Jayant Kumar Rath **DURGESH NARAYAN RATH** [O. H. C.-97-A] A.K.SAA, S.DAS, In the High Court of Orissa MIS Mahendra fre. Sahoo **ORDER SHEET** Aurobinda Sahoo Q PW. P. (C) **Wa<u>No. 1211/202</u>4**f 20_ (R5Y,546) Petitioner EA-040-2258 TAPASWINI JENA Versus DC2. **STATE OF ODISHA** Opposite-Party Sl. No. Office note as to action (if any), Date of ORDER WITH SIGNATURE ofOrder Order taken on Order PRESENTED ON 14/05/2024 **Register and Put up for** Orders 00360 SCANNED **Registrar (Judicial)** MP(U) -1 8706/2013 tagg. bebau. 4



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1211 of 2024

Tapaswinin Jena

Appellant

Mr. Jayant Kumar Rath, Senior Advocate assisted by Mr. D.N. Rath, Advocate -versus-

State of Odisha and others Respondents Mr. R.N. Mishra, Additional Government Advocate for State

CORAM: THE CHIEF JUSTICE MR. JUSTICE MURAHARI SRI RAMAN

ORDER 17.05.2024

Order No.

01.

This matter is taken up through Hybrid mode.

2. As requested by Mr. Jayant Kumar Rath, learned Senior Counsel appearing on behalf of the appellant, list this matter on Monday, i.e. on 20.05.2024.

(Chakradhari Maran Singh) **Chief** Justice

(M.S. Raman) Judge

S. Behera



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A. No.1211 of 2024

Tapaswini Jena

Appellant

Mr. J.K. Rath, Sr. Advocate

-versus-

State of Odisha and others

Respondents

Mr. R.N. Mishra, AGA

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER 20.05.2024

Order No.

. 02.

This matter is taken up through Hybrid Mode.

2. As jointly requested on behalf of the parties, list this matter on 03.07.2024 along with other connected matters and W.A. No.1326 of 2024. In the meanwhile, let the pleadings and other documents be exchanged amongst the parties.

(Chakradhari Sharan Singh) Chief Justice

(M.S. Raman) Judge

MRS/laxmikant



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A. No.1211 of 2024

Tapaswini Jena

Appellant

Mr.J.K.Rath, Sr. Advocate alongwith Mr.Durgesh Narayan Rath, Advocate

-versus-

State of Odisha and others

s Respondents Mr.Saswat Das, AGA (for Respondents No.1, 2 & 3) Mr.Mahendra Kumar Sahoo, Advocate (for Respondents No.4, 5 & 6)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MS. JUSTICE SAVITRI RATHO <u>ORDER</u> 03.07.2024

Order No.

03.

This matter is taken up through Hybrid mode.

2. Issue notice.

3. Mr. Saswat Das, learned Addl. Government Advocate accepts notice on behalf of Respondents No.1 to 3. Mr. Mahendra Kumar Sahoo, learned counsel accepts notice on behalf of Respondents No.4, 5 and 6.

4. Let required number of copies of the memo of appeal be served upon the learned counsel for the above noted Respondents within a week.

5. List this matter on 24.07.2024.

(Chakradhari Sharan Singh) Chief Justice

(Savitri Ratho) Judge

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IN THE HIGH COURT OF ORISSA AT CUTTACK W.A. No. 1211 of 2024

Tapaswini Jena

Appellant

Mr. J. K. Rath, Advocate along with Mr. Durgesh Narayan Rath, Advocate -versus-

State of Odisha & Others

Respondents

Mr. Saswat Das, A.G.A. (for Respondents No. 1, 2 & 3) Mr. Mahendra Kumar Sahoo, Advocate (for Respondents No. 4, 5 & 6)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MISS JUSTICE SAVITRI RATHO

<u>ORDER</u>

25.07.2024

04.

Order No.

This matter is taken up through Hybrid mode.

2. As jointly requested on behalf of the appellants in the batch of

Appeals listed today list the cases on 30.07.2024.

(Chakradhari Sharan Singh) **Chief** Justice

(Savitri Ratho) Judge

Subhalaxmi



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A. No. 1211 of 2024

Tapaswini Jena

Appellant

Mr. J. K. Rath, Advocate along with Mr. Durgesh Narayan Rath, Advocate -versus-

State of Odisha & Others

Respondents

Mr. Saswat Das, A.G.A. (for Respondents No. 1, 2 & 3) Mr. Mahendra Kumar Sahoo, Advocate (for Respondents No. 4, 5 & 6)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER 30.07.2024

Order No.

05.

This matter is taken up through Hybrid mode.

2. As requested by learned counsel for the parties, list the matter and the connected matters listed today, on 13.08.2024.

(Chakradhari Sharan Singh) Chief Justice

(Savitri Ratho) Judge

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Subhalaxmi



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A. No. 1211 of 2024

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-versus-

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Tapaswini Jena

Appellant

Mr. J.K. Rath, Senior Advocate along with Mr. A.K. Saa, Advocate

State of Odisha and others

Respondents

Mr. Saswat Das, A.G.A. (for Respondent Nos.1, 2 and 3) Mr. M.K. Sahoo, Advocate (for Respondent Nos.4, 5 and 6)

CORAM:

HON'BLE THE CHIEF JUSTICE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER 14.08.2024

Order No.

05.

This matter is taken up through hybrid Mode.

As requested on behalf of the appellant, list this matter on
 28.08.2024 along with connected matters.

(Chakradhari Sharan Singh) Chief Justice

> (Savitri Ratho) Judge

Sukanta/Puspa

D-WA-18419/24 IN THE HIGH COURT, OF ORISSA V 1211 Case No. _ m

OFFICE NOTES

	Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
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IN THE HIGH COURT OF ORISSA

Case No. 111-1211/2024

OFFICE NOTES

Sl. No. of Date of Order for Notes and action taken on order with Order for compliance signature of Dealing Assistant and Superintendent compliance -For -Freeh Admission (i) S.A NO-2258/2024 is afflag A, for stay. -Alongueth INRI)-18706/2015 (a deg. glene) Nerreym Mugle 13.5-2024 D-B DTE INIPUS - 18706/2013 affailed uch ma-1137/2024. Order No-02. 20. F. 24 Office Note daled 15.5.24 on above mary kindle be lested hip(c)-18706/2015 Sent to let on 20.6.24 for Rev in ma-1137/2024, A MA-1215/22, 1251/22 21326/24 and Fending causes with separate note DB Neirayon mideles Adm +0.3/7 2. 7.21 27

IN THE HIGH COURT OF ORISSA

Case No. 1NA-1211/2024

OFFICE NOTES

Sl. No. of Date of Order for			Notes and action taken on order with	
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IN THE HIGH COURT OF ORISSA

Case No. 111-1211/2024

OFFICE NOTES

Notes and action taken on order with Sl. No. of Date of Order for compliance Order for signature of Dealing Assistant and Superintendent compliance OBERT NO-05. 05 14.08-2024 -For Admisselm i) In 110 - 2258/2024 de at flag A. for stay (W) IA NO - 5153/2024 is at flog B' for stay of the order attel 05.7. 2024 paesed in Mise Case No- 23/2024 ((1) Recept showing service lapy of 3 set of extra Capide of which appeal DB -Almqueth INIP(C) - 28706/15 (adm. Deare) Amy-1157/1215,1251& 1378/24 are perfing Once with separate note. Norepon Muedi Adn. Care

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Filing No Date and Time Case No Registration Date and Time Misc Case/IA Petitioner Name Petitioner Advocate Name **Respondents** Name Respondents Advocate Amount Police Station

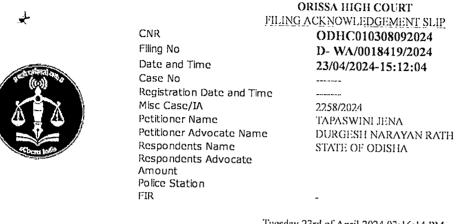
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ORISSA HIGH COURT FILING ACKNOWLEDGEMENT SLIP ODHC010308092024 D-WA/0018419/2024 23/04/2024-12:59:41 WA/1211/2024 14/05/2024 2258/2024 TAPASWINI JENA DURGESH NARAYAN RATH STATE OF ODISHA



Tuesday 14th of May 2024 01:00:36 PM





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Q-WA-18419/24 MOB. 9668227956 RFA/RSA/FAO/SAO/LPA/SPA/CRP/ Review Pet/O. Ref/EXFA/EXSA/SM/APP/ Tr. P (c) WP (c) 1. WA/SCLP Co . Appl/Co. Pet/Co.Case /Co App / Bkg. P/Mat . A/ Mat Ref/RP (FAMCT) Test Case / intest . Case /L.A. Ref/RCFA / L.A.A. / RCSA / RE Rev / MAC / MAC APP / EL pet / ELAPP / Arb, P / Arb . A / insurance Ref/ Cont. Cas (c) /Coutd . App (c) MFA(name of the Act) MSA/ SP.JC (name of the Act)Crl A / Crl .Rev / CKL.M.C / BLAPL / Cal .MAPPI /WP (crl) CUSREF STREV Date of Regn Case Type 2. if 'state' is party, Name of the Deptt: (pet, Res) [put Mark] if public Undertakings (Specify Name) : (Pet) (Res) [put Mark] (a) Number of Category under Which the matter Fails 3. : if others, Specify the Subject (b) Which is applicable ?/ [put Mark] (Sing Bench / Div Bench / Three Judge Bench / Five Judge Bench) Article of the constitution /Act (Central /state) [Put 4. he Letter + III Rulevolved 5. ub-Sectio Rules involved 6. Whether any other Matter is pending in this court on the same point of law 7. if So, give the Number of matter : Whether any other Matter is pending against the impugned order/Judgment ? 8. if So, give the Number of matter : Whether the Matter is covered by any Judgment of the supreme Court, this 9. Court or any other high Court, if so, give the details of the Judgment aneat t RevVice 10. point of law involved in the matter Date 14.04.24 Signature of the Advocate

