

बिहार सरकार
शिक्षा विभाग
::आदेश::

पटना, दिनांक ...14/08/26.....

सचिका संख्या-07/परि0-16-08/2026-...2410...../ यह आदेश माननीय उच्च न्यायालय, पटना द्वारा सी0डब्लू0जे0सी0 सं0-5342/2025 बजरंग पाठक एवं अन्य बनाम राज्य सरकार एवं अन्य में दिनांक-23.12.2025 को पारित आदेश के अनुपालन में निर्गत किया जा रहा है।

2. उक्त वर्णित वाद में माननीय उच्च न्यायालय, पटना द्वारा पारित न्यायादेश का कार्यकारी अंश निम्नवत है:-

"..... 8. Having considered the aforesaid facts and circumstances as well as the position in law, as held by the learned Single Judge as well as Division Bench of this Court, this Court deems it apt and proper to dispose off the writ petition with a direction to the respondent no. 4 to take up the representation of the petitioners dated 25.07.2025, the copy of which is marked as Annexure-P/9 to the writ petition and bring to its logical conclusion, preferably within a period of eight weeks, from the date of receipt/production of a copy of this order.

9. It is made clear that if the claim of the petitioners find identical to those, who have been accorded the relief, as prayed for in the writ petition, the identical relief must be accorded to the petitioner, subject to the final outcome of the aforementioned SLP."

3. उक्त पारित न्यायादेश के क्रम में याचिकाकर्तागण द्वारा विभाग को अभ्यावेदन उपलब्ध कराया गया। अभ्यावेदन उपलब्ध कराने के उपरांत वादीगण को सुनवाई का मौका देते हुए दिनांक-18.06.2026 तथा दिनांक-08.07.2026 को अधोहस्ताक्षरी के समक्ष अपना पक्ष प्रस्तुत करने का अवसर दिया गया, जिसमें वादीगण द्वारा अपना पक्ष प्रस्तुत किया गया।

4. प्रस्तुत वाद में वादीगण का कथन है कि हमलोगों को विभिन्न नियोजन इकाईयों में नगर/पंचायत /प्रखण्ड शिक्षक के पद पर अप्रशिक्षित शिक्षक के रूप में वर्ष 2013-14 में नियुक्ति हुई। विभाग द्वारा हमलोगों को सत्र 2014-16, 2015-17 एवं 2016-18 में प्रशिक्षण हेतु भेजा गया था। साथ ही प्रस्तुत वादी की याचिका के अवलोकन से स्पष्ट होता है कि सत्र 2014-16 के वादीगण को दिनांक-21.06.2016 को, सत्र 2015-17 के वादीगण को दिनांक-30.06.2017 को तथा सत्र 2016-18 के वादीगण को दिनांक-31.05.2018 को अपने मूल विद्यालय/नियोजन इकाई/प्रखण्ड शिक्षा पदाधिकारी के कार्यालय में योगदान हेतु विरमित किया गया है। उक्त तीनों सत्र की परीक्षा एक ही बार आयोजित की गयी, जिसके परीक्षाफल का प्रकाशन दिनांक-19.01.2019 को किया गया।

5. अंकनीय है कि प्रस्तुत वाद के वादीगण का नियोजन बिहार पंचायत प्रारंभिक शिक्षक (नियोजन एवं सेवाशर्त) नियमावली, 2012 के तहत अप्रशिक्षित शिक्षक के पद पर नियोजन इकाई द्वारा किया गया है एवं वादीगण को सेवाकालीन प्रशिक्षण की सुविधा विभाग द्वारा उपलब्ध कराया गया। उक्त मामले में विभागीय आदेश ज्ञापांक-547 दिनांक-22.06.2020 द्वारा सी0डब्लू0जे0सी0 सं0-16165/2019 (किशोर कुमार) में संबंधित वादीगण को

प्रशिक्षणचर्या पूर्णता की तिथि से प्रशिक्षित शिक्षक का वेतनमान वैचारिक (Notionally) रूप से तथा परीक्षाफल प्रकाशन की तिथि से वित्तीय लाभ दिये जाने का निर्णय लिया गया था।

