HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 21616/2026
CNR: RJHC020973682026 | URN: CW / 45381U / 2026

Vishnu Mali S/o Chiranji Mali, Aged About 32 Years, R/o Vpo Barkheda, District Karauli, Rajasthan.

----Petitioner

Versus

1 State Of Rajasthan, Through Principal Secretary, School Education Department, Government Secrtariat Rajasthan, Jaipur, Rajasthan.

2 The Director, Secondary Education, Rajasthan, Bikaner.

3 The Election Registration Officer (S.d.m.), Sapotara, District Karauli.

----Respondents

For Petitioner(s)	:	Mr. Ram Pratap Saini with Mr. Amir Khan
For Respondent(s)	:	Ms. Namita Parihar

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

28/10/2026

1. Learned counsel for the parties are in agreement that the controversy involved in the instant writ petition has already been decided by the Co-ordinate Bench of this Court at principal seat at Jodhpur in the case of Ten Singh v. State of Raj. & Anr. While deciding SBCWP No.12975/2025 vide order dated 22.07.2025.

2. Learned counsel for the petitioner submits that the petitioner is holding the post of Sr. Teacher in Government Senior Secondary School, Kudgaon, Sapotara, Karauli and his name does not find place in the electoral roll the area for which he has been appointed

as BLO, yet he has been appointed as Booth Level Officer vide impugned order dated 15.12.2026.

3. Learned counsel for the petitioner further submits that the issue involved in the instant writ petition has been examined by the Co-ordinate Bench of this Court at Principal Seat at Jodhpur in the case of **Ten Singh (supra),** wherein the following observations and directions were given:-

> *".....16. What can be interpreted and concluded from the above Clauses is that the first priority for appointment of Booth Level Officer is to be given to those regular State/local Government employees who are the electors of the concerned area where they are to be deployed as BLOs. 17. If no employee falling in the above category is available, the BLOs can be appointed amongst the Anganwadi workers, Contract Teachers or Central Government employees. But then, they also ought to be the elector of the concerned electoral area. However, if such employees are to be deployed, a 'Non-availability Certificate' was to be procured by the CEO. 18. In case of non-availability of the employees of both the above categories i.e. the regular or the contractual employees who are the electors of the concerned electoral area, adherence to Clause 1.3of the guidelines could be made. Clause 1.3 of the modified guidelines of ECI specifically*

provides for appointment of BLOs from all such categories of employees who are working in the areas covered by that part of electoral roll. The only essential requirement in terms of Clause 1.3 of the guidelines is that it ought to have a prior approval of CEO. 19. Coming on to the present matters, as has been submitted in the reply to the writ petitions, the non-availability of both the categories of employees as prescribed in Clause 1.1 & 1.2 of the guidelines was ensured by the respondents before adhering to Clause 1.3 of the modified guideline. 20. So far as prior approval of CEO in terms of Clause 1.3 is concerned, there is no dispute on the same as such approval has been obtained and the relevant documents have even been annexed along with the reply. 21. In view of the above, the ground as raised on behalf of the petitioners to the effect that in no case, the employees working in the concerned area could be deployed as BLOs without first obtaining the 'Non-availability Certificate' qua regular State/local Government employees or the other contractual and Aanganwadi workers, is not tenable. 22. Evidently, the respondents have adhered to Clause 1.3 of the guidelines and as observed above, the only requirement for the said purpose is the approval of CEO, which has

been taken. 23. The orders impugned on that count therefore,do not deserve any interference. 24. Coming on to the ground that regular State/local Government employees and Aanganwadi workers who are the electors of the concerned electoral area are available and despite such candidates being available, the petitioners have erroneously been deployed without adhering to Clause 1.1 and 1.2 of the guidelines. This Court is of the opinion that the said aspect can be takencare of by directing the respondent authorities to consider the representation of the petitioners on that aspect."

4. Learned counsel for the petitioner prays that he may also be permitted to file a detailed representation before the Competent Authority for redressal of his grievances in light of aforesaid judgment of the Coordinate Bench of this Court at Principal seat at Jodhpur in the case of **Ten Singh (supra).**

5. In light of above, the instant writ petition stands disposed of with liberty to the petitioner to make a representation before the Competent Authority against the impugned order dated 15.12.2026. The Competent Authority shall pass a speaking order after considering the aforesaid judgment of **Ten Singh (supra)** within a period of 15 days from the date of receipt of representation along with a copy of this order.

6. Ordered accordingly.

7. Pending application(s), if any, shall stand disposed of.

(ANOOP KUMAR DHAND),J

GAURAV SHARMA/44