<u>Writ Appeal (Civil) No.</u> (Arising out of W.P.(C) No. 18706 of 2015 decided on 28.03.2024) Code No: 31 ∞7-0/						
Гара	swini Jena	· · · · ·	opellant			
Vrs. State of Odisha and others Respondents <u>INDEX</u>						
Sl. No	Desc	ription of documents	Pages			
$\frac{10}{1.}$		Synopsis	A - Anl			
2.		Date Chart	B			
3.		Writ Appeal	Ĩ- 22			
4.	Annexure-1	A copy of the writ petition bearing W.P.(C) No 18706 of 2015 along with annexures appendent thereto.	h			
5.	Annexure-2		^d 34 -143 ^d 144 - 176			
6.	Annexure-3	A copy of the judgmen dated 28.03.2024 passed in W.P.(C) No. 18706 o 2015.	d			
7.	Annexure-4	A copy of the	- 200 - 203			
8. 9.	Annexure-5	A copy of the clarification dated 19.12.2011. Vakalatnama	200 - 203 204 - 200			
 Cutta	alr	By the appellant throw	ugh B			

ENROLMENT No. O-1650/2000, MOB:-9861041020

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SYNOPSIS

That the appellant by means of this writ appeal has assailed the legality and propriety of the judgment dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No. 18706 of 2015 since the same has been passed affecting the right and livelihood of the appellant and in clear nonapplication of mind. It is also alleged by the appellant that the writ petitioners by misrepresentation of facts mislead this Hon'ble Court and accordingly the order dated 28.03.2024 has been passed by the Hon'ble Single Judge.

Pursuant to an advertisement made in the year 2011, the appellant along with others applied for the post of Sikhya Sahayaks. The appellant was selected and engaged in the year 2011. Some unsuccessful candidate challenged the same before this Hon'ble Court in different writ petitions on the ground that the appellant and similarly placed other employees got vocational qualification after +2 pass and basing on the vocational qualification, they were engaged. Ultimately direction was issued to the Collector-cum-CEO to examine the same. The Collector opined that since there were no restriction to prosecute vocational course after +2 course, therefore, such acquisition of vocational

Als.

qualification cannot be termed as fraud and as such since such qualification has not yet been cancelled by the competent authority, therefore, the appointment of appellant is not illegal.

The said order of the Collector was challenged by the private respondents before this Hon'ble Court, wherein the impugned order has been passed. The appellant brought to the notice of the Hon'ble Single Judge that the in the meantime 12 years have been passed and the appellant had already been regularized as Level-V (A) Primary School Teacher, and that apart till date such certificates have not been cancelled by the competent authority, therefore, on the behest of unsuccessful candidates, the appellant should not have been ousted from her job affecting her livelihood and the livelihood of her family members.

By the appellant through

ADVOCATE

Cuttack

Dt. 14-04.2024

DATE CHART

DATE CHART					
DATE	EVENTS				
22.01.2011	An advertisement was floated for				
	engagement Sikhya Sahayaks.				
30.04.2011	The appellant was selected and				
	engaged as Sikhya Sahayak				
05.05.2015	Number of writ petitions filed				
· .	challenging such engagement				
	were disposed of vide order dated				
·	05.05.2015 directing the				
	respondent no.2 to examine and				
	take a decision				
21.08.2015 :	The respondent no.2 passed the order				
	in favour of the appellant by holding				
	that there were no restriction on that				
	date to acquire qualification and that				
	too such certificates have not been				
	cancelled by the competent authority.				
28.03.2024 :	The Hon'ble Single Judge passed the				
	judgment allowing the writ petition				
	filed challenging the order dated				
	21.08.2015 passed by the respondent				
	no.2.				

Cuttack Dt. U. 2024

By the appellant through ADVOCATE

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IN THE HIGH COURT OF OR GARANTEAC

(CIVIL APPELLATE JURISDICTION)

 Writ Appeal (Civil) No.
 2.1
 of 2024

 (Arising out of W.P.(C) No.18706 of 2015
 decided on 28.03.2024)

CodeNo: 310701

IN THE MATTER OF :

Presented on 19/5/2029 M Registrar (Judicial) An application under Clause-10 of the Letter Patent's Act read with Chapter-VIII Rule-2 of the Orissa High Court Rules.

AND

IN THE MATTER OF :

An Appeal against the judgment passed by the Hon'ble Single Judge dated 28.03.2024 passed in W.P.(C) No.18706 of 2015.

AND

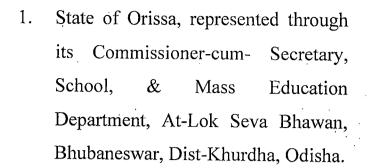
IN THE MATTER OF :

Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S- Bont, Dist-Bhadrak.

-VERSUS-

LINNITA Data of Judgersont/Awards 28-3-24 Data of Valid Presention 23-424 Total Period Recupied 26 day Limitation 36 day Descripted Copy Period 6 day Descripted Copy Period 6 day

New York Contractor • : . .n lime.. Expired of. 2. Period of delay NHMMIL 3. Court Fee 4. Authentication for due on the (a) Copy of Trial Court Judgement Rs...... Decree Remained Me NO 2 (b) Appellate Lourt Judgemunt Rommer Decree Rainerer Hor 83-24 hey From of hey 5. (a) Copy of Trita Court Judgement Order (b) Appellate Courtificational Order C-COPT judgement_ Receipt showing copy on A.G. with West (a) Cause Title (1) Provision of Law Monder 7. Code 7. Code 8. Single Judger Jivis on Heast Gase On Ch Cale 9. Other Datects. L.-NN 264.24 STAMP REPORTS



- Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, At/P.O/P.S/Dist-Bhadrak.
- District Project Coordinator of Bhadrak S.S.A., Bhadrak, At/P.O/Dist-Bhadrak.
- 4. Surekha Samal, aged about 33 years
 D/o-Biswanath Samal, At-Bimbalbar,
 P.O-Patuli, Dist-Bhadrak.
- Kalpana Panigrahi, aged about 35 years, D/o-Gourahari Panigrahi, At-Haripur, P.O-Sahar, Via-Sabaranga, Dist-Bhadrak.
- Jyotsnarani Giri, aged about 40 years,
 D/o-Kamalakanta Giri, At-Gopalpur,
 P.O-Ganijanga, Dist-Bhadrak.

..... Respondents. 7. Banajini Mishra, aged about 37 years, W/o-Jitendra Kumar Padhi, Vill-Chakabental, P.O-Keshpur, Via-Gujidarda, Dist-Bhadrak.

- Pratima Manjari Kar, aged about 41 years, W/o-Rajib Kumar Dash, At/P.O-Mamohadapur, Via-Simulia, Dist-Balasore.
- Council of Higher Secondary Education, Orissa, represented through its Secretary, At-Prajnapitha, Sambalpur, Bhubaneswar-13, Dist-Khordha.

..... Proforma Respondents.

The matter out of which this writ appeal arises was before this Hon'ble Court in W.P.(C) No. 18706 of 2015 decided on 28.03.2024.

То

The Hon'ble the Chief Justice of Orissa High Court and His Lordship's Companion Justices of the said Hon'ble Court.

The Humble petition of the Appellant named above.

MOST RESPECTFULLY SHEWETH:

1. That the appellant by means of this writ appeal has assailed the legality and propriety of the judgment dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No. 18706 of 2015 since



the same has been passed affecting the right and livelihood of the appellant and in clear nonapplication of mind. The appellant was the opposite party no.4 in the said writ petition. It is also alleged by the appellant that the writ petitioners by misrepresentation of facts mislead this Hon'ble Court and accordingly the order dated 28.03.2024 has been passed by the Hon'ble Single Judge.

2. That it is respectfully submitted that the present respondents 4 to 6, being the petitioners have filed W.P.(C) No. 18706 of 2015 challenging the order dated 21.08.2015 passed by the Collector-cum- Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No. 03/2014 pursuant to direction of this Court in W.P.(C) No. 5077 of 2014 and batch is under challenge in the present writ application.

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3. That it is respectfully submitted that the present opposite parties 4 to 6, who are the petitioners in W.P.(C) No. 18706 of 2015 have averred that an advertisement was issued by the Collector, Bhadrak on 22.01.2011 inviting applications from eligible candidates for



engagement as Sikshya Sahayaks. The educational qualification required was, the candidate must have passed +2 examination in Science/Arts/Commerce or its equivalent examination declared by appropriate authority and C.T. training. Pursuant to such advertisement, the petitioners submitted their applications. A merit list was prepared for all categories of candidates. Petitioner No.1 was placed at serial No. 11 of the merit list, Petitioner No.2 at serial No.4 of UR merit list and petitioner No.3 at serial No. 1 of SEBC female list.