6. उक्त के विरुद्ध सी०डब्ल्यू०जे०सी० सं०-7938/2020 मनोज कुमार एवं अन्य में माननीय न्यायालय में दायर किया गया। माननीय न्यायालय द्वारा दिनांक-01.02.2021 को न्यायादेश पारित किया गया, जिसका कार्यकारी अंश निम्नवत् है:-

".... The respondents are directed to ensure that the petitioners are paid pay scale/grade pay which they are entitled to from the date of completion of training i.e. May, 2017. The arrears of salary shall be calculated accordingly and paid to them within a period of three months from the date of receipt/production of a copy of this order..."

7. उपरोक्त पारित आदेश कि विरुद्ध विभाग द्वारा LPA No 456/2021 दायर किया गया, जिसमें माननीय उच्च न्यायालय, पटना द्वारा दिनांक-03.04.2025 को न्यायादेश पारित करते हुए सी०डब्ल्यू०जे०सी० सं०-16165/2019 (किशोर कुमार) में निर्गत विभागीय आदेश ज्ञापांक-547 दिनांक-22.06.2020 द्वारा प्रशिक्षणचर्या पूर्णता की तिथि से प्रशिक्षित शिक्षक का वेतनमान वैचारिक (Notionally) रूप से तथा परीक्षाफल प्रकाशन की तिथि से वित्तीय लाभ दिये जाने के निर्णय को नकारते हुए उक्त अपील को खारिज कर दिया। उक्त आदेश का कार्यकारी अंश निम्नवत् है:-

"....In this backdrop, appellants cannot take decision of notional benefits when the order is very specific to the extent that necessary decision in this regard with all consequential monetary benefits must be taken by the Director. The same decision has been passed in number of cases including the present case. The appellants have taken their own time to publish the result with reference to completion of training course in the month of May, 2017. For no fault on the part of the respondents, denial of certain service and monetary benefits on behalf of the appellants would be arbitrary, therefore, the appellants have not made out a case so as to interfere with the impugned order of the learned Single dated 01.02.2021 passed in passed in CWJC No. 7938 of 2020..."

8. उक्त पारित आदेश के विरुद्ध विभाग द्वारा माननीय सर्वोच्च न्यायालय, नई दिल्ली में SLP (Civil) Diary No(S)- 66035/2025 दायर किया गया। उक्त दायर वाद में माननीय सर्वोच्च न्यायालय द्वारा दिनांक-15.01.2026 को न्यायादेश पारित कर माननीय उच्च न्यायालय, पटना द्वारा LPA No 456/2021 में दिनांक-03.04.2025 को पारित न्यायादेश को यथावत रखते हुए संबंधित SLP को खारिज कर दिया गया।

9. यहां यह भी अंकनीय है कि माननीय सर्वोच्च न्यायालय, नई दिल्ली द्वारा Civil Appeal No-1385/2025 अंजुमन इशात-ए-तालीम संगठन बनाम महाराष्ट्र राज्य एवं अन्य में दिनांक-01.09.2025 को न्यायादेश पारित किया गया है जिसके अनुसार सभी विद्यालयों में कक्षा-1 से 8 में अध्यापक के रूप में नियुक्ति की पात्रता हेतु न्यूनतम योग्यता अंतर्गत राष्ट्रीय

अध्यापक शिक्षक परिषद द्वारा निरूपित मार्गदर्शी सिद्धान्तों के अधीन उपयुक्त सरकारों द्वारा आयोजित अध्यापक पात्रता परीक्षा (टी०ई०टी०) में उत्तीर्ण होना अनिवार्य है।

