot be any impingement on the occupied field. Under the Redressal Rules-2020 a retired High Court Judge and a retired District Judge were appointed to the Appellate Authority, which is now the Regional Joint Director of the Education Department, who is actively concerned with the affairs of the Department and would be an appeal from '*Ceasar to Ceasar's wife*'. The other learned Counsel appearing for the petitioners adopted the arguments of the learned Senior Counsel.

12. The Learned Advocate General, at the outset, expressed bewilderment in a challenge having been made to the Exclusive Teachers Rules-2023, which confers benefits on at least some of the *Niyojit* Teachers who would be treated at par with the State School Teachers, now newly recruited as per the State School Teachers Rules-2023. The learned Advocate General from the counter affidavit points out the history of appointment of teachers in the State of Bihar, which was tumultuous, to say the least, when the State was trying to balance the need for more teachers with



the frugal resources it had, to pay them. Earlier *Shiksha Mitras* were appointed and as a benevolent measure, the State absorbed them as *Niyojit* Teachers under the Rules of 2006. These measures did not have the desired effect and the teaching standards did not improve. The experiment involving local self-government bodies in selection and appointment of teachers, perceived also as a measure of decentralization, failed miserably. The attempt made for decentralisation was only due to the dismal pupil teacher ratio and the increasing drop outs, especially from the marginal sections of society, who are the majority in the State of Bihar, getting admitted to government schools. It is pointed out that 80 per cent of the population in the State lives in villages and only 12 per cent in urban areas. The predominant population in the rural areas prompted the State to bring the local bodies into the process of appointment to Panchayath, Block and District Schools, which were respectively within the jurisdiction of the Panchayats, Prakhands (Blocks) and Zila Parishads.

13. The trust reposed in the local self-government institutions was not discharged or fulfilled and there were



appointments made without verification of the credentials and allegations were raised of rampant nepotism. Though a selection process was put in place, it lacked the fairness and transparency required in its implementation thus often frustrating the cause and jeopardizing the very object. A Vigilance enquiry was ordered which has reached a finite road block, since all the records were removed by those having sway over the local bodies, to save their skins and also their appointees. There are FIRs registered against the unscrupulous appointments made and the teachers who procured fraudulent certificates. Many were dismissed and many had resigned following orders issued in a public interest litigation threatening criminal prosecution and recovery of salary paid; which related to the period 2006 to 2015. It was with an intention to bring in some checks and balances that a centralized eligibility test was conducted under the Rules of 2012, but, even then the situation did not improve.

14. The reliance placed on *Struggle Committee* (supra) and the contentions of the State Government before the Hon'ble Supreme Court was argued to be absolutely



irrelevant, given the passage of time. The State, learning from its past experience and realizing the failure to bring up the standards of teaching and education, has now introduced a system of regular recruitment, not merely looking at the qualifications, but also testing the individual competence through a written test. The fact that earlier the government teachers were projected to be a vanishing class would not regulate the actions of the State for all time to come. The failed prior experience; which was also motivated by the financial constraints as argued in the *Struggle Committee (supra)*, had promoted the State to bring in new regulations.

15. The State is not expected to do mere lip service to the requirement of providing standard education, especially compulsory elementary education; a statutory mandate in the wake of Right of Children to Free and Compulsory Education Act, 2009 (RTE, for short). Merely because, earlier there was conducted an efficiency test, the *Niyojit* Teachers cannot contend that they cannot be tested on their competency again, especially in the present days wherein there is a lot of emphasis on continuing education, in all spheres of life, especially the professional spheres.



The present era is one of continuing education and it is more relevant insofar as the teachers in schools are concerned, who carve out and mould the future of citizens of the State. It was revealed that from 2006 to 2021, there were recurring absenteeism and rampant drop outs in the schools, lack of discipline, late opening and early closure, all by reason of the laxity on the part of the teachers.

16. It is pointed out from the rules that there is sufficient opportunity for promotion and maintenance of seniority. Pay fixation is also done for the exclusive teachers protecting the scales drawn in the earlier service. Insofar as the contention regarding the committee constituted under the proviso to Section-4, learned Advocate General asserts that it is only a recommendatory committee, which cannot, in any event, order termination. The learned Advocate General concedes that the committee had recommended termination, which was beyond their scope and competence, but the State had refused to accept such recommendation, especially looking at the statutory object as is clear from Rule-3(3) of the Exclusive Teachers Rules-2023.



17. The challenge on the ground of occupied field, it is pointed out, is a chimera and the principle of the decisions pointed out are not at all applicable to the subject legislation. The learned Advocate General vehemently contends that the field occupied by the Local Bodies Rules-2020; applicable to the *Niyojit* teachers, will apply to those who do not pass the competency test. The present Rule under Article 309 of the Constitution of India creates a further cadre of Exclusive Teachers, which are at par with the State School Teachers recruited under the State School Teacher Rules-2023. The learned Advocate General points out that even under the State School Teacher Rules-2023, the *Niyojit* Teachers were given a chance to appear. In the first examination conducted, out of 1,20,336 qualified candidates, 28,815 were *Niyojit* teachers. In the second and third tests out of the total qualified teachers of 97,518 & 5,81,305 the *Niyojit* teachers who qualified are 13,674 and 1,51,524 respectively. Out of these qualified teachers the majority have joined and the others have chosen to remain as *Niyojit* Teachers; which is at their option which the Government respects. Even insofar as the present



examination is concerned for Exclusive Teachers, 2,32,190 candidates had applied and the examination was held online from 26th February to 6th March, and 1,99,027 candidates participated. The results are awaited and would be declared within two weeks.