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It has been also averred that in the initial 4. provisional merit list of different categories, vocational course qualified candidates were not included, for which some of them approached this Court in W.P.(C) No. 6438 of 2011 and 6458 of 2011. By order dated 18.03.2011, a coordinate Bench of this Court disposed of the writ applications directing that the cases of the candidates (petitioners therein), who have completed +2 Vocational course with C.T. training shall be considered by the Collector-cum-CEO, Zilla Parishad and the provisional list of selected candidates already published shall be revised

accordingly. Pursuant to such order, a fresh merit list was prepared including the candidates with vocational qualification. At this stage some of the candidates similarly situated as the petitioners submitted grievance before the authorities that the Vocational candidates and Upasastri candidates had obtained those certificates by suppressing the fact their passing +2 Arts/Commerce/Science of examination earlier, which amounts to fraud. Further. some bonafide candidates having Vocational qualification approached this Court in W.P.(C) No. 7478 of 2011, which was disposed of by order dated 24.03.2011 directing the District Project Coordinator, SSA, Bhadrak to consider and dispose of the representation submitted by those petitioners within three weeks. Accordingly, opposite party Nos. 2 and 3 conducted enquiry into allegations regarding submission of fake the certificates but without completing the same, published a second merit list including their names with the remark that enquiry is pending against the Vocational and Upasastri candidates. Being aggrieved, some similarly situated persons including the petitioners approached this Court in

W.P.(C) No. 18256 of 2011, which was by order dated 15.07.2011 with direction to the authorities to complete the enquiry and thereafter consider the representation of the petitioners in the light of the enquiry report. It was however, made clear that the authorities shall not appoint the candidates against whom the enquiry is pending till it is complete. Notwithstanding such order, the opposite party Nos. 2 and 3 asked the Vocational/ Upasastri candidates to furnish an undertaking that they had not passed +2 Arts/Commerce/Science before obtaining Vocational/ Upasastri certificates. The concerned candidates submitted individual undertakings that they had not passed any other +2 examination course other than Vocational/ Upasastri examination and if such undertaking is found to be incorrect they shall be disengaged from the post of Sikshya Sahayak. As such, opposite party Nos. 2 and 3 issued conditional engagement orders in favour of those candidates making it subject to the order of this Court in W.P.(C) No. 7478 of 2011 with further stipulation that if any irregularity is detected in future, the engagement would be terminated. The enquiry proceeded

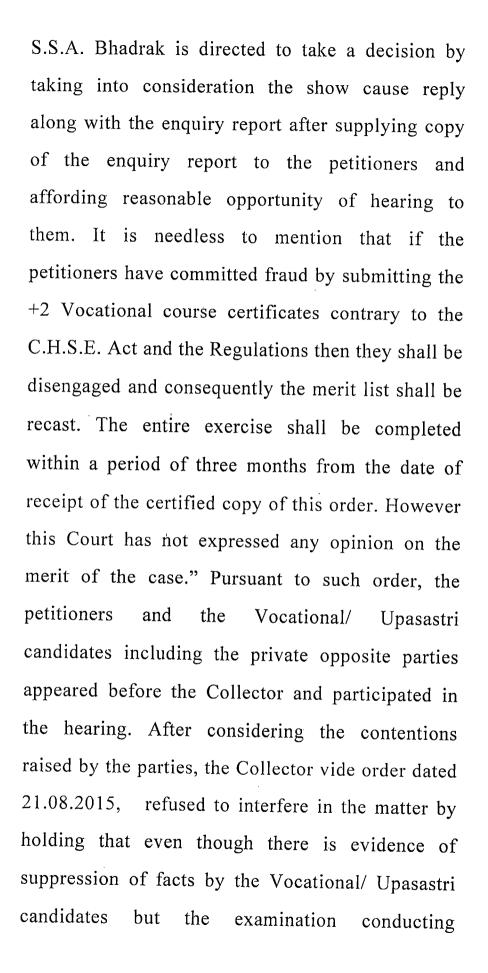
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thereafter and on its completion it was established that all those candidates had passed +2 examination earlier but had suppressed such fact to further prosecute Vocational/ Upasastri courses in contravention of the CHSE Act and Regulations and Sanskrit University Regulations. Accordingly, all six candidates including the private opposite party Nos. 4, 5 and 6 were issued with second show cause notices for disengagement. Said private opposite parties approached this Court in W.P.(C) No.32024 of 2011, in which an interim order of protection was granted. At this stage, the petitioners and similarly placed candidates, who had been deprived of appointment because of the inclusion of the Vocational/Upasastri candidates filed independent writ applications challenging the engagement of the so called fake candidates. Several such writ applications having been filed, all were clubbed together and finally disposed of by a common order passed by this Court on 05.05.2014 in W.P.(C) No. 5077 of 2014 and batch. After taking note of the relevant facts, a coordinate Bench of this Court, inter alia, held as follows: "In view of the above, the Collector-cum-C.E.O.



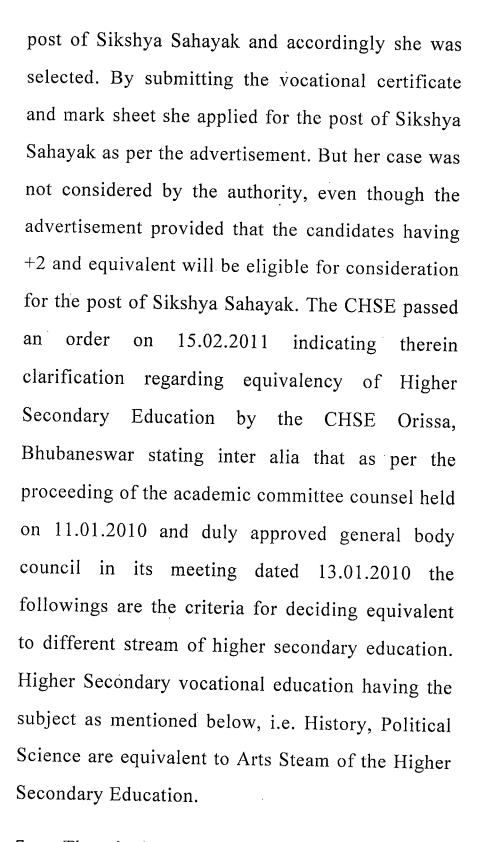




authority had not cancelled or withdrawn the certificates issued in their favour. Furthermore, those persons had put in around four to five years of service.

5. That it is respectfully submitted that assailing the order of the Collector, the present opposite parties 4 to 6 approached this Court by filing W.P.(C) No. 18706 of 2015. For better appreciation of the case, a copy of the writ petition bearing W.P.(C) No. 18706 of 2015 along with all the annexures are appended to the writ appeal as <u>Annexure-1</u>.

6. The present appellant, who was the opposite party no.4 in the said writ petition appeared and filed the counter affidavit indicating therein that an advertisement was published on 22.01.2011 in pursuant to the State Government Resolution dated 10.01.2011, inviting applications for the post of Sikshya Sahayaks. The qualification required as per the advertisement at Clause-2 (a) is +2 qualification or its equivalent qualification. It was also required to pass C.T. qualification. Pursuant to the said advertisement, appellant applied for the



7. That it is respectfully submitted that the Secretary, Council of Higher Secondary Education wrote a letter to the District Project Coordinator,



Bhadrak regarding clarification related to vocational and upasastri examination indicating therein that the vocational examination is equivalent to +2 Arts and Commerce stream of the Council and the Upasastri Examination conducted by the Jagannath Sanskrit Viswa Vidyalaya Puri is also equivalent to the council.

8. That it is respectfully submitted that since the Council has declared that +2 examination under vocational course is equivalent to CHSE examination and the appellant submitted the vocational qualification certificate at the time of selection, her case was considered and engagement order was issued in favour of the appellant vide engagement order dated 30.04.2011. From that date the appellant is continuing in the said post. Subsequently she was made regularized as regular primary school teacher with effect from 2017.

9. That it is respectfully submitted that some persons, those who are not selected as Sikshya Sahayaks made objection that when the persons have already passed +2 CHSE examination, they cannot appear in +2 Vocational Course, therefore,



subsequent appearance in the examination is illegal in view of the regulation of the council. Therefore, their selection are to be declared illegal. Such persons relied that as per Clause 2 (i) of the CHSE regulation, a person cannot appear in the vocational course after completing the course in annual CHSE examination and accordingly the writ petition was filed by some of the persons bearing W.P.(C) No. 5077 of 2014, 10872 of 2013, 11112 of 2011 and 21461 of 2013. All the writ petitions were taken up by this Hon'ble Court and disposed of on 05.05.2015 directing the opposite party no.2 to take a decision with regard to the grievance of such persons. Accordingly, the opposite party no.2 allowed such persons as well as the present appellant to participate in the hearing process. Accordingly, the present appellant submitted her written statement. The entire stand of the present appellant before the opposite party no.2 that since the allegation was made with regard to fraud, as per the Black Law Dictionary, fraud means a knowing concealment of the material facts made to induce another to act to his or her detriment. It was also stated before the opposite party no.2, that the

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made allegation against the appe vocational Upasastri candidates have to bē considered in the light of the aforesaid dictum and law. They submitted that there is no such provision to have both +2 Arts/ Science and +2 Vocational qualification from CHSE. The documents which were relied on by such persons by obtaining under RTI Act are of the year 2011. So since by the time if any restriction is given by the council in the year 2011, the appellant has already completed their course since 2008. Therefore, the document and or the order in 2011 cannot have any retrospective applicability to give any restriction for appearing in the examination. It was also stated that none of the documents of 2011 was there at the relevant point of time when the appellant appeared in the vocational/upasastri examination in order to acquire the qualification. It is the case of the appellant that in view of the judgment of this Hon'ble Court in W.P.(C) No. 6452 of 2011 the +2 Arts/Science was treated at par with the qualification of the vocational. This Hon'ble Court in W.P.(C) No. 6452 of 2011 observed that the cases of the candidates, who have completed +2

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Vocational course with C.T. training shall be considered by the Collector-cum-CEOs, Zilla Parishad as per the instruction given by the Department of School & Mass Education Department and the provisional list of selected candidates already published shall be revised accordingly after considering the case of the appellant and other candidates situated similarly.

That it is respectfully submitted that the 10. ground of the appellant before the opposite party no.2 at the time of hearing that the certificate which was issued by the competent authority, i.e. CHSE has not been disputed till to date. Therefore, the certificate which was issued and not yet been cancelled or recalled by the examining body, the opposite party no. 2 cannot declare the certificate issued to the vocational and upasastri candidates as illegal and void one. It is also submitted that if the certificates have been wrongly issued in favour of such category of candidates, then also it cannot be recalled/ cancelled by the CHSE after about 10 years, when all candidates have changed their position by virtue of such certificates and settled in their life.