10. उपरोक्त वर्णित परिप्रेक्ष्य में संबंधित जिला शिक्षा पदाधिकारी को निदेश दिया जाता है कि याचिकाकर्ताओं की सेवापुस्तिका तथा संबंधित प्रमाणपत्रों की जाँच करेंगे। यदि स्थानीय निकाय शिक्षक अंतर्गत उनकी नियुक्ति तिथि 31.03.2015 के पूर्व की है तथा उन्होंने प्रथम प्रयास में प्रशिक्षण परीक्षा उत्तीर्ण किया है एवं टी०ई०टी० उत्तीर्ण है तो उन्हें प्रशिक्षणचर्या पूर्णता की तिथि से प्रशिक्षित शिक्षक के वेतनमान का वित्तीय लाभ देते हुए अंतर वेतन का भुगतान सुनिश्चित करेंगे। साथ ही इससे इत्तर यदि कोई मामला हो तो उसे अधोहस्ताक्षरी के संज्ञान में लाकर ही उस पर निर्णय लिया जाय।

अतएव उक्त अभिमत के साथ प्रस्तुत मामले को निस्तारित किया जाता है।

(कुमार निशांत विवेक)

निदेशक, प्राथमिक शिक्षा

ज्ञापांक-07 / परि०-16-08 / 2028..... 2410 पटना, दिनांक 14.10.2026

प्रतिलिपि:— 1-Bajrang Pathak S/o- Kunwarnath Pathak, Resident of Village and P.O.- Karanpur, Ward No.05, P.S.- Supaul, Distt.- Supaul, Presently posted as Panchayat Teacher at Primary School Kathi Mehta Tola Chhatapur, Supaul.

2. Swapanil Kumar Ram S/o- Satish Chandra Ram, Resident of Village, P.O.and P.S.- Kunauli, Distt- Supaul, Bihar, presently posted as Nagar Teacher at Near Degree College Supaul.

3. Roushan Kumar S/o- Mahendra Ram, Resident of Village and P.O.- Bina, and P.S.- Supaul, Distt- Supaul Bihar, Presently posted as Panchayat Teacher at N.P.S. Mushari Tola Supaul.

4. Mahesh Kumar Chodhary S/o- Dinesh Chudhary, R/o- Nagar Parisad, Sonar Tola Mallick Chowk, Ward No. 23, P.O. and P.S.- Supaul, Distt- Supaul, Bihar, Presently posted as Prakhand Teacher at U.M.S. Jharkaha Bhatthi Shankarpur, Madhepura.

5. Ranjit Kumar Thakur S/o- Amarnath Thakur, R/o- Bhelahi, Ward No.-19, P.S.- Supaul, Distt- Supaul, Bihar, Presently posted as Panchayat Teacher in Primary School Nav Tola Thumha Supaul.

6. Amlash Kumar S/o- Sitaram Sharma, Resident of Village- Keshav Nagar, P.S.- Pipara, Distt- Supaul, Bihar, Presently posted Panchayat Teacher at Primary School Mushari Tola Belahi Supaul.

7. Santosh Kumar Son of Late Jagrup Rajak, R/o Near Railway Dhala, Ward No-19, Bhirkhi, P.S.- Madhepura, Distt- Madhepura Bihar, Presently posted as Prakhand Teacher at UMS Jharkaha Bhatthi Shankarpur, Madhepura.

8. Amim Alam S/o- Md. Shamim Alam, R/o- Samastipur, Ward No.13, P.S.- Bhaktiarpur, Distt- Saharsa, Bihar, Presently Prakhand Teacher at Girl Middle School Chausa Madhepura.

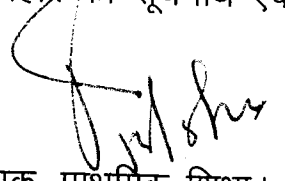
9. Saquib Naiyar S/o- Md. Mashir Siddiquee, R/o- Ward No.05, Chausa Paschim, P.S.- Chausa, Distt- Madhepura, Bihar, Presently posted as Prakhand Teacher at U.M.S. Laxminia Chousa, Madhepura.

10. Md. Saheb Jamal S/o- Md. Suleman Akhter, R/o- Mahammadia, P.S.- Dagarua, Distt.- Purnia, Bihar, Presently Posted as Panchayat Teacher at Primary School Poura Tola Chousa, Madhepura.