18. Even those teachers who qualify can exercise an option to remain as *Niyojit* teachers. There is absolutely no prejudice caused to the teachers if they appear in the examination and it is up to them to join in the exclusive cadre or remain as *Niyojit* teachers. As far as career progression is concerned, the specific rule is pointed out which provides promotions to Exclusive Teachers also. The learned Advocate General points out that State School Teachers Rules-2023 specifically prohibits appointment by any other method and in any event, the provision under the Local Bodies Rules-2020, to appoint, has to be initiated by the Administrative Department of the State. None can say that appointments are to be continued under the *Niyojit* scheme as per the Local Bodies Rules-2020.

19. The learned Advocate General argues that the teachers have been given five options to migrate to the new



cadre of Exclusive Teachers. The existing cadres will be of *Niyojit* Teachers, Exclusive Teachers and the State School Teachers who would all have promotional avenues, separately. But there can be no discrimination alleged because the emoluments are the same and there is scope for career progression and different rules apply for these different cadres whose sources are different. It is urged that ***Mohinder Singh Gill*** (*supra*) has no application since the counter affidavit does not restrict the rule in any manner. The counter affidavit only indicates the State's understanding that the proviso to Rule 4 only speaks of recommendations which ultimately has to be considered by the State. The recommendations are also insofar as facilities to be provided to the teachers and their adjustment in various districts and so on and so forth, which cannot at any rate lead to termination.

20. To a specific query by us, whether there is any ratio employed for the purpose of career progression, the learned Advocate General concedes that there is none and he would advise the State Government to bring in such a ratio, equitably, enabling promotions from all the three



cadres. It is also conceded that looking at the repeal & saving in the Exclusive Teachers Rules-2023, it may not be correct, for reason of it having impinged into the occupied field of the Local Bodies Rules-2020. Learned Advocate General would urge that the Government's duty is to provide the children with quality education, especially to those coming from the deprived communities with no means for having a standard education in private schools. There are two crores of children from the lower strata studying in the government schools of Bihar and the attempt of the State is to only ensure that they are given quality education in the primary schools in Bihar. The grounds raised by the petitioners are totally out of sync with the ground realities and has no legal backing. It is reiterated that insofar as the ratio for promotion and providing proper appellate authority, the State would immediately take action and such lacunae as argued by the learned counsel for the petitioners, is no reason to strike down an otherwise valid legislation.

21. We should at the outset, look at the history of the appointments made to the schools in the State of Bihar



which has been carried out in the recent past at the tertiary level of local self-government institution; the Panchayat, Prakhanda (Block) and District (Zila Parishad). In the year 1981 the secondary schools in the State of Bihar were taken over by the Government and consequent to the takeover of the managements, the teaching and non-teaching staff were absorbed in the State cadre with government scales of pay. With the aim of achieving the objective of universal primary education, the District Primary Education Programme (DPEP) was launched by the Union Government in 1991-1993 followed by the *Sarva Shiksha Abhiyan* in 2001-2002. There were a set of teachers appointed on contract basis, called *Shiksha Mitras* who continued on consolidated pay along with the Government Teachers; who were on regular scales of pay. In the year 2006, three sets of Rules came into force, one, the Panchayat Elementary Teacher Rules, 2006; The Bihar Municipal Body Secondary and Higher Education School Teachers (Employment & Service Conditions) Rules, 2006 for Urban areas & The Bihar District Board Secondary and Higher Secondary School Teachers (Employment & Service



Conditions) Rules, 2006 for Rural areas. The *Shiksha Mithras* absorbed under the Rules of 2006 and the teachers appointed under these rules were jointly called the '*Niyojit Teachers*'.

22. The rules of 2006 gave prominence to the Panchayat Raj Institutions and conferred on them the responsibility of elementary education especially in the light of the 73rd and 74th amendment of the Constitution of India. The Rules were brought out under Article 243G read with Article 47 and 48 of the Constitution of India and Article 146 of the Bihar Panchayat Raj Act, 2006. The Block Teachers were to be employed in the middle schools (Class-VI to VIII) by the Panchayats and Panchayat Teachers would be employed in primary schools (Class-I to V) by the Gram Panchayats. Eligibility, age prescription and reservation were provided for, along with a process of selection and appointment. The panel of selected candidates for appointment were to be prepared by a Committee at the Block and the Panchayat level chaired by the *Pramukh* and *Mukhiya* respectively, of the Panchayat Samiti and Gram Panchayat. By these rules were created, the class of teachers



called *Niyojit* Teachers to which cadre the *Shiksha Mitras* were absorbed.

23. While appointments were made and continued under the rules, it was felt that the desired quality of education had not been realized; which led to Bihar Panchayat Primary Teacher (Appointment & Service Conditions) (Amendment) Rules-2009, promulgated under the very same provisions of the Constitution of India and Panchayat Raj Act. By this amendment was provided an eligibility test for evaluation of teachers to be carried out under the Primary Teachers Rules-2006 to be conducted after three years (of appointment), two times, with a gap of six months. What was intended on the basis of the eligibility test was that the teachers were to be evaluated and those scoring minimum 45 per cent marks in the general category and 40 per cent marks in the reserved category were to be conferred with an increment of Rs. 500; applicable to the trained teachers and untrained teachers being entitled to an increment of Rs. 300. The teachers who did not qualify the eligibility test were not entitled for any increment but they were enabled one more opportunity to sit for the eligibility



test; a re-evaluation after six months. On re-evaluation, if they qualify, the increments would be granted and on failing to qualify, twice in a row, they would be terminated. This is the specific eligibility test relied on by the petitioners, *Niyojit* Teachers to assail the further competency test as introduced by the Exclusive Teacher Rules- 2023.