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That it is respectfully submitted that since 11. council regulation does not have any restriction or any prohibition to appear in the vocational examination, therefore, there is no illegality or irregularities committed by the appellant by appearing the +2 Vocational Examination after completing +2 CHSE Examination. Therefore, by considering all the grounds of the appellant, the opposite party no.2 had taken a right decision that since the appellant appeared in the examination before any restriction was there by the authority in the year 2011 and more so, there was no restriction in the Council Regulation at the time when the appellant appeared in the +2Vocational examination, and lastly when the certificate has not yet been cancelled/ recalled by the CHSE, therefore, by taking into consideration all these aspects, the opposite party no.2 came to а conclusion that the selection made in favour of the appellant cannot be declared illegal and accordingly rejected the case of the petitioners, which is challenged in the present writ petition. For better appreciation of the case, a copy of the counter affidavit filed by the appellant along with

the annexures appended thereto are annexed to the writ appeal as <u>Annexure-2</u>.

That it is respectfully submitted that 12. the Hon'ble Single Bench took up the matter on 28.03.2024 and after hearing learned counsel for the parties passed the judgment on 28.03.2024 by allowing the writ petition filed by the present respondents 4 to 6 by quashing the order passed by Collector and by directing the respondents 2 and 3 to re-cast the merit list by excluding the vocational/ Upasastri candidates (opposite party nos. 4, 5 and 6 of the writ petition) and by issuing appropriate order of engagement in favour of petitioners therein either as Sikshya Sahayaks or in any equivalent post without any further delay. For better appreciation of the case, a copy of the judgment dated 28.03.2024 passed in W.P.(C) No. 18706 of 2015 is annexed herewith as Annexure-3.



Being aggrieved by the order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015, the appellant has filed the aforesaid appeal on the following amongst others;

GROUNDS.

- i) For that the judgment dated 28.03.2024 passed in W.P.(C) No.18706 of 2015 under Annexure-3 is not only erroneous one but also non-application of mind and in contrary to the law settled by this Hon'ble Court as well as by the Hon'ble Apex Court in series of cases as has been referred in the rejoinder affidavit filed by the appellant being the opposite party no.4.
- For that the Hon'ble Single Judge failed to ii) appreciate the fact that since there was no restriction on the part of CHSE that a person cannot appear in vocational examination or cannot prosecute the vocational course after completion +2 Arts/ Science/ Commerce till 2011, which was also appreciated by the Hon'ble Single Judge, but Hon'ble Single Judge came to a conclusion that since an undertaking was given by the appellant and that undertaking amounts to misrepresentation of fact and that was not properly dealt with by the Collector, while



dealing with the matter as per the direction of this Hon'ble Court, the writ petition was allowed and direction was given to recast the merit list of the year 2011 excluding opposite parties 4 to 6 to the writ petition and to issue engagement order in favour of the present respondents 4 to 6.

For that the Hon'ble Single Judge failed to iii) appreciate the fact that the appellant was engaged as a Sikhya Sahayak in the year 2011 and after completion of requisite year of service has already been taken as the regular primary school teacher since 2017 and she is continuing till todate. The appeallant appeared in the vocational examaintion, which was allowed by CHSE as there was no restriction on the part of the examining body, which was taken note of by the Collector while deciding the issue, in terms of the direction of this Hon'ble Court that unless and until the certificates are declared to be cancelled or withdrawn, the recruitment process cannot be declared as illegal one. That was not considered by the Hon'ble



Single Judge and Hon'ble Single Judge has decided the matter being sewed away with the undertaking given by the appellant and treating it to be a fraud. But fact remains the appellant has not committed any fraud in order to be selected as Sikshya Sahayak. The appellant had completed the course much earlier in the year 2008, where as the selection for Sikhya Sahayak held in the year 2011. The appellant taken made any fraud in order to get admission in vocational course, since at that point of time, there was no restriction with regard to admission in vocational course after +2 Course.

iv) For that the Hon'ble Single Judge failed to appreciate the fact that even though the writ petitioner averred that pursuant to the advertisement dated 22.01.2011, the present appellant was selected, but intentionally annexed the advertisement dated 08.12.2011. The present appellant was not the applicant in the advertisement dated 08.12.2011. The dates of 22.01.2011 and 08.12.2011 have much relevance to the case of the appellant.

As only 19.12.2011, because on the Government issued a clarification that after passing +2 Arts/ Science/ Commerce course. candidates the those who passed +2vocational course are not eligible for selection. This clarification was issued on the basis of query made pursuant to the dated 08.12.2011 advertisement and department letter dated 05.12.2011. So such restriction came for the first time only on 19.12.2011. Therefore, in January 2011, there was no such clarification or even restriction. The writ applicant has already joined much before such clarification was issued pursuant to an advertisement issued in January, 2011. But the writ petitioners by misleading this Hon'ble Court, made an averment in the writ petition, but enclosed another advertisement in the writ petition so as to mislead this Hon'ble Court. A copy of the advertisement dated 22.01.2011 and the clarification dated 19.12.2011 annexed herewith are as Annexures-4 and 5 respectively.



For that, the Hon'ble Single Judge failed to v) appreciate the fact that by the time of appointment of the appellant since there were no restriction, they were selected and after intervention of this Hon'ble Court in different writ petitions, Additional Secretary to Government issued a letter on 17.03.2011 directing the Collectors-cum-CEO-Zilla Parishad, Bhadrak to revise the draft merit list after taking into account the candidates who have passed +2 vocational course with under intimation to the Department. CT Therefore, the authorities are well aware of such fact. But fact remains from 2011 till to date, the authorities have allowed the appellant to discharge the duty without any disturbance. Therefore, the Hon'ble Single Judge should have appreciated all such fact and should not have interfered the writ petition filed by the outsiders, who claims for appointment pursuant to the advertisement issued in the year 2011, even though in the meantime more than 13 years have been passed. By issuance of such direction, the

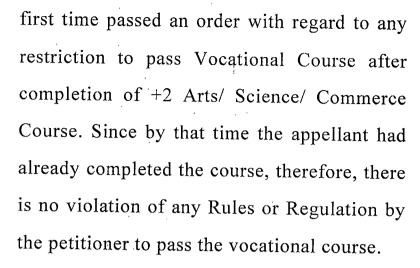
entire selection process, the entire select list will be disturbed and the appellant will be ousted from his employment.

For that the Hon'ble Single Judge vi) has recorded in paragraph-14 of the judgment that it has been argued at length that the private opposite parties could manage to obtain the Vocational certificates by suppressing the fact of their passing +2 examination and by obtaining duplicate transfer certificates from the institutions where they had appeared for the High School Certificate examination. This Court need not enter into this controversy or render any factual finding thereon as it has already been held that irrespective of the manner in which the private opposite parties managed to obtain the Vocational/ Upasastri certificates, the same can have no legal sanctity. Since the Hon'ble Single Judge had not gone into the controversy, therefore, coming to a conclusion that the certificates of Vocational/ Upasastri have no legal sanctity is an error apparent on the face of it. When the competent authority have not yet



cancelled the certificate, the Hon'ble Single Judge coming to such a conclusion without entering into such controversy is incorrect one and needs interference of this Hon'ble Division Bench.

vii) For that the Hon'ble Single Judge at paragraph-13 of the judgment held that the certificates issued the Vocational/ to Upasastri candidates including the private parties in the present writ opposite application being contrary to law have no legal force and cannot therefore enure to their benefit. It is well settled that a certificate obtained in contravention of the Regulations/ Rules can have no legal sanctity. For that the regulation which has been referred to in the judgment that vocational course, which itself is a Higher Secondary course cannot be obtained after passing the +2 examination, which is also a Higher Secondary course. But fact remains, the Examination Counsel of CHSE vide Resolution dated 20.11.2015 and the consequential communication by the Secretary CHSE with regard to clarification



the appellant in support of case, viii) For that relied on the decision of this Hon'ble Court in the case of one Basudev Guru v. State of Odisha and others (W.P.(C) No. 16810 of 2016 disposed of on 18.12.2018), where the similar questions had come up for consideration and this Hon'ble Court observed that what constituted "fraud" has not been clarified. More so, acquisition of subsequent +2H.S. qualification in vocational stream cannot be construed to be fraudulent acquisition of qualification. It does not confine any meaning whether acquisition of vocational qualification after +2 Arts/ Science/ Commerce is construed to be a second +2 H.S. course obtained fraudulently. Therefore, the question of acquisition of

vocational qualification, after +2 H.S. course, cannot be construed to be fraudulent one. Thereby, the Council has misconstrued this fact and issued such letter, which cannot sustain in the eye of law. This Hon'ble Court finally decided that the petitioners, who have acquired vocational qualification, shall be treated as genuine and on that basis they shall be eligible to be considered for selection to the post of Livestock Inspector and other future service prospects.

For that the above judgment was passed by ix) this Hon'ble Court relying on the decision in the case of Dr. (Smt.) Pranaya Ballari Mohanty v. Utkal University and others, where this Hon'ble Court had taken into consideration the principles of promissory estoppels. This Hon'ble Court relied on paragraphs-13, 14 and 15 of the said judgment, wherein it has been indicated that once a student is admitted after satisfying all the qualifications, subsequent cancellation of admission cannot be made since he would be deprived of pursuing his studies in any other

institution. Similarly, the principle of promissory estoppel has been considered by the apex Court in Union of India and others v. M/s.Anglo Afghan Agencies etc., AIR 1968 SC 718, Chowgule & Company (Hind) Pvt. Ltd. v. Union of India and others, AIR 1971 SC 2021, M/s.Motilal Padampat Sugar Mills Co. Ltd. v. The State of Uttar Pradesh and others, AIR 1979 SC 621, Union of India and others v. Godfrey Philips India Ltd., AIR 1986 SC 806, Delhi Cloth & General Mills Ltd. v. Union of India and others, AIR 1987 SC 2414, Bharat Singh and others v. State of Haryana and others, AIR 1988 SC 2181 and many other subsequent decisions also. In view of the aforesaid authoritative pronouncement, applying the same principle in the present case, the authorities after lapse of 20 years cannot unsettle the settled position by arbitrary and unreasonable exercise of power and alter the position.

x) Therefore, when the appellant had completed her course in the year 2008 and got



engagement in the year 2011, after long lapse of acquisition of the qualification, objection was raised by some outsiders that the certificates obtained by the appellant are by way of fraudulent means. In view of the judgment of this Hon'ble Court in the case of Basudev Guru, it cannot be said that the appellant obtained the certificate by fraudulent means. Rather the appellant applied for the vocational course and took admission in the vocational course, completed the vocational course and appeared in the examination conducted by the CHSE and after being successfully passed out, certificates were issued by the CHSE. The certificates and the mark sheet which were issued by the CHSE have not been tampered or manufactured. These certificates have been issued by the Council. The only objection the petitioners are raising the appellant cannot in the vocational course, appear after appearing in the +2 CHSE examination, but there was no such restriction by the CHSE in the year 2007-08 when the appellant acquired

such qualification and such restriction came in the year 2011.