11. Ajay Kumar S/o- Shiv Shankar Ram, R/o- Ward No.12 Maricha, P.O.- Kahrel, P.S.- Supaul, Distt- Supaul Bihar, Presently Posted as Panchayat Teacher at Middle School Ganeshpur Supaul.
12. Rupesh Kumar Ram S/o- Saini Ram, R/o- Sukhasan, Ward No.-09, VTC P.O- Sukhasan, P.S.- Singheshwar Distt- Madhepura, Bihar, Presently Posted as Panchayat Teacher at Primary School Shiv Dayalpur Madhepura.
13. Vartika D/o- Sri Roy Dwijendra Rana, R/o- Shivpuri, Ward No.-14, P.O.- Saharsha P.S.- Shivpuri, Distt- Saharsa, Bihar, Presently Posted as Prakhnd Teacher at U.M.S. Baijnathpatti, Saharsa.
14. Bablu Kumar S/o- Surendra Choudhary, R/o- Kariho, Ward No.16, Navtol P.O.- Kariho P.S.- Supaul, Distt.- Supaul, Bihar, Presently Posted as Panchayat Teacher at Girl Primary School Sukhpur Supaul.
15. Santosh Kumar Mehta S/o- Jai Narayan Mehta, R/o- Ward No.14 Sripura Sukshan, P.O- Sripur Sukshan P.S.- Kishanpur, Distt- Supaul, Pin Code- 852138, Presently Posted as Panchayat Teacher at Middle School Chainpatti Hindi Supoul.
16. Mithilesh Kumar S/o- Ram Prasad Mahto, R/o- Nandenagar Tamuria P.O.- Tamuria, P.S- Lakhnour, Distt- Madhubani, Pincode- 847410, Presently Posted at as Prakhnd Teacher Graduate at Upgraded Middle school Ganeshpur Block Marouna, Distt- Supoul.
17. Surendra Kumar S/o- Vishnudeo Prasad Yadav, R/o- Chukti, P.O. and P.S.- Mansi, Distt.- Khagaria, Pincode- 851214, Presently Posted as Prakhnd Teacher at Middle School Hardiya Purnwas Chautham Khagaria.
18. Piyush Kumar S/o- Ashok Kumar Choudhary, R/o- Bharso, P.S.- Parbatta, Distt.- Khagaria, Pincode- 851216. Presently Posted as Panchayat Teacher at Primary School Ambedkar Nagar Bharso, Distt- Khagaria.
19. Amit Kumar S/o- Brajesh Choudhary, R/o- Ward No.10 Netaji Gali Sidhi Ghat, P.O. and P.S.- Khagaria, Distt.- Khagaria, Pincode- 851204. Presently Posted as Prakhnd Teacher at Middle School Sauradih Sahita, Khagaria.
20. Santosh Kumar S/o- Lakshmi Prasad Singh, R/o- Ward No.2, Haripur Near Post Office, P.O.- Haripur, P.S.- Aloili, Distt.- Khagaria, Pincode- 848203. Presently Posted as Panchayat Teacher at Primary School Chirotna, Khagaria.
21. Mukesh Kumar S/o- Om Prakash Paswan, R/o- Ward No.11 Sabalpur, P.O.- Marar, P.S.- Morekahi, Distt- Khagaria Pincode- 851205. Presently Posted as Panchayat Teacher at Primary School Ghandi Rasoik Khagaria.
22. Shambhu Kumar S/o Jai Narayan Paswan, R/o- Ward No.05 Bhaptiahi, P.O.- Bhaptiahi, P.S.- Bhaptiahi, Distt- Supaul Pincode- 852105. Presently Posted as Panchayat Teacher at Primary School Chain Singh Patti, Distt.- Supaul.
23. Kumar Suman S/o- Upendra Yadav, R/o- Ward No.26 Bhirkhi Garib Tola, P.s. and Distt- Madhepura, Pin Code- 852113. Presently Posted as Prakhnd Teacher at Middle School Babm Biyani Madhepura.
24. Niraj Kumar Mandal S/o- Awadhesh Prasad Mandal, R/o- Ward No.12, Mandal Tola Hathiaundha P.O.- Hathiaundha, P.S.- Bihariganj, Distt- Madhepura, Pin Code- 852101. Presently Posted as Prakhnd Graduate Teacher at Upgraded Middle School Belasaddi, Madhepura.
25. Manjita Rani W/o- Pradip Jha, R/o- Ward No.-03 Belasaddi Kumar Khand P.O.- Ram Nagar Bazar, P.S.- Shree Nagar Distt.- Madhepura, Pincode- 852112. Presently Posted as Prakhnd Graduate Teacher at Upgraded Middle School Belasaddi Madhepura.
26. Vikas Kumar Mandal S/o Shrikant Mandal, R/o- Ward No.-12 Hatiaundha, P.O.- Hatiaundha P.S.- Bihariganj, Distt- Madhepura, Pin Code- 852101. Presently Posted as Prakhnd Graduate Teacher at Upgraded Middle School Hathioundha Chandi Tola, Madhepura.