24. Coming back to the narration of history, the State Government as per the Amendment Rules-2009 conducted the Primary Teachers Evaluation (Efficiency) Examination-2010 through the State Council for Educational Research and Training. While so a one-time appointment was made to the cadre of State Government Teachers to fulfil the undertaking of the State before the Hon'ble Supreme Court. The State had brought out an advertisement in the year 2003, in pursuance of a rule, for appointment of teachers which was challenged before this Court on grounds of irregularities in the selection. The State was directed to recalculate the vacancies and proceed with the selection, which order was challenged by the State before the Hon'ble Supreme Court and later withdrawn, with an undertaking that eligible candidates would be



considered for appointment, since the total vacancies existing were lesser than the total number of eligible candidates. By that time the Rules of 2006 came into force and when the State attempted to fill up the vacancies under the said Rules, a contempt case was filed before the Hon'ble Supreme Court. The vacancies existing were 34540 at the time of the undertaking and to facilitate such appointment the Bihar Special Primary Teachers Appointment Rule-2010 was brought in by the State for effecting one time appointment of teachers in Primary Schools. The appointments were carried out after verification done by a retired Judge of this Court. More than 32000 teachers were appointed under the Bihar Special Primary Teachers Appointment Rule-2010 which was also a Special Rule for one time appointment of teachers in Primary Schools. The teachers appointed in accordance with these Rules were in the district cadre and the salary and service conditions were similar to that applicable to the teachers earlier appointed to district cadre covered under the pension scheme of the State Government.

25. With the advent of the RTE Act and also the



exemption obtained under Section 23 of the RTE Act, the State had devised the Bihar Elementary Teachers Eligibility Test, 2011, for selecting teachers in the elementary schools from Class-I to VIII. In accordance with the change brought about by the RTE Act, again the Elementary Teachers Rules-2012 was brought out wherein all rules, orders and instructions regarding employment of teachers in elementary schools of rural areas were repealed. The Elementary Teachers Rules-2012 was also brought out under the provisions of the Bihar Panchayat Raj Act. Later to that, by notification dated 11.08.2015, the trained and the untrained *Niyojit* Primary, Secondary, Higher Secondary Teachers and Librarians were given a pay scale and due fixation as against the consolidated pay applicable to them. In the year 2020 again three rules were brought in; the Bihar Panchayat Elementary School Service (Appointment, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2020; Bihar Municipal Elementary School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Condition) Rules, 2020 and the Bihar District Board Secondary and Senior Secondary



School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Condition) Rules, 2020, (collectively called the Local Bodies Teacher Rules-2020) again under the Constitution of India and the Panchayat Raj Act for appointment, promotion, transfer, disciplinary proceedings and service conditions of the *Niyojit* Teachers; which repealed the rules of 2012. The definition of teacher as per the Elementary School Service Rules-2020 included Panchayat Elementary Teacher of basic grade (Class-I to V) and Panchayat Elementary Teacher of graduate grade (Class-VI to VIII). The Primary Teacher Rules-2012 as amended in 2014 and 2015 was repealed. These Rules of 2020 have not been repealed under the Exclusive Teachers Rules-2023. Pertinently these Rules were not repealed even under the State School Teacher Rules-2023; which only provided that no new appointments would be made under the earlier Rules which are to be made exclusively under the State School Teacher Rules-2023.

26. The first contention to be looked at is the ground raised of the present Exclusive Teachers Rule-2023



impinging upon the occupied field, which contention is also raised on the ground that the Local Bodies Teachers Rules-2020, brought in, sourcing the power from the Constitution and the Bihar Panchayat Raj Act, cannot be repealed by rules brought out under Article 309 of the Constitution of India. We have to immediately notice that there is no challenge to the State School Service Rules-2023 and the new cadre created thereby. The Exclusive Teachers Rules-2023 is also challenged for the reason of the *Niyojit* Teachers being put through another evaluation of competence and the *Niyojit* Teachers would rest contend if they are allowed to continue as such. We are clear in our mind that the rules brought out under Article 309 cannot repeal the statutory rule brought in with specific reference made to the provisions of the Constitution of India and a statute; which it does not attempt. Whether the new rules brought out under Article 309 of the Constitution of India, cover the same area/field and it is in a field occupied by the existing rules brought out under the Constitution of India and the Panchayat Raj Act, is a question to be decided on facts.



27. We would first look at the decisions of the Hon'ble Supreme Court as relied upon by the learned Senior Counsel. In ***A.B Krishna (supra)*** there were conflicting claims made by the employees in the cadre of firemen/firemen drivers, for promotion, based on two different rules; the Mysore Fire Force (Cadre Recruitment) Rules, 1971 and the Karnataka Civil Services (General Recruitment) Rules, 1977; the first brought out under the Fire Force Act, 1964 by which was established the Mysore Fire Force and the general rules, under Article 309 of the Constitution of India. Therein, the Cadre Rules of 1971, provided for an examination for promotions to the post of Leading Firemen; based on which in 1982 an examination was conducted and selection list of 43 persons, including the two respondents, were prepared. Nineteen persons were promoted and thereafter based on a policy decision of the Government of Karnataka, the select list was not operated, since promotions to any post other than Head of Department and Additional Head of Department, were to be made on the basis of seniority-cum-merit without any specific selection through a qualifying examination; which



was directed to be irrespective of the methods specified in the rules of recruitment, based on which policy the General Rules of 1971 was brought out. The respondents were aggrieved insofar as the appellants who did not figure in the earlier select list were promoted while the respondents who had qualified in the examination were overlooked.

28. The rule making power under Article 309 of the Constitution of India and that under the Fire Force Act was conferred on the same authority, ie: the Government. But the two jurisdictions were held to be different and it was held that there can be no power exercised by the Governor, on the mere advisory of the State Government, to frame a rule under the proviso to Article 309 of the Constitution of India, if the legislature had already made a law and the field is occupied. The statutory rule making power constitute delegated or subordinate legislation; which status the rules framed under Article 309 lacks, and hence on the principle of 'occupied field' the rules under Article 309 cannot supersede the rules made under a legislation, was the finding. The Hon'ble Supreme Court also referred to the principle of '*generalia specialibus non derogant*' to



interfere with the selection process. The trite principle that a general later law, not abrogating an earlier special one, by mere implication, was reiterated to find that the Rules made by the State Government under the Fire Force Act, which prescribes a qualifying examination as a condition precedent for promotion has not been touched, altered or amended and they existed in the original form. The policy change brought about by the general recruitment rules providing therein that any promotion to higher posts; barring those specified, would be on the basis of seniority and not on the basis of examination, did not at all affect the special rules.