- xi) For that the Hon'ble Single Judge failed to appreciate all such fact and unsettled the settled position after 12 years of service of the appellant on the basis of the baseless allegation made by the writ petitioners. Therefore, the impugned order is liable to be quashed.
- xii) For that the Hon'ble Single Judge in the impugned judgment in one hand directed to recast the merit list of the year 2011, i.e. after lapse of 13 years by excluding the appellant and on the other hand directed for issue of engagement order in favour of the writ petitioners even without examining the eligibility and merit position of such writ petitioners. Therefore, the impugned order suffers from non application of mind and liable to be quashed.
- xiii) For that the law has already been settled by this Hon'ble Court in the case of *Puspanjali Mishra v. State of Orissa*, 2015 (II) ILR-

CUT 982 that once a person has completed the course and by taking the same course has already entered into the service, after long gap the settled position cannot be unsettled by the authorities because of their mistake. Therefore, when the appellant had already completed the course and basing upon such course, he have already selected and after completing six years of service, they have already taken as regular primary school teachers, at this juncture, disputing the selection of the year 2011 by the petitioners cannot be sustained. It is also further submitted that since the petitioners were not selected, they have challenged the selection of appellant with a view that if the present appellant will be oust from the service and the merit list of the year 2011 will be recast, their cases will be considered, which is not permissible as per the law decided by this Hon'ble Court in series of cases, that once the thing has been settled that cannot be unsettled after long lapse of years.



xiv) For that the Hon'ble Single allowed the writ petition basing on the undertaking given by the appellant. It is a fact that the same is a format available with the authorities and at the time of appointment, the appellant was forced to put signature or else, he will not be extended with appointment. The format of the undertaking shows that undertaking to be submitted by provisionally selected S.S. applicants of Bhadrak District. Therefore, the appellant has already been provisionally selected and accordingly on the direction of the authorities, she has put her signature. The witnesses given by the officers are the team members who were there for verification of the service particulars. Therefore, all such undertaking was obtained by the authorities from the appellant.

xv) For that the appellant reserves to submit any further grounds in support of its case at the time hearing of the case.

PRAYER.

Under the above circumstance, it is therefore humbly prayed that this Hon'ble Court may be graciously pleased to admit the writ appeal and call for the records and be pleased to quash the order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No. 18706 of 2015 vide Annexure-3 to the writ appeal.

And for this act of kindness, as in duty bound, the appellant shall ever pray.

By the appellant through

СUTTACK DT. *1***4** • 04.2024

Advocate

I, Tapaswini Jena, aged about Aceais D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S- Bont, Dist-Bhadrak, do hereby verify that the contents made above are true to my personal knowledge and believe and that I have not suppressed any material facts.

Cuttack

Date:- *M*. 04.2024

VERIFICANT

Tapaswini Juna

2 3 APR 2024

CERTIFICATE

Certified that due to want of cartridge paper, this petition has been typed in thick white paper and further certify that the grounds taken in the appeal are good grounds and it is undertaken to support them at the time of hearing of the appeal. CUTTACK

DT. *H*. 04. 2024

ADVOCATE

DURGESH NARAYAN RATH Enr. No:O-1650/2000 Mob:-9861041020

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IN THE HIGH COURT OF ORISSA : CUR

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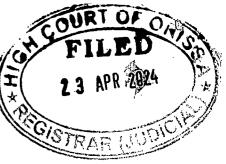
W.P.(C) NO. 18706/2015.

<u>CODE NO .</u>

Surekh	a Samal and others	• •••		Petitioners.
		-Versus-		
State of	Orissa and others	••• •••	•••	Opp. Parties.
		INDE	<u>X</u>	
<u>Sl. No.</u>	Description of d	ocuments.		Pages.
1.	Writ Application	1.		<u>01 - 24</u>
2.	<u>Annexure-1.</u> Copy of the Gov and advertisemer	t. resolution dt.1 nt dated 22.1.201	0.1.2011 1.	25-3
3.	Annexure-2 serie Copies of the init	ial provisional m	nerit list.	32-39
4.	Annexure-3 Serie Copies of the second all Vocational and	ond merit list inc	luding idates.	40-52
51	Annexure -4 serie Copies those unde Vocational and U	rtakings furnish	ed by es.	53 - 55
6	Annnexure-5 serie Copies of condition		orders.	56 - 58
7.	Annexure-6 Series Copies of the dise issued to all Opp.	ngagement notic		*** 4 ** 59 - 61
8.	<u>Annnexure-7.</u> Copy of counter fil Nos. 1 to 3.	led by the Opp. I	Party	62 - 70
9.	<u>Annnexure-8.</u> Copy of the petition inquiry record.	n to call for conn	ected	71-



- 35-



10.	Annexure-9. Copies of reject list excluding vocational and Upasastri candidates of the year 2012.	72-75
H	<u>Annexure-10 series</u> . Copies of double certificates of the Opp. Party Nos.4 to 6.	76 - 81
12.	<u>Annexure-11 series</u> . Copies of note of submissions along with a list of the citation of the judgment.	82-90
13.	<u>Annexure-12.</u> Copy of the impugned order dtd.21.8.2015 obtained on 19.9.2015.	91-103
13.	<u>Annexure-13 Series</u> . Copy of the letter of CHSE dtd.13.6.2011 along with letter dtd.4.5.2011, 27.5.2011, 31.05.2011.	104 - 107
14.	Annexure-14. Copy of CHSE clarification regarding equivalency.	801
VAKAI	. A T N A M A.	

Cuttack.

By the Petitioner through

Date :

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Advocate.



IN THE HIGH COURT OF ORISSA: CUTTACK.

W.P. (C) NO. 187062015
CODE NO.

In the matter of

An application under Article 226 & 227 of the Constitution of India; A n d

In the matter of:

An application challenging the illegal and arbitrary order dtd.21.8.2015 of the Opp. Party No.2 in connection with the matters of appointment as Sikshya Sahayak. Å n d

Petitioner

In the matter of :

 Surekha Samal, aged about 25 years, D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli, Dist. Bhadrak.

 Kalpana Panigrahi, aged about 27 years, D/o. Gourahari Panigrahi, At. Haripur, P.O. Sahar Via-Sabaranga, Block/Dist. Bhadrak.

 Jyotsnarani Giri, aged about 32 years,
 D/o. Kamalakanta Giri, At. Gopalpur, P.O. Ganijanga Dist. Bhadrak.

- Versus -

- State of Orissa, represented through it's Commissioner-cum-Secretary, School and Mass Education Department, Orissa, At-Secretariat Building, Bhubaneswar, P.O. Bhubaneswar. District. Khurda.
- 2. Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, At/P.O/Dist. Bhadrak.
- 3. District Project Coordinator of Bhadrak S.S.A. Bhadrak, At/P.O/Dist. Bhadrak.
- Tapaswini Jena, aged about 29 years,
 D/o. Narayan Ch. Jena, At-Padi, P.O. Adia, Dist. Bhadrak.
 At present working as Sikshya Sahayak,
 Under Bhadrak District.

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- Banajini Mishra, aged about 29 years, W/o. Jitendra Kumar Padhi, Vill- Chakabental, P.O. Keshpur, Via-Gujidarda, Dist. Bhadrak. At present working as Sikshya Sahayak, Under Bhadrak District.
- 6. Pratima Manjari Kar, aged about 33 years, W/o. Rajib Kumar Dash, At/P.O.- Mamohadapur, Via-Similia, Dist. Balasore. At present working as Sikshya Sahayak, Under Bhadrak District.
- 7. Council of Higher Secondary Education, Orissa Represented, through its Secretary, At- Prajnapitha, Samantapur, Bhubaneswar-13 Dist- Khorda.

Opposite Parties

: A....

The matter out of which this writ application arises was not before this Hon'ble Court in the present form.

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e. San The Hon'ble Shri D.H. Whaghela, LL.M., the Chief Justice of Orissa High Court and His Lordship's other Companion Justices of the said Hon'ble Court ;

The humble petition of the petitioners named above;

Most Respectfully Sheweth :-

1. That the petitioners, whose name find place in the provisional merit list for the post of Sikhya Sahayak under Bhadrak Education District-I, have filed this writ application challenging the illegal and arbitrary impugned order dtd.21.8.2015 under Annexure-11 of the Opp. Party No.2 claiming to have passed in compliance of order dtd.5.5.15 of the Hon'ble High Court passed in W.P. (C) No.5077/14 and a batch of writ applications, on the ground that the findings recorded in the impugned order is not only perverse but also contrary to the materials available in the case record. The impugned order is also assailed on the ground of absolute non-application of mind as the same stood contrary to the



settled principles of law, whereby, the Opp. Parties No.4,5 and 6 having committed fraud at the stage of not only acquiring Vocational certificates (in spite of earlier passing or prosecuting +2 Arts/ Science / Commerce) in contravention of CHSE Act and Rule Regulations (narrated in para-20 to 25), but also obtained engagement as Sikshya Sahayak by giving false undertaking, thereby, committed fraud, in other words, by deliberately suppressing the material facts in disadvantage to the bonfide candidates including the petitioners.