27. Kumari Sharmila Mandal W/o- Ajit Kumar Sharma, R/o Ward No.12 Kishunpur, P.O.- Kishunpur Ratwara P.S.- Kishunpur, Distt.- Madhepura, Pincode- 851022. Presently Posted as Prakhand Graduate Teacher at Middle School Kapsiya Distt.- Madhepura.
28. Ganesh Kumar Son of Dani Yadav, R/o- Ward No.03, Itwa Rupauli Singheshwar P.S.- Gamhariya, Distt.- Madhepura.
29. Birendra Kumar Son of Prithivi Sharma, Resident of Village- Ward NO.16, Piprahi P.O.- Dinapatti, P.S.- Pipra, Distt.- Supaul.
30. Ritesh Ranjan S/o- Ram Naresh Prasad, New Kunj Colony, Bhadurpur Bazar Samiti, Rajendranagar, P.O- Rajendra Nagar, Distt.- Patna. Om Prakash Yadav S/o- Lagan Dev Shah, R/o- Rajmaniniwas, Near Indu Devi House No.9/12, Nea Alkapuri, Phulwari Anisawad, Distt.- Patna.
32. Balanand Jha S/o- Yogendra Jha, R/o- Chainpur P.O.- Baluya Bazar P.S.- Chhatapur, Distt.- Supaul Pincode- 854339. Presently Posted as Panchayat Teacher at Primary School Rishidev Tola Chainpur Supaul.
33. Kanchana kashyap W/o- Nalin Kishor Chaudhary, R/o- Flat No. 507, Mahavir Enclave Ambedkar Path Near Shyamal Hospital P.S- Rukanpura, Distt.- Patna. Presently Posted as Panchayat Teacher Kanya Middle School, Maner Patna.
34. Prakash Kumar S/o- Suryamani Prasad Singh, R/o- Vill- Belaur, P.O.- Chandi Mow, P.S.- Rajgir, Distt.- Nalanda, Pincode- 803109. Presently Posted as Nagar Teacher at P.S. Mitma Distt.- Nalanda.
35. Rajeev Kumar S/o- Umesh Kumar Chakravarty, R/o- Vill- Dwarika Bigha, P.S.- Tharthari, Distt.- Nalanda, Pincode- 801307. Presently Posted as Prakhand Teacher at U.M.S. Chainpur, Distt.- Nalanda.
36. Santosh Kumar S/o- Siddheshwar Prasad, R/o- Imamganj P.O.- Sohsarai, P.S.- Rauji, Distt.- Nalanda, Pincode- 803118. Presently Posted as Prakhand Teacher at Upgraded Middle School Machhaldiha, Distt.- Nalanda.
37. Kumari Swarn Pushpa Rani D/o- Shashi Bhushan Prasad, R/o- Gopalpur, P.O.- Gopalpur, P.S.- Warsaliganj, Distt.- Nawada, Pincode- 805130. Presently Posted as Prakhand Teacher at U.M.S. Koiri Bigha, Distt.- Nalanda.
38. Kumari Shalini Sinha D/o- Shyam Sundar Prasad, R/o- Manachak, P.O.- Kanarkalla, P.S.- Sarmera, Distt.- Nalanda, Pin code 811101. Presently Posted as Panchayat Teacher at Naya Primary School Pitamber Bigha Bind Distt.- Nalanda.
39. Ashutosh Kumar S/o- Yogendra Prasad Sinha, R/o- Rani Sarai P.O.- Bhadur Ganj P.S.- Giriyaachak, Distt.- Nalanda. Presently Posted as Prakhand Teacher at Upgraded Middle School Koiribigha, Distt.- Nalanda.
40. Sarda Kumari D/o- Jainendra Prasad, R/o- Chakhazari P.O.- Kaliyachak, P.S.- Hilsa Distt.- Nalanda Pin Code- 801304, Presently Posted as Prakhand Teacher at U.M.S. Jafra Ben Distt.- Nalanda.
41. Anant Kumar Son of Arjun Prasad, Resident of Vill- House No.15 Ward No.-7 Nirpur P.S.- Silow Distt.- Nalanda Pin Code- 803111, Presently Posted as Prakhand Teacher at U.M.S. Madhi Distt.- Nalanda.
42. Vishnu Shankar Singh Son of Brajnandan Singh, Resident of Village- Lakaiyapar Khaira P.O.- Khaira P.S.- Ben Distt.- Nalanda, Pin Code- 803114. Presently Posted as Panchayat Teacher at Primary School Paschami Bigha, Distt.- Nalanda.
43. Sanjay Kumar Son of Ajit Kumar Singh, Resident of Village- Nona Surajpu P.S.- Silow Distt.- Nalanda, Pin Code- 803111. Presently Posted as Panchayat Teacher at Primary School Hari Harpur Distt.- Nalanda.
44. Vikash Kumar Singh Son of Rajo Singh, Resident of Village- Jhing Nagar P.O. and P.S.- Biharsharif Distt.- Nalanda Pin Code- 803101. Presently Posted as Prakhand Teacher at Mahmadpur, Distt.- Nalanda.