29. **Dr. Yadav** (supra) was another case in which conflict between a statutory rule and a rule under Article 309 of the Constitution of India was considered. Therein, the State of Uttar Pradesh enacted the U.P. Urban Planning Development Act, 1973, which enabled the State Government to appoint such number of officers and employees for the effective functioning of the development authority. The State Government also created a Development Authority Centralized service by the very



same enactment, providing that a person serving in a post included in such service, immediately before such creation, shall finally or provisionally be absorbed in the centralized services; if he is confirmed in his post or he was holding a temporary or officiating appointment, as the case may be. The first respondent was provisionally promoted to the post of Assistant Engineer in 1986 and the appellants were promoted to the post of Assistant Executive Engineer on purely adhoc basis in 1986-87; while both the appellants and the respondents were absorbed in the centralized services in the post of Assistant Engineer by an office memorandum dated 14.05.1987. The question arose as to the determination of seniority under two different rules, which were the U.P. Development Authority Centralized Services Rules-1985 and the U.P. Government Servant Seniority Rules-1991; the first, under a statute and the other, under Article 309 of the Constitution of India.

30. The very same principle of '*generalia specialibus non derogant*' was applied and the primacy of a statutory rule, over a rule framed under Article 309 of the Constitution of India was emphasized. It was held that the



Special Rule would have prevalence and the seniority would be determined by virtue of the continuous service rendered on a similar post; which term would mean posts which are legally created and borne on the cadre, as distinguished from adhoc and temporary promotion.

31. We bow down to the principle declared, of the limitations of the rule making function under the *proviso* to Article 309 of the Constitution of India, which does not strictly constitute a legislative function and will only operate subject to the other provisions of the Constitution. Under the scheme of Article 309, as held in ***A.B. Krishna*** (*supra*), once a legislature intervenes to enact a law regulating the conditions of service, the power of the Executive, including the President or the Governor as the case may be, to make a rule under the proviso to Article 309 is totally displaced on the principle of '*doctrine of occupied field*' (sic para 8). It was also observed that if however, any matter is not touched by that enactment, it would be for the executive to either issue instructions or to make a rule under Article 309 in respect of that matter. In both the cases cited; ***A.B. Krishna and Dr. Yadav*** (*both supra*), we notice that



the Special Rule made under the statute was prior to the rule brought out under Article 309 of the Constitution of India; as is, in the present case. But the rider made, by the Hon'ble Supreme Court, that rules under Article 309 of the Constitution of India, if not touching on the field occupied by the earlier enactment, it would not be affected by the principle of '*doctrine of occupied field*' assumes significance.

32. As was noticed in ***A.B. Krishna*** (*supra*) the Government had ample power to amend or repeal the statutory rule; ie: Local Bodies Teachers Rules-2020, invoking the rule making power conferred under the Panchayat Raj Act. But the Government in its wisdom chose to invoke the power under the proviso to Article 309. It left the Local Bodies Teachers Rules-2020 untouched only because the *Niyojit* Teachers appointed under the said rule were being continued and the new Rules of 2023 was intended at creating, a new cadre of State School Teachers and another cadre, of Exclusive Teachers, with comparable conditions. The cadre of Exclusive Teachers was solely created for providing an avenue to the *Niyojit* Teachers to



realize their long-cherished dream of equality. However, this dream could be realized only if, they prove their competence in the test held; by which alone they can be treated as equal to the State School Teachers, now recruited. In both the afore cited decisions, persons in the same cadre were concerned with the applicability of one or other of the rules. In one case, for fixation of seniority and the other for promotion and hence, both the rules; the special rule and the general rule could not stand in the same field simultaneously. It was hence that the statutory rule was found to be occupying the field thus displacing the rule framed under Article 309 of the Constitution of India. The statutory rule was also held to be a special rule having precedence over the general rule.

33. As we noticed in the narration of the history of appointment & continuance of teachers over the years; earlier there were two set of teachers one government teachers and the other contract teachers; *Shiksha Mitras* who along with the new appointments made after 2006, were given better benefits than before, and termed the *Niyojit* Teachers. Both of them where a class apart as has



been found by the Hon'ble Supreme Court in *Struggle Committee* (supra); not possible of being equated for the purpose of pay parity and service conditions, merely on the principle of 'equal pay for equal work'. The government teachers at that point, were also considered to be a vanishing cadre; the financial stringency of the State Government having motivated them into contractual appointments and then giving them the fixation, in a scale of pay, at a lower standard than that applicable to the government teachers. The experiment was tried out, but failed; as we see from the shifting policy of the Government. The Government has now reviewed the policy and it has been decided to have a cadre of qualified trained teachers appointed, also on the basis of their skills tested at a written examination, as is the intention of the State School Teachers Rules-2023. Here we have to reiterate that the said rule has not been challenged in the present batch of writ petitions. There was a challenge to the same in which an interim order was declined and the interim order survived scrutiny of the Hon'ble Supreme Court in a Special Leave Petition filed by the affected parties.



34. By the State School Teachers Rules-2023, the State intends to fulfill its obligations in providing quality and compulsory education in the elementary schools across the State. While ensuring that, the State was faced with the problem of the existing *Niyojit* Teachers who had spent considerable time of their lives in the education system of the schools, eking out a livelihood and having gone through a process of evaluation. As is explicit from the rules, there can be discerned a shift in the policy of the State, in doing away with the practice of selection of teachers through the Panchayat Raj Institutions. The earlier experiments of having a different class of teachers, in the contractual segment and then at a lower pay scale, than that of the government teachers had failed in the long run. Despite the failed experiments having eluded the desired objective of quality education, the Welfare State has thought it fit to ensure the sustenance of the *Niyojit* Teachers and also enable all of them with a semblance of equality, by treating them at par with the State School Teachers; leading to promulgation of the Exclusive Teachers Rules-2023 in addition to the State School Teachers Rules-2023.