2. That the petitioners are citizens of India and the cause of action for filing this writ application arose is well within the territorial jurisdiction of this Hon'ble Court.

3. That it is respectfully submitted that the State Govt. in supersession of all previous resolutions, issued a detailed guideline for selection and engagement to the post of Sikhya Sahayak vide its resolution dtd.10.1.2011. As per Clause-6(1)-the eligibility qualification was prescribed that the candidate must have passed +2 Science,Arts/Commerce or its equivalent examination declared by appropriate authority and C.T. Training. Following the aforesaid Govt. resolution advertisement was issued by the Opp. Party No.2, on 22.1.2011 inviting applications from the eligible candidates. For better appreciation, a copy of the Govt. resolution dtd.10.1.2011 and copy of the advertisement dated 22.1.2011 are filed herewith as <u>Annexure-1 Series</u>.

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4. That it is relevant to mention here that the petitioners have submitted their applications in respect of Bhadrak-I Education District. The petitionerNos.1 & 3 belong to SEBC (Female) +2 Arts C.T. Category, had applied their application along with necessary documents for the post of S.S. The petitioner No.2 belonging to general (Female) +2 Arts C.T. Category had applied for the post of Sikhya

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Sahayak along with necessary documents. The Opp. Party No.2 and 3 on receipt of the applications, had initially prepared provisional merit list in respect of all categories such as unreserved Male, unreserved Female and other reserved categories. The name of the Petitioner no-1 found place in their respective first provisional merit list at Sl. No.11, Petitioner No.2 found place at Sl. No.4 of UR Female Merit list and Petitioner No.3 found place at Sl. No.1 of SEBC Female waiting merit list. For appreciation, copies of the initial provisional merit list of SEBC Female category and the general category bearing the name of the petitioners are filed herewith as Annexure-2 series.

5. That it is relevant to mention here that in the said initial provisional merit list of different categories, Vocational candidates were not included either to +2 Arts, C.T. or +2 Science C.T. category, as a result, the Vocational candidates had approached the Hon'ble High Court in different writ applications bearing W.P. (C) No.6438/2011 and W.P. (C) No.6452/2011. This Hon'ble High Court while considering the aforesaid grievance vide order dated 18.3.2011 disposed of the aforesaid cases. For better appreciation the order dated 18.3.2011 passed in W.P. (C) No.6452/2011 is quoted herein below:

W.P.(C) No. 6452 of 2011.

18.03.2011 Heard.

The sole grievance of the petitioners in this writ application is that they made applications pursuant to an advertisement for being appointed as Sikshya Sahayak for which the eligibility qualification is +2Arts/Science/Commerce with Certified Teachers Training. The petitioners have completed +2 Vocational Courses from the Council of Higher Secondary Education, which is not being treated equivalent to $\frac{142}{2}$ Arts/Science/Commerce in the District of Bhadrak though the C.H.S.E. has treated the same to be equivalent to +2.

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Mr. K.K. Rath, learned counsel appearing for the School and Mass Education Department submits that he has obtained instruction that the Course will be treated as equivalent to +2+2Vocational Arts/Science/Commerce and there was no impediment for considering the cases of the petitioners for appointment as Sikshya Sahayak. He also produces a written instruction received by him that the Governement in its Department of School and Mass Education has issued a letter dated.09.04.2011 as well as 17.03.2011 to all Collectors-cum-CEOs, Zilla Parishad in respect of equivalence of +2 Vocational courses. In spite of this, the case of the Vocational C.T. pass candidates have not been taken into consideration while preparing the draft merit list as well as many candidates have filed writ petitions before this Court and in the present writ petition, this Court has directed to consider the case of the petitioners. The Collectorscum-CEOs of different Districts have therefore been requested to revise the draft merit list immediately after taking into account the candidates, who have passed +2 Vocational course with C.T. under intimation to the Department.

Mr. Das, learned counsel for the petitioners submits that in the meantime a provisional list of selected candidates have been published without considering the cases of the petitioners.

In this view of the matter all the pending Misc. Cases as well as the writ petition is disposed of directing that the cases of the petitioners/candidates, who have completed +2 Vocational course with C.T. training shall be considered by the Collectors-cum-CEOs, Zilla Parishad as per the instruction given by the Department of School and Mass Education Department and the provisional list of selected candidates already published shall be revised accordingly after considering the cases of the petitioners and other candidates situated similarly. Fresh provisional merit lists of selected candidates shall be published. Since there are many similar matters pending and all the Collectors-cum-CEOs have been directed to revise such provisional list of selected candidates, this order shall apply to the entire process of selection in the State. The interim order passed earlier stands vacated.

A copy of this order be handed over to Mr. K.K.Rath, learned counsel for the school and Mass Education Department.

Urgent certified copy of this order be granted on proper application.

Sd/- M.M.Das,J.

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That it is respectfully submitted that in the aforesaid direction, this 6. Hon'ble High Court, without going to the legality and validity of their certificates or otherwise, particularly, the candidates whether having earlier +2 Arts / Science / Commerce qualification can be considered on the strength of Vocational certificates obtained by committing fraud, , only said that the Vocational certificates are equivalent to +2 courses and their cases to be considered. Accordingly, in consequence of the aforesaid directions of the Hon'ble High Court, the Opp. Party No.2 and 3 proceeded to prepare a fresh the merit list by including all those Vocational candidates to the merit list, without conducting the enquiry into the allegation of questioning the legality and validity of their Vocational certificates/Upasastri Certificates obtained by practicing fraud despite all those candidates had earlier passed a Higher Secondary Course in one stream immediately after passing HSC Examination. It is stated that under the provisions of CHSE Act & Regulation, Higher Secondary Course Means, a two Years Regular Course, Completed immediately after HSC Examination, therefore there can not be any double course at the higher Secondary Stage.

7. That it is respectfully submitted that before the merit lists being finalised, the similarly situated candidates like petitioners along with others, had ventilated grievance petition before the Op. Parties No.2 and 3, praying therein that firstly, the Vocational candidates and Upasastri candidates, those have obtained certificates by suppressing the fact of earlier pass of +2 Arts or Commerce or

Science and without either producing SLC or CLC or without surrendering their earlier Council Registration Number, their case should not be considered vis-à-vis the bonafide candidates (petitioners) at the instance of their alleged Vocational Certificates and Upasastri Certificates. Secondly, as per the Equivalance clarification, given by the CHSE, even the candidates possessing Vocational certificates immediately after passing HSC Examination in consonance with the provisions of the CHSE Act and Regulations, those candidates having Science combination in foundation course of Vocational stream, they should be included into the +2 Science C.T. Category not to the +2 Arts C.T. Category. Despite the pendency of the above two fold grievances, without considering the same, when the concerned collector proceeded to prepare the list on merit, at that juncture, some of the bonafide candidates approached the Hon, ble High Court in W.P.(C) No-7478/2011. The Hon'ble High Court disposed of the aforesaid case by passing the

following quoted order :

Heard.

W.P.(C) No.7478 of 2011

Order No.02 Dt.24.03.2011

> During course of hearing, learned counsel for the petitioners submits that the petitioners have filed a representation under Annexure-7 before Opp. Party No.4-District Project Co-ordinator, SSA, Bhadrak, but the same has not yet been considered.

> Considering the nature of grievance raised by the petitioners, the writ petition is disposed of directing Opp. Party no.4-District Project Co-ordinator, SSA, Bhadrak to consider and dispose of the representation of the petitioners under Annexure-7 within a period of three months from the date of receipt of a certified copy of this order in accordance with law.

Urgent certified copy of this order be supplied on proper application.

Sd/- H.S. Bhalla,J.

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8. That it is relevant to mention here that in pursuance to the above direction, the Opp. Party No. 2 and 3 initiated enquiry into the above allegations in respect of all such fraud certificates/fraud activities of the candidates, but without completing the enquiry published a second merit list including their name with a remark at remark column that enquiry is pending against such Vocational and Upasastri Candidates. For better appreciation, a copy of the second merit list including all those Vocational and Upasastri candidates are filed herewith as Annexure-3 series.

9. That it is respectfully submitted that notwithstanding receipt of the initial grievance petition, when the Op. Parties No.2 and 3 without completing enquiry, proceeded to engage all such Vocational and Upasastri candidates, out of annexure-3series, at that juncture, similarly situated persons including petitioners had approached this Hon'ble High Court in W.P. (C) No.18256/2011 with a prayer either to exclude all those candidates from the list or they should not be given appointment pending finalization of the enquiry. In the said writ application, the Petitioners have also prayed that they (Petitioners) are bonafide and eligible candidates, their names were earlier find place in the provisional merit list. Because of inclusion of all those fake candidates, the Petitioners have been deprived of to get engagement as S.S. The said writ application was disposed by this Hon'ble High Court with the following direction:

W.P.(C) No.18256 of 2011

Order No.02 Dt.15.07.2011 Present:

Mr. M.K. Sahoo, Advocate for the Petitioner. Mr. Alekha Ch. Mohanty, Additional Government

Advocate for Respondents No. 1 to 4.



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Learned Additional Government Advocate accepts notice on behalf of the Respondent No. 1 to 4. Three additional copies of the writ petition be served on him.

Grievance of the Petitioner is that, documents submitted by number of candidates along with their applications for consideration for appointment to the post of Sikshya Sahayak, Bhadrak Education District-1 are under scrutiny as document submitted by around 30 candidates are found to be forged. It is not in dispute that an enquiry has already been initiated by the Respondents against the said candidates along with their applications are under scrutiny and verification. However, without completing the enquiry, respondents have started with the selection process. All the Petitioners are also candidates who have applied against the said posts.

Under the circumstances and considering the limited relief claimed by the Petitioner, petition is disposed of with the directions to the respondents to, complete the enquiry and thereafter consider the representation of the petitioners (Annexure-7) in the light of the enquiry report.

However, it is made clear that respondents shall not appoint the candidates against whom the enquiry is pending till it is complete.