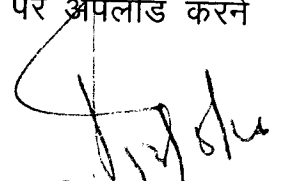
45. Tarun Paswan Son of Birmani Paswan, R/o- Kathanpura P.O.- Ajaypur, P.S- Nursarai, Distt.- Nalanda, Presently Posted as Panchayat Teacher at Primary School Ghostama Mushari, Distt.- Nalanda.
46. Rajesh Chandra Son of Surendra Singh, R/o- Nari P.O.- Jagdishpur, P.S.- Nursarai Distt.- Nalanda Pin Code- 803114. Presently Posted as Panchayat Teacher at Primary School Ujarpur Distt.- Nalanda.
47. Vikash Kumar Son of Sheo Kumar Prasad, R/o- Mandi P.O.- Mandi P.S.- Ben, Distt.- Nalanda Pin Code- 803111. Presently Posted as Prakhand Teacher at Middle School Ram Ganj Nalanda.
48. Brajesh Kumar Son of Om Prakash Paswan, R/o- Sabalpur P.O.- Marar P.S- Morkahi Distt.- Khagaria. Presently Panchayat Teacher at Primary School Titar Tola Khutiya, Distt- Khagaria.
49. Mulen Kumar Son of Ramotar Paswan, R/o- Sabalpur Marar P.O.- Marar, P.S.- Morkahi Distt.- Khagaria, Presently Posted as Panchayat Teacher at Primary School Bisbitti, Distt.- Khagaria.
50. Diwakar Kumar Son of Bano Poddar, R/o- Marar Dakshini, P.O.- Marar, P.S.- Morkahi, Distt- Khagaria Pin Code- 851205. Presently Posted as Prakhand Teacher at Middle School Marar, Distt.- Khagaria को सूचनार्थ प्रेषित / 2. सभी जिला शिक्षा पदाधिकारी, बिहार को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।


निदेशक, प्राथमिक शिक्षा।

ज्ञापांक-07/परि-16-08/2026.....2410.....

पटना, दिनांक 14/08/26.....

प्रतिलिपि:- आई०टी० मैनेजर, शिक्षा विभाग को विभागीय वेबसाईट पर अपलोड करने हेतु सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।


निदेशक, प्राथमिक शिक्षा।