35. We have to specifically notice that earlier also after 2006; in 2010 and then in the year 2012, rules were brought out wherein, there was an efficiency test prescribed which entailed termination, when unable to qualify after two attempts. As of now the Exclusive Teachers Rules-2023 does not bring about such a consequence, which we would deal with a little later, after considering the applicability of ‘doctrine of occupied field’.

36. We observe that there were two different cadres one of government teachers and the other of *Niyojit* Teachers; which in the year 2010, despite the intention to treat the government teachers as a vanishing creed; by reason of the one-time special recruitment, the district cadre stood enhanced by more than 32000 appointees. As of now another cadre is created as Exclusive Teachers from the *Niyojit* Teachers who qualified in a test conducted by the State. Those who do not qualify would be retained as *Niyojit* Teachers, when the recruitment as per the State School Teachers Rules-2023 and the posting in the new cadre of Exclusive Teachers Rules-2023 are completed. Then, there would exist four separate cadres, the State



School Teachers, the Exclusive Teachers, the *Niyojit* Teachers and the earlier government teachers within whose cadre would also be the teachers under the one-time special recruitment. The *Niyojit*, the Exclusive and the earlier government teachers, all are at present, a vanishing cadre and what is sought by the new rules is to bring in a structured State School Teachers Cadre in the elementary schools across the State. The field occupied by the different rules are that of the existing *Niyojit* Teachers and of the separate cadres; the State School Teachers and the Exclusive Teachers, now created. The State School Teachers would be under the State School Teachers Rules-2023, the government teachers, as they were regulated from the inception. The *Niyojit* Teachers who remain as such would be continued under the Local Bodies Teachers Rules-2020. The Exclusive Teachers Rules-2023 is applicable only to those *Niyojit* Teachers who opt, sit for and qualify the test prescribed and then join under the said rules, brought out under Article 309 of the Constitution of India, which cannot be said to be in occupied field. It creates a new cadre, a new field, for its application as carved out from the existing



cadre of *Niyojit* Teachers. The statutory rule, i.e: the Local Bodies Teachers Rules-2020 is applicable to the *Niyojit* Teachers who were a class separate from the government teachers even earlier to the rules of 2023; judicially recognized by the Hon'ble Supreme Court in ***Struggle Committee (supra)***.

37. The only difficulty would be in the case of future appointments which would be regulated by the State School Teachers Rules-2023 which recognizes the teachers earlier appointed under the Panchayat Raj Institutions and Nagar Nikay Institutions as per the earlier rules in Clause-2(xxi) of the said Rules. A new cadre is constituted by Rule-3 for appointment in all the government schools under the control of the Education Department which post of school teachers as per Rule-4 has to be filled by direct recruitment. Rule 19(i) mentions every rule of appointment and regulations, service conditions of school teachers in the State and specifies that none appointed therein can raise a claim under any provisions of the Rules of 2023. Rule 19(ii) also provides that no new appointment can be made after the enactment of State School Teachers Rules-2023 under



any of the earlier rules. It is a moot question as to whether the new rule can prohibit appointments under the statutory rule; Local Bodies Teachers Rules-2020, which it does not seek to do. The State School Service Rules-2023 supersedes the procedure for appointment and as pointed out by the learned Advocate General, it is the State who initiates the process of selection, even under Rule 10 of the Local Bodies Teachers Rules-2020; which would now be done under the State School Service Rules-2023.

38. We are definitely of the opinion that the principle of 'doctrine of occupied field' does not apply to the rule brought out under Article 309 of the Constitution of India, specifically to create a cadre of Exclusive Teachers which is also carved out from the cadre of *Niyojit* Teachers who are continuing under the Local Bodies Teachers Rules-2020. We have to specifically observe that there is no repeal of the said Rules of 2020, by the Exclusive Teachers Rules-2023, more so, because it has to survive even now for continuation of the *Niyojit* Teachers who do not qualify as Exclusive Teachers.

39. In this context, we have to pertinently notice



Rule 3(3) and the proviso to Rule 4 of the Exclusive Teachers Rules wherein apparently there is no conflict; but is incongruous in its operation, by reason of the Committee's recommendation to terminate on failing to qualify in the test prescribed after three attempts. Rule 3(3) provides for the "Local Bodies" Teachers (alternatively called as *Niyojit* Teachers) who do not appear in or pass in the competency test as per Rule 4, to remain as 'Local Bodies' Teachers. This provision beneficial to those Teachers, is contrary to the earlier scheme of efficiency test; which after two failed attempts would result in the consequence of termination of the failed teacher. The impugned rule does not visit the teachers who fail to qualify in the competency test with the consequence of termination and it even permits the 'Local Bodies' Teachers to abstain from writing the test; which puzzles us too, as to why then, there is a challenge made. Those who qualify in the test would have better service conditions, which is only in recognition of their competence and those who fail to qualify and even refuse to attempt the tests, would still be continued in their employment.



40. At least those who qualify would be entitled to parity and this cannot prejudice those who fail or refuse to participate, who cannot adopt a '*dog in the manger*' attitude. They cannot also claim equality when they have either failed to appear or qualify in the test conducted. We also reckon the submission of the learned Advocate General that many *Niyojit* Teachers have qualified in the recruitment as State School Teachers under the new rules of 2023, who have refused to join due to their posting in other districts; who all the same would continue as *Niyojit* Teacher. This benefit will be applicable even to persons who qualify in the test and refuse to take up appointment as an Exclusive Teacher. The overwhelming significance conferred on the individual option, totally efface all grounds of prejudice. We noticed, while recording the arguments, that the petitioners who challenge the Exclusive Teachers Rules-2023, that they are happy to continue as *Niyojit* Teachers and do not challenge the new recruitment as provided for in the State School Teachers Rules-2023. Then the question arises as to why they would raise the challenge, which if upheld, would only work against and prejudice those who would exercise



the option to apply, participate and then on qualifying in the test, join as Exclusive Teachers; which is their individual, informed choice.