A free certified copy of this order be given to learned Additional Standing Counsel under signature of the Court Master.

Urgent certified copy of this order be granted as per rules.

Sd/- A Suresh, J

10. That it is respectfully submitted that notwithstanding receipt of the aforesaid order of the Hon'ble High Court directing not to give appointment before completion of enquiry, the Opp. Party Nos.2 and 3 specifically asked all those alleged fake Vocational candidate / Upasastri candidate to furnish an undertaking so as to state the fact that whether they have passed earlier +2 Arts / Commerce / Science or not, before obtaining Vocational certificate/Upasastri certificates, so that all those candidates being in possession of only Vocational certificates /Upasastri certificates are to be liable to be considered for final selection and engagement as S.S. Accordingly, all those Vocational candidates / Upasastri candidates submitted

individual undertaking stating the facts that they have not passed any other +2 course certificates (Arts/ Science / Commerce) other than their Vocational certificates/ Upasastri certificates and their cases be considered on the strength of such Vocational certificates/ Upasastri certificates, in the event, the facts stated by them in the undertaking is found to be incorrect then they shall have to be disengaged from the post of S.S. For appreciation, copies of all those undertakings (deliberately furnished by the Vocational candidates/Upasastri candidates by suppressing the fact of passing earlier +2 Arts/science/commerce so as to take advantage over others in the matters of engagement as S.S.) are filed herewith as **Annexure-4** series.

11. That it is relevant to mention here that on the above false undertakings, the Opp. Party Nos.2 and 3 issued conditional engagement order in favour of all those fake Vocational / Upasastri candidates as S.S. The condition 'expressly provided that this engagement order is subject to order of the Hon'ble High Court in W.P. (C) No.7478/2011 and subsequent order of the Govt. in S & M.E. Dept. Apart from that it was further stipulated in the said engagement order by the Opp. Party No.2 and 3 that if any irregularity is detected in future, his/ her engagement will be terminated without assigning any reason thereof. For appreciation, copies of such conditional engagement orders issued in favour of Opp, Parties No.4, 5 and 6 are filed herewith as <u>Annexure-5</u> series.

12. That It is further humbly submitted that however the Opp. Party Nos. 2 & 3 proceeded with enquiry in respect of all those fake Vocational candidates and Upasastri candidates in compliance of earlier direction of this Hon'ble High Court in W.P. (C) No.7478/11 and W.P. (C) No.18256/2011 by giving notices for hearing. Accordingly, on completion of enquiry, it was established that all those Vocational candidates and Upasastri candidates have earlier passed either +2 Arts /

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Science / Commerce with one registration number just immediately after passing HSE Exam and in suppression of the said fact, they have further prosecuted the Vocational courses and Upasastri courses in contravention of all norms of the CHSE Act and Regulations / Sanskrit University regulations. Thereafter, all those Vocational and Upasastri candidates by giving false undertakings, have obtained engagement as S.S. in Disadvantage to the bonafide candidates including petitioners. Therefore, on the basis of findings of the enquiry, all the Vocational candidates / Upasastri candidates including the Opp. Parties No.4, 5 & 6 were issued with 2nd show cause notice of disengagement. For better appreciation, the show cause notice for disengagement issued to all those Vocational candidates / Upasastri candidates including Opp. Parties No.4, 5 & 6 are filed herewith as **Annexure-6** series.

13. That it is respectfully submitted that all those Vocational candidates / Upasastri candidates including Opp. Parties No.4, 5 & 6 on receipt of disengagement notices approached the Hon'ble High Court challenging the same in different writ applications. The Hon'ble High Court while issuing notices in the aforesaid writ applications filed by the Vocational candidates / Upasastri candidates, was pleased to pass interim order in their favour protecting their interest. For appreciation, interim order passed in respect of all Vocational candidates / Upasastri candidates were same and identical hence, one such order in respect of Opp. Party No.5 passed in W.P. (C) No.32024/2011 guoted herein below:-

W.P.(C) No. 32024 of 2011

03. 22.12.2011 Present : Mr. P.K. Rath, counsel for the petitioner. Mr. S. K. Samal, Standing Counsel accepts notice for respondents 1 to 3. Show-cause notice be issued to respondent



No.6 by Registered post on requisites to be filed within a week, returnable within three weeks thereafter.

In the meantime, respondents shall file their counter affidavit.

List after service is complete.

Sd/- A. Suresh,J.

Misc. Case No.20101 of 2011.

04. 22.12.2011

In the meantime, operation of impugned order dated.24.11.2011 so far as it pertains to cancellation of engagement of the petitioner being contradictory to the last paragraph of the order is hereby stayed.

It is made clear that petitioner shall not be disengaged till further orders.

However, the concerned authority shall continue the enquiry after service of show-cause notice on the petitioner, but shall not declare the result without permission of the Court.

Free attested copy of this order be provided to the learned Standing Counsel under signature of the Court master.

Urgent certified copy of this order be granted as

per rules.

Sd/- A. Suresh,J.

14. That it is respectfully submitted that all those Vocational candidates / Upasastri candidates, those who were engaged on the strength of false undertakings, they were allowed to continue as S.S. by the Opp. Party No.2 and 3 in view of the aforesaid interim direction/order of the Hon'ble High Court. It is also relevant to mention here that the state Opp. Parties including Opp. Parties No.2 and 3 also filed counter justifying their action initiated to be taken by issuing disengagement notice on the ground that all those Vocational candidates /UUpasastri candidates have not only obtained their respective Vocational certificates / Upasastri certificates by suppressing materials facts but also have taken advantage over the bonafide candidates by giving false undertakings to the extent that they have not passed +2 Arts/ Science /Commerce. For appreciation, a copy of the counter filed by the Opp. Party Nos. 1 to 3 in the aforesaid cases

justifying the disengagement notice to all Vocational candidates / Upasastri candidates is filed herewith as <u>Annexure-7</u>.

15. That it is respectfully submitted that all those writ applications filed by the Vocational candidates / Upasastri candidates while pending, the petitioners and some other bonafide candidates (those could not get appointment because of inclusion of all those Vocational candidates / Upasastri candidates to the merit list) filed intervention application and also stay vacation petition in one hand. On the other hand, the petitioners / bonafide candidates also filed independent writ applications challenging the engagement of fake Vocational candidates / Upasastri candidates / Upasastri candidates. The petitioners in those writ application also prayed for their own engagement so also seeking a prayer for their engagement afresh excluding all those fake Vocational candidates / Upasastri candidates.

In such circumstances, all those two groups of writ applications (one set filed by Vocational candidates / Upasastri candidates challenging disengagement notices and another set filed by bonafide candidates including petitioners) were clubbed together and finally were disposed of vide a common order dtd.5.5.2015. For appreciation, the order dtd.5.5.2015 passed in W.P. (C) No.5077/2014 and a batch of cases as described above is quoted herein below:-

W.P.(C) NO. 5077 OF 2014

W.P.(C) No. 50772014 W.P.(C) Nos. 539 597 598 10872 1487 21461 & amp; 620 of 2013 W.P. (C) Nos. 5340 1857 17561 1438 22346 25355 & amp; 927 of 2012 and W.P.(C) Nos. 32023 32024 32030 32025 32026 29301 11112 32029 32028 32027 29053 28415 28414 25693 25692 & amp; 25694 of 2011.

09. 05.05.2015 Since common questions of law involve in all the writ petitions the same are taken up for analogous hearing.

Heard learned counsel for the petitioners Mr. B.P. Tripathy learned Standing Counsel for the School and Mass Education Department and

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learned counsel for the candidates, those who have passed the Vocational course.

The grievance of the petitioners is that even though the petitioners have undergone the C.T. training by virtue of their marks secured in +2 Examination but some other candidates have been engaged as Sikhya Sahayak after obtaining the Vocational/Upasastri certificates from the C.H.S.E.

According to the petitioners since those candidates had earlier appeared in 2 Arts Science Commerce Examination under C.H.S.E. as per the Regulation they are not entitled again to pursue the Vocational Course and therefore the certificates obtained by them in the 2 Vocational examination are illegal.

In some of the writ petitions the petitioners who are engaged on the basis of Vocational Certificates being issued with second show cause notices have challenged the same and some of them have filed their replies.

This anomaly if any has to be reconciled and a decision has to be taken by the recruiting authority.

In view of the above, the Collector-cum-C.E.O. S.S.A. Bhadrak is directed to take a decision by taking into consideration the show cause reply along with the enquiry report after supplying copy of the enquiry report to the petitioners and affording reasonable opportunity of hearing to them.

It is needless to mention that if the petitioners have committed fraud by submitting the +2 Vocational course certificates contrary to the C.H.S.E. Act and the Regulations then they shall be disengaged and consequently the merit list shall be recast. The entire exercise shall be completed within a period of three months from the date of receipt of the certified copy of this order.

However this Court has not expressed any opinion on the merit of the case.

The writ petitions are accordingly disposed of.

Urgent certified copy of this order be granted as per rules.

B.P. Ray J.

That it is respectfully submitted that in pursuant to the aforesaid order .16 dtd.5.5.2015 of the Hon, ble High Court, both the groups appeared before the Collector and submitted their respective grievances with documents. It is pertinent to mention here that the petitioners of this writ application also appeared and filed a petition that the earlier enquiry file be called for basing upon which the disengagement notices to the fake Vocational candidates / Upasastri candidates were issued and materials available in that record be considered along with false undertakings. For appreciation, a copy of the said petition of the petitioners is filed herewith as Annexure-8. Apart from that the petitioners also filed various other documents including the false undertakings submitted by the fake Vocational candidates / Upasastri candidates and also other documents, more particularly, the mass exclusion of all identical fake Vocational candidates and Upasastri candidates, those were excluded from the 2012 selection for S.S. For appreciation, copies of the Rejection list in excluding all those Vocational candidates and Upasastri candidates from the selection of Sikashya Sahayak of the years, 2012 of the very same District of Bhadrak are filed herewith as Annexure-9 series.

