

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2701 of 2022

Enam Ahmad Son of Md. Anwar Ahmad, Resident of House No. 92, Anis Manzil, Badarghat, Shahi Eidgah, Gulzarbagh, Police Station - Gulzarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
2. The Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
3. The Special Secretary - Cum - Director, Science and Technology Department, Government of Bihar, Patna.
4. The Director, Science and Technology Department, Government of Bihar, Patna.
5. The Chairman, Bihar State Electronics Development Corporation Limited (BELTRON)
6. The Principal, Nalanda College of Engineering, Chandi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Singh, Advocate
For the State	:	Smt. Archana Meenakshee (GP-6)
		Mr. Prabhat, AC to GP-6
For the BELTRON	:	Mr. Girijish Kumar, Adv.
		Mr. Akash Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-01-2026 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the BELTRON.

2. The present writ petition has been filed for the
following reliefs:-

*(I) For a direction upon the
Respondent authorities for
determination and be given Payment
of the Scale/Salary to the Petitioner as
according to the time of his first initial*



appointment and posting on 01.03.2008 as Computer Programmers (with a Grade Pay of Rs. 4800/- and Pay Scale of Rs. 6500-10,500/- and paid a fixed amount of Rs. 10,000/- Per Month) on Contract basis as he was appointed through Advertisement in the local newspaper for various the posts dated 19.08.2007 issued by the Department of Science and Technology, Government of Bihar, Patna and not treat and leave to determine his salary according to the Salary/Policy prescribed and fixed by its outsourcing agency namely Bihar State Electronics Development Corporation Limited in short BELTRON which came into existence in the Year 2015 which is much later after the appointment of the Petitioner to the said post.

(II) For a direction upon the Respondent authorities to follow the procedure of Equity and Parity amongst its contract employees for different posts in the matter of appointment, payment of salaries, pay scales, regular increments and other benefits as prescribed by the Science & Technology department,



Government of Bihar, Patna.

(III) For a direction upon the Respondents for payment of Balance/ Difference of salaries to the Petitioner for the post of Programmer since 16.11.2018 up to date.

(IV) For a direction upon the Respondents for payment of balance and difference of salary to the Petitioner from November 2018 to February 2019 as he was just paid Rs. 15,000/ although prior enhancement was made.

(V) For a further direction to the Respondent to regularize the service of the Petitioner or Job Security may be given till his date of retirement up to 60 Years.

(VI) For a direction to the Respondent for payment of Regular Increment to the Petitioner upon the Pay Scale/Salary prescribed by the Science & Technology department, Government of Bihar and not according to policy of the BELTRON.

(VII) For a direction upon the Respondent to grant the Petitioner facilities of the EPF and ESIC and other facilities granted to its employees by the Government of



Bihar.

(VIII) For grant of such other Relief/Reliefs to the Petitioner as this Hon'ble Court deems fit and proper.

(IX) For holding that illegality and discrimination is being done by the Respondents in case of the Petitioner whose post of Computer Programmer has been recommended and placed under Level 8 category by the Bihar State Pay Commission in its Seventh Pay Commission Report of Year 2017 and has been given a Minimum basic Salary of Rs. 47,600/ but the Petitioner is being paid only Rs. 22,557/-by the BELTRON in comparison to other like Contractual employees like Foreman (Karm Pramukh), Instructors and Lab Assistants who have placed in Level 6 category with a Minimum basic salary of Rs.35,400/ who are also being paid fixed salary by the BELTRON but it is much higher amount than that paid to the Petitioner.

(X) For a direction upon the Respondent to pay the Petitioner the Minimum basic amount of Rs. 47,600/- Per Month for Level-8



employees with other emoluments as prescribed by the Bihar State Pay Commission or Pay the Minimum basic amount of Rs. 45,312/- Per Month with other facilities as prescribed by the BELTRON through its Memo No.1116 dated 31.08.2018 and not pay him just Rs.22,557/- Per Month.

(XI) For holding that deliberate discrimination has been done in case of the Petitioner in payment of Salary/Pay Scale/Other benefits by the Respondents and thus there is complete violation of Article 14 and 16 of the Constitution of India.

3. Learned counsel for the petitioner submits that, for redressal of his grievance, he has filed a representation before the Director, Science and Technology Department, Government of Bihar, Patna.

4. Learned counsel for the State submits that no benefit should be granted to the petitioner, as he is not an employee of the State of Bihar, however, he admits that the petitioner's representation is still pending.

5. Learned counsel for BELTRON submits that, at present, the petitioner has no grievance against BELTRON,



rather, he is seeking relief from the Director, Science and Technology Department, Government of Bihar, Patna

6. It transpires to this Court that the petitioner's representation has been pending for a long time and, admittedly, no order has been passed thereon.

7. In view of the above, the petitioner is directed to file a fresh representation, raising all grievances mentioned in the present writ petition or any other points available to him, within 30 days from today. The Director, Science and Technology Department, Government of Bihar, Patna (Respondent No. 4), is hereby directed to pass a reasoned and speaking order on the representation filed by the petitioner within 90 days thereafter.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