41. We have to notice that the proviso to Rule 4 and the consequence now recommended by the Committee constituted under the proviso, is one of the grounds giving rise to the challenge posed before us. It is admitted that the Committee has recommended that on repeated failures the Local Bodies Teachers Rules-2020 should stand modified so as to effect termination of such failed *Niyojit* Teachers. The learned Advocate General admits that such a recommendation was made, but asserts that the Government is the final authority which has already taken a call on such recommendation, based on the advice of the learned Advocate General, that the Committee constituted under the Exclusive Teacher Rules-2023 cannot visit the *Niyojit* Teachers with such a consequence of termination based only on the failure to qualify in the competency test. We are also of the opinion that if such a consequence is visited on the *Niyojit* Teachers it would run contrary to the option available to the *Niyojit* Teachers under Rule 3 (3) to abstain



from the competency test. The mere recommendation made, we agree with the learned Advocate General, does not bind the Government and in any event, we hold and declare that there can be no recommendation of termination made by the Committee under Rule 4, for termination of *Niyojit* Teachers.

42. The principle of occupied field applies squarely in so far as the proviso to Rule 4; since the *Niyojit* Teachers are covered by the Local Bodies Teachers Rules-2020. The statutory rule occupies the field; which is the cadre of *Niyojit* Teachers and the specific rule brought out under Article 309 cannot survive simultaneously. There cannot be a Committee constituted to regulate the service of the *Niyojit* Teachers in the rules framed under the proviso to Article 309, which is intended at regulating the terms of service of another cadre created out of the *Niyojit* Teachers cadre, based on a test qualification. Hence, the proviso to Rule 4 has to be struck down as one impinging on the statutory rule which occupies the field characterized by the cadre of *Niyojit* Teachers.

43. Now, we come to the repeal and savings as



provided under Rule 12 of the Exclusive Teachers Rules-2023. Shri Rajendra Narayan, learned Senior Counsel had argued specifically that the repeal and savings, as brought out, would also be one further ground in challenge of the Exclusive Teachers Rules-2023; of having been brought out in an 'occupied field'. Prior to the Exclusive Teachers Rules-2023, simultaneous to the Local Bodies Teachers Rules-2020 the State had also brought out the Bihar State Educational Institutional Teachers and Employees (Grievance Redressal and Appeal) Rules, 2020. By Rule 12 of the Rules of 2023, the said Grievance Redressal Rules have been made non-functional by directing the District/State Appellate Authority constituted under the said Rule to dispose of the pending cases within six months and not to accept any new case from the promulgation of the Exclusive Teachers Rules-2023. Though, there is no specific repeal effected, the Grievance Redressal Rules have been made non-functional by a direction to the District and State Appellate Authorities not to accept any new case; which would be a definite impingement on the 'occupied field' of the Local Bodies Teachers Rules-2020 and the



Grievance Redressal Rules applicable to the cadre of *Niyojit* Teachers, which survives the Exclusive Teachers Rules-2023. The Rules of 2020 continue to be in force for the purpose of regulating the service of those persons who remain as *Niyojit* Teachers; at their option or on failure to qualify the competency test. The Rule cannot survive as it exists in the Exclusive Teachers Rules, 2023. We are of the opinion that despite our finding that Rule 12 is in an ‘occupied field’, we need not set aside the Exclusive Teachers Rules-2023 as a whole and we need only set aside Rule 12 dealing with repeal and savings so that the other parts of the Exclusive Teachers Rules, 2023 stands upheld.

44. The State/District Appellate Authorities under the Grievance Redressal Rules of 2020 shall continue to function and shall also accept new cases in so far as the *Niyojit* Teachers are concerned. However, for the persons who come into the cadre of Exclusive Teachers, in so far as disciplinary action is concerned, Rule 11 of the Exclusive Teachers Rules-2023 provides for a separate notification of the detailed guidelines and procedure. We are sure that grievance redressal will also be addressed fruitfully and



effectively by the Executive Government. We are told that the earlier Appellate Authorities constituted, consisted of retired Judges; of the District Judiciary and the Judges of the High Court and the present rule speaks of the Regional Deputy Director as the Appellate Authority. We cannot interfere with the constitution of the authorities prescribed for grievance redressal merely for reason of their having not occupied judicial offices. Even an administrative officer would be a proper choice and in any event his decision could be taken up before the Courts of law, if the jurisdiction is not ousted and definitely under Article 226 of the Constitution of India before the High Court itself.

45. Having considered and rejected the claim of application of the principle of doctrine of 'occupied field', to strike down the impugned enactment as a whole, we have to now deal with the other contentions raised by the petitioners. One of the grounds vehemently urged by Shri Y.V. Giri, learned Senior Counsel for the petitioners, is that the *Niyojit* Teachers, at the fag end of their career are put through another grueling examination, which is of no avail since they have already been put through an efficiency test.



Having survived the test of efficiency there is absolutely no reason to further prejudice them through a competency test.

46. We cannot countenance the argument especially in the present scenario of increasing emphasis on continuing education in all walks of life; generally, in every professional activity and particularly, in upgrading the standards of teaching, which ensures that the teaching professionals are in sync with the recent developments which is very relevant and significant considering the fact that it is the teachers who mould the future generations of any nation. Elementary education, and its significance cannot be over emphasized as has been observed by the Hon'ble Supreme Court in ***Devesh Sharma v. Union of India; 2023 SCC OnLine SC 985***. In this context, we cannot but notice that there is no compulsion on the *Niyojit* Teachers to sit for the competency test, as was the case earlier in the efficiency test. A *Niyojit* Teacher could as well opt not to appear for the competency test, in which event, he or she loses the privilege of migration to the cadre of Exclusive Teachers, but still is enabled continuation as a *Niyojit* Teacher under the Local Bodies Teachers Rules-



2020. The opportunity provided to exercise an option to keep away from the competency test without fear of the consequence of a termination commends us, and the emphasis on continuing education reinforces our resolve, to reject the contention. We cannot but observe that the rule only facilitates at least some of the *Niyojit* Teachers to move ahead in their quest for equivalence with parity of pay and other benefits being conferred on them based on their proved competence through their test qualification.

