IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2015 of 2023

CNR No. BRHC010091832023

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Niranjan Kumar Sinha Son of Late Jagdev Prasad Sinha Resident of Janaknandani Bhawan, East Indrapuri, Road No. 15, P.O.-Keshari Nagar, P.S.-Patliputra, District-Patna, Presently residing at Sonphul Apartment, 302, South Block, Nalanda Colony, Khajepura, P.O.-B.V. College, P.S.-Rajiv Nagar, District-Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Commercial Tax Department, Bihar, Patna.
2. The Commissioner Cum Secretary, Commercial Tax Department, Bihar, Patna.
3. The Additional Commissioner, Commercial Tax Department, Bihar, Patna.
4. The Accountant General, Bihar, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AAG-3
Mr. Pawan Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 27-10-2026

Heard learned counsel appearing for the petitioner and learned counsel appearing for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed for grant of ACP/MACP. In this regard, the petitioner has filed a representation dated 26.9.2022, as contained in Annexure P/3 to the writ petition.

3. Learned counsel for the State has raised a preliminary objection and submits that the grievance of the petitioner is well covered under the Bihar Government Servant

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Grievance Redressal Rules, 2019 (hereinafter referred to as the ‘Rules of 2019’).

4. In light of the submissions made by the parties and upon perusal of the said Rule, it transpires to this Court under Rule 2(C) of the Rule of 2019 the word ‘complaint’ has been defined as follows :-

> *(c) 'Complaint' refers to all matters relating to the service and service benefits of serving and retired personnel of State Government as - (1) related to appointment (2) Service confirmation related (3) related to salary payment and increment (4) **promotion**, A.C.P., M.A.C.P. related (5) priority/preference assessment related (6) related to the approval of leaves other than casual leave (7) related to salary during leave (8) related to approval and payment of allowances (9) Medical reimbursements (10) related to payment of retirement benefits such as pension, gratuity, group insurance, encashment of the unavailed leaves and payment of General Provident Fund.*
>
> *However, if any of the above related matter is under any Court's consideration then it will not be considered as a complaint under this system.*
>
> *But further, matters relating to disciplinary & departmental action, and transfer / posting / deputation will not be included as complaints under this. Any case, under the Right to Information Act, 2005 will also not be considered as a complaint under this system.*

and procedure for filing complaint has also been prescribed under Rule 3 of the said Rule of 2019 as under :

> *3. Procedure for filing a complaint: Procedure for registering complaints related to service matters and retirement benefits will be as follows -*
>
> *(a) Any employee of the Bihar State Government, serving or retired, of any group can file any complaint related to their service matters and/or*

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retirement benefits, through online mode. In the event of death of a Government Personnel, complaint can be lodged by his/her dependent, The applicant will have to mention the details of the office / officer, his/her complaint is related to. Other relevant details will also have to be provided in the online application.
(b) In one application, complaint related to only one subject can be filed. Since no fee is required for registering a complaint, therefore, if a complainant wants relief in more than one subject then he/she has to register a separate application for it. In spite of this, if in the same application relief on more than one subject is being sought for, then in that case, the first issue mentioned in the complaint application will be considered as the complaint and further action will be taken on the same.

5. In this background, the petitioner is granted liberty to file a complaint under the provisions of the Rules of 2019 within 30 days from today. Upon filing of the said complaint, the authority concerned shall pass orders within the time specified in the said Rules of 2019.

6. With the aforesaid observation and direction, the present writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	28/10/2026
Transmission Date	NA

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