47. One other contention seriously agitated before us by Shri Naidu, learned Senior Counsel, is with respect to the total lack of career progression and the absolute effacement of their past service, even in the case of a pay fixation as per the Exclusive Teachers Rules-2023. The pay protection only enables their fixation at the entry level as seen at Annexure-A and stagnates their pay till the protected amount is reached, is the argument. In illustration, it is pointed out that a *Niyojit* Teacher who qualifies to be posted as an Exclusive Teacher, granted the pay protection of Rs. 30,000/- would still have to be fixed at the entry pay of Rs. 25,000/- with pay protection and the further increments



would not be granted till the basic pay by passage of time comes to Rs. 30,000/-, which in the case of many of the teachers who are at the fag end of their career would be an impossibility.

48. Learned Advocate General, however, points out that a teacher entitled to pay protection of Rs. 30,000/- would be fixed at Level-8 and be granted the further increments as provided in Annexure-A, Fitment Matrix Table (FMT). As far as career progression, the seniority is fixed as per Rule 7 of the Exclusive Teachers Rules, 2023 with the seniority list drawn up subject wise for each category of teachers namely Primary, Middle, Secondary and Senior Secondary. Promotions are also specified by Rule 9. However, we notice a lacuna in so far as the Local Bodies Teachers Rules-2020 having provided a specific ratio for promotion of *Niyojit* Teachers. There is no ratio for the newly created cadres; which lacuna would not commend us to set aside the Rule as a whole but would only persuade us to direct the State Government to frame a scheme so that every cadre would have a right to be considered for promotion, based on whatever criteria the State deems



reasonable, including that of the proportion of teachers available in the cadres existing after the promulgation of the Rules of 2023.

49. Having dealt with each of the contentions raised by the petitioners, we are of the opinion that the Exclusive Teachers Rules-2023 should be upheld and we do so; but set aside the proviso to Rule 4 & Rule 12 and also issue directions in so far as the prescription to be made of a reasonable ratio ensuring promotional avenues to each of the various cadres. We also direct the State Government to bring out Rules for the purpose of grievance redressal of each of the cadres, preferably in the lines that exist as of now in the Grievance Redressal Rules-2020, as applicable to the teachers covered by the Local Bodies Teachers Rules-2020; which authority could even be declared and constituted to be an authority to consider and adjudicate upon the grievances raised by each and every cadre of school teachers existing within the State.

50. The learned Senior Counsel appearing for the petitioners had also vehemently argued on the *volte-face* carried out by the State insofar as the clear assurances, nay



promises made before the Hon'ble Supreme Court in ***Struggle Committee*** (*supra*). References were made to the arguments of the State to negate the claim of '*equal pay for equal work*' raised by the *Niyojit* Teachers at that point of time. The State had contended that post 2006 there would not be any fresh regular appointments in the first category; i.e: the government school teachers and all regular appointments would in future be made only in terms of the 2006 Rules. The original cadre of government teachers, it was asserted by the State would be a cadre without any fresh appointments, thus making it a dying or vanishing cadre. The Hon'ble Supreme Court also noticed the prominence given to the Panchayat Raj Institutions, in accord with the constitutional mandate of enabling decentralization on one hand while on the other raising the number of teachers substantially so as to achieve the national parameters of student teacher ratio as laid down by the RTE Act. The statistics presented by the State also showed that advances were made in appointing sufficient teachers and substantial improvement achieved in enrollment of students and there was appreciable rise in the



literacy rate in the last decade. The idea to achieve spread of education to the maximum level was attained and the State had also to a great extent tried to meet the obligations under the RTE Act. The parity or equality was said to be sought to a dying or vanishing cadre and the Hon'ble Supreme Court specifically referred to the dwindling numbers of government teachers while there was a remarkable rise in the number of Panchayat Teachers who are the *Niyojit* Teachers.

51. The arguments raised before the Hon'ble Supreme Court in *Struggle Committee (supra)*, according to us does not restrict the State from changing its policies, which is also as a trial-and-error measure. As was noticed by the Hon'ble Supreme Court substantial progress was achieved in the numerical strength of teachers and enrollment of students. However, as argued by the learned Advocate General, the State is not to do mere lip service to the obligations under the RTE Act and there is an urgent need to achieve standards of education which has an imminent and definite correlation with the quality of teachers. Unless the teaching standards are upgraded the



quality of education would not rise and the spirit and tenor of the goals intended by the RTE Act, would not be realized. Mere enhancement of numerical strength would not serve the purpose or achieve the goal; which has resulted in the present change in policy and there is no promise, the State can be held down to, that there would be no revival of the class of government teachers. In fact, there is a complete *volte-face* by the introduction of the Rules of 2023, both the Exclusive Teachers Rules and the State School Service Rules. The State now intends to create a class of teachers with both training qualification and tested skills, as would be revealed in the competency test/written examination, which will be respectively carried out for conversion of *Niyojit* Teachers to Exclusive Teachers and fresh recruitment of State School Teachers.

52. We have to reiterate that the first *proviso* to Rule 3 of the Exclusive Teachers Rules-2023 provides that upon passing the competency test under Rule 4, the Exclusive Teachers would be entitled to avail the salary and other perks entitled to the school teachers appointed under the State School Teachers Rules-2023. Hence, what was



sought for by the *Niyojit* Teachers in the earlier round of litigation which went up to the Hon'ble Supreme Court is realized at this point, at least in the case of those found competent, on qualifying the test prescribed. Here, we have to specifically notice the concluding portion of the decision in ***Struggle Committee*** (*supra*) at paragraph no. 107, which is extracted hereunder: -

“The State may consider raising the scales of Niyojit Teachers at least to the level suggested by the Committee, without insisting on any test or examination advised by the Committee. Those who clear such test or examination, may be given even better scales. This is only a suggestion which may be considered by the State.”

(underlining by us for emphasis)

53. It is an admitted fact that the *Niyojit* Teachers have been granted a pay scale and enabled decent emoluments as contemplated by the Hon'ble Supreme Court. In the underlined portion of the above extract while suggesting that the scales of *Niyojit* Teachers should be raised to enable decent emoluments, without any further test qualification; it was also suggested that the clearance in a test or examination could enable even better scales for such



Niyojit Teachers. This is precisely what the State attempts and intends by the Exclusive Teachers Rules-2023.

54. The claim for '*equal pay for equal work*' raised by the *Niyojit* Teachers as against the existing government teachers would be realized with the present rules; with only the obligation on such teachers to pass the competency test which is with the avowed objective of motivating the teachers to continue educating themselves and achieve a standard equivalent to that of the newly recruited teachers under the State School Teachers Rules-2023.

55. The Hon'ble Supreme Court in ***Randhir Singh Vs. Union of India; (1982) 1 SCC 618***, held that though the principle of '*equal pay for equal work*' is not expressly declared by the Constitution to be a fundamental right; it is still a constitutional goal, but this cannot be applied as an abstract doctrine when either academic qualification or experience based on length of service reasonably sustain the classification of employees in two grades. It was held in ***State of Haryana Vs. Jasmer Singh; (1996) 11 SCC 77***, that the principle of '*equal pay for equal*



work’ has no mechanical application in every case. ‘Article 14 permits reasonable classification based on qualities or characteristics of persons recruited and grouped together, as against those who are left out. Of course, the qualities or characteristics must have a reasonable relation to the object sought to be achieved. In service matters, merit or experience can be a proper basis for classification for the purposes of pay in order to promote efficiency in administration’ (sic- para 19).

56. This is precisely what is sought to be achieved in the present case and Exclusive Teachers, though would be a dying cadre, they would have parity with the State School Teachers. We cannot but also quote ***State of Haryana Vs. Charanjeet Singh ; (2006) 9 SCC 321***, wherein, it was held that *‘it is no longer in doubt or dispute that grant of the benefit of the doctrine of ‘equal pay for equal work’ depends upon a large number of factors including equal work, equal value, source and manner of appointment, equal identity of group and wholesale or complete identity.’(sic)*

57. The *volte-face* in policy, according to us, is in



consonance with the principles enunciated by the Hon'ble Supreme Court in service jurisprudence and also on the principle of application of the doctrine of '*equal pay for equal work*'. The State has argued that the change in policy was imminently necessary to ensure the quality of teaching and through it, the quality of education is improved substantially; which is a definite improvement and progression from the numerical strength which was sought to be achieved at the earlier instance. The new policy revives the cadre of government teachers which is based on the experience garnered by the State over the years and with a specific objective in mind. As of now there would be only teachers with pay parity termed as the State School Teachers & the Exclusive Teachers (the government teachers) co-existing with the *Niyojit* Teachers. There is parity between the State School Teachers and the Exclusive Teachers. Those who continue as *Niyojit* Teachers would be only those persons who refused to participate in the test or fail to qualify in the test. They cannot raise a ground of equality or claim '*equal pay for equal work*'. *Niyojit* Teachers would definitely be a dying cadre along with the



Exclusive Teachers who would also be, in course of time, replaced by the cadre of government teachers, bringing in a unified cadre, having the essential educational qualification as also the training qualification and their skills having been tested in a written examination. In policy matters, as is trite, there can be interference caused by Courts only when there is patent illegality, obvious unreasonableness and brazen arbitrariness; none of which arise in the creation of the new cadre of Exclusive Teachers, by the impugned Rules framed under Article 309 of the Constitution of India.

58. We have already issued directions for the purpose of ensuring career progression in all the cadres. One of the arguments raised was also that when the Exclusive Teachers and *Niyojit* Teachers retire, automatically the post would be conceded to the State School Service. When our directions are complied with and a ratio employed, necessarily such promotional avenues have to be retained till the cadre of Exclusive Teachers and *Niyojit* Teachers vanish completely. As far as the promotion to Headmasters, already the Bihar State Senior Secondary School Headmaster (Appointment, Transfer, Disciplinary



Proceeding and Service Condition) Rules, 2021, have been brought into force and the Elementary School Head Teachers would be regulated by the Bihar Elementary School Head Teachers Rules, 2024.

59. On the above reasoning, we dispose of the writ petitions with the following directions: -

- (i) The *proviso* to Rule 4 of the Elementary School Teachers Rules-2023 is struck down.
- (ii) Rule 12 of the Elementary School Teachers Rules-2023 also is struck down.
- (iii) The State shall provide for a grievance redressal mechanism as is provided for the *Niyojit* Teachers by the Local Bodies Teachers Rules-2020.
- (iv) The State shall also provide for career progression and stipulate a ratio in the different cadres so that every person in each of the cadres will be entitled to be considered for promotion, subject to reasonable conditions as laid down by the State.



60. We make it clear that the exercise as carried out by the State in continuing the *Niyojit* Teachers and making regular appointments as Exclusive Teachers would have to comply with the provisions of Section 23 of the RTE Act, 2009.

61. The writ petitions stand disposed of upholding the impugned rules, with the specified provisions being struck down.

62. Interlocutory application(s), if any, shall stand disposed of.

(K. Vinod Chandran, CJ)

I agree.
Harish Kumar, J:

(Harish Kumar, J)

Sujit/Ranjan

AFR/NAFR	AFR
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