17. That it is respectfully submitted that apart from the above documents, the petitioners also filed copies of the double certificates of the fake Vocational candidates and Upasastri candidates before the collector. For appreciation, Copies of double certificates of the Opp. Party Nos.4, 5 & 6 are filed herewith as <u>Annexure-10</u> series. It is also relevant to mention here that in addition to the filing of aforesaid documents, the petitioners have also filed a written note of submission along with a list of citation of judgments with copies thereof, which are relevant in the context of engagement obtained by committing fraud / by deliberately misrepresenting the fact and thereby taking advantage over other bonafide candidates. A copy of the note of submissions along with a list of the citation of the

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judgment of the Hon'ble High Court and Apex Court submitted before the Collector are filed herewith as <u>Annexure-11 series</u>.

That it is respectfully submitted that the learned Collector without 18. considering all the aforesaid materials under Annexures-5, 6, 7,8,9, 10 & 11 series and other documents available in the case record of Surekha Samal and also without considering the relevant provisions of the CHSE Act and Regulations and without considering the relied judgments of the Hon'ble Apex Court and Hon'ble High Court, finally passed an order on 21.8.2015 holding inter-alia that the successful candidates (fake Vocational and Upasastri candidates) have given an undertakings that they have not passed the +2 Arts, Science and Commerce stream prior to the Vocational course is not correct rather the same is an suppression of fact but this is not enough to disqualify successful candidates and declare their recruitment as void. The Collector also gave a further findings that as all those Vocational and Upasastri candidates have already put around 4 to 5 years of service, for which, the learned Collector was not inclined to interfere in the recruitment of S.S. made in the year, 2011. With this observation, the Collector disposed of the case without considering the aforesaid materials submitted by the petitioners and without looking to the settled principles of law to the extent that once engagement obtained undisputedly on committing fraud or by giving misrepresentation of fact and also or in other words, by suppressing facts, thereby taking advantage over others, at that juncture, their engagement as S.S. is nullity in the eye of law. For appreciation, the impugned order dtd.21.8.2015 (certified copy obtained on 19.9.2015) of the Learned Collector, Bhadrak is filed herewith as Annexure-12.

19. That it is respectfully submitted that the petitioners on being aggrieved by the aforesaid impugned order under Annexure-12 of the Learned Collector,

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Bhadrak has filed this writ application challenging the same on the following among other grounds:-

(A) The impugned order and its findings are not sustainable in the eye of law as the same stood contrary to the materials available in record and also perverse being contrary to the settled position law.

(B) The impugned order and its finding are also bad in law as the same stood violative of established fact and the provisions of the CHSE Act and Regulations / Instructions.

(C) The impugned order is also not sustainable and tenable as the same has been passed contrary to his own finding recorded earlier thereby, issued disengagement notice.

(D) The impugned order is also bad in law as in the instant case, the fact of suppression of earlier prosecuting / passing +2 Arts/Science/Commerce before taking admission to Vocational courses has already been established and also at the stage of engagement, the allegation of suppression of fact in the guise of undertaking, has also been established. Despite that the finding of the Learned Collector not to interfere in the recruitment of the year, 2011 is perverse and stood violative of the settled principles of law.

(E) The impugned order is also not liable to be sustained because of the other reason that the learned Collector has ignored all materials & admitted facts, more particularly, has deliberately avoided to consider the Annexure-4, 5, 6,7,8,9,10,11 and 13 series. In other words, had the Collector fairly considered all those documents then certainly, such a finding as recorded in the impugned order in favour of fake Vocational and Upasastri candidates would not have been arrived at.

(F) The findings recorded by the Collector so far suppression of materials fact is concerned, the same has been admitted to have been established against the fake Vocational and Upasastri candidates, despite such findings, there was no occasion to give clean cheat to such fake Vocational and Upasastri candidates on the plea of 4 or 5 of continuance as S.S., particularly when, their continuance as S.S. was in accordance with the interim protection of the Hon'ble High Court. The said findings of the Collector holding inter-alia not to interfere in their continuance is perverse and contrary to the law.

(G) That apart from the above, the findings of the Collector not to interfere in the aforesaid matter on the plea of 4 to 5 years continuance of all fake Vocational and Upasastri candidates is an erroneous finding because of the simple reason, as per their own false undertakings, all those fake candidates ought to have been disengaged and moreover in view of conditional engagement given by the Opp. Party No.2 and 3 with a clear condition that they shall be terminated in the event any irregularities is found and as a matter of fact, in the instant case, after enquiry when irregularity were established, at that juncture, they ought to have been disengaged.

20. That it is respectfully submitted that apart from the aforesaid grounds, the impugned order of the Collector is also untenable in view of the provisions of the Orissa Higher Secondary Education Act, 1982 came into force w.e.f.7th day of September, 1982 and also the regulations framed there under. The said Act provided for establishment of Council means Council Higher Secondary Education U/s-3 to regulate, control and developed Higher Secondary Education in the State. The Section -2(i) defines what Higher Secondary Course is and Section-2(j) defines

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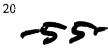
what Higher Secondary Education is. For appreciation, both the provisions are quoted herein below:-

- Section-2(i) "Higher Secondary Course" means course "immediately" following the High School Certificate Course and covering a period of two academic years which is provided for either in a College or a Higher Secondary School and includes Arts, Science, Commerce and Vocational Courses".
- Section-2 (J)- "Higher Secondary Education" means such general and Vocational Education forming in itself a complete purposive whole, which immediately follows Secondary Education as has been defined in the Orissa Secondary Education Act 1952 and immediately "precedes" a stage of education controlled by any university".

21. That it is respectfully submitted that Section-30 prescribed that the Govt. is to frame first regulations dealing with admission, examination and grant of certificate of Higher Secondary Course. Accordingly, Orissa Higher Secondary Education Regulation, 1982 has been framed and subsequently same has been amended by way of amendment Regulation 1983. The Chapter-VII deals with Higher Secondary Examination in Arts, Science and Commerce. Regulation-107 • under Chapter-VII prescribed that only a registered students is allowed to appear one of the examination for not less than completion of two academic years after passing H.S.C. Examination. The Regulation-109 also provided that no students shall be admitted to an institution beyond six weeks from the date of publication of the HSE Result and at behest council may permit a student two weeks more for admission with a late fees of Rs.10/-.

As per Regulation -113 (3) no candidate shall be permitted to take at the 2^{nd} examination in any subject, which he had not offered at the preceding Annual Examination.

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22. That it is respectfully submitted that like Chapter-VII of the CHSE Regulation, the Chapter-VIII also deals with Higher Secondary Examination of Vocational Stream. Regulation-123 also provided that any registered student may be admitted to Annual Examination of Vocational Course for not less than two academic year after passing HSC Examination from Board of Secondary Education, Odisha and like Regulation-109, Regualtion-124 also provided that no students shall be admitted into an institution beyond six weeks from the date of publication of Annual HSC result, only Council can permit a student two weeks more for admission with a late fees of Rs.10/-.

23. That it is respectfully submitted that in view of the aforesaid provisions of the Act and the Regulation, it is clear that (i) Higher Secondary Course is a two years regular course and (ii) Higher Secondary Course is always to be followed immediately after High School Certificate Examination, in other words, Higher Secondary Course is a two years regular course, just after HSC, either in Arts, Science and Commerce or Vocational Course.

Therefore, the State Govt. while framing the Regulation-107 and 109 so also Regulation-123 and 124 in consonance with the object and spirit of Section-2(i) and (j) of the Act, categorically prescribed that within six weeks from the date of publication of the HSC result, one has to take admission into any one of such courses or thereafter within two weeks more with late fees. Hence, at the stage of Higher Secondary Education, there is absolutely no scope to prosecute two courses simultaneously or one after another at the stage of Higher Secondary Education. Therefore, the impugned order of the Collector under Annexure-12 suffers from absolutely non-application of mind simple because of the reason that the Collector in his entire order has never considered the Regulations -107, 109, 113(3), 123,124 read with Section-2(i) and (j) of the Act. Besides that the Collector deliberately and A



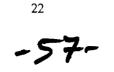
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willfully ignored the aforesaid provisions of Law only to save all those fake Vocational and Upasastri candidates. Therefore, on this score alone the impugned order of the Collector is liable to be set aside and quashed.

24 That it is respectfully submitted that apart from the aforesaid grounds, the impugned order is liable to be interfered with, as because, in the instant case, the learned Collector has deliberately avoided to consider the relied judgment of this Hon'ble High Court and Hon'ble Apex Court. It is also pertinent to mention here that in the instant case, the provisions of the CHSE Act and Regulations and subsequent instructions have never been considered by the learned Collector. Had the same been considered then also the Collector would have come to a conclusion that the act of procuring Vocational certificates and Upasastri certificates is also amounts to committing fraud, which has been deliberately done to take advantage over other bonafide candidates, on suppression of fact of earlier passing +2 Arts, Science and Commerce. Despite that when the district authorities called upon all the Vocational and Upasastri candidates to furnish and undertaking to the extent of not suppressing any material facts to have passed earlier +2 Arts, Science and Commerce, in such circumstances, all the vocations candidates and Upasastri candidates having given false undertakings and thereby obtaining engagement is also amounts to committing fraud. Therefore, any benefits including any engagement obtained by practicing fraud is void and nullity in the eye of law. On this score alone the learned Collector ought to have disengaged all those fake candidates.

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25. That it is respectfully submitted that in consonance with the provisions of the CHSE Act and the Regulations, the CHSE Authority (in reply to the query made by the DPC, Bhadrak in his letter No.6387 dtd.31.5.2011), has categorically stated in his office letter No.3920 /CHSE (O) dtd.13.6.2011 that the earlier letter



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No.3142 dtd.4.5.2011, letter No.3630 dtd.27.5.2011 and letter No.3669 dtd.31.5.2011 issued by CHSE Authority-cum-PIO are authentic. For appreciation, copies of such instructions issued in letter No.3920 /CHSE (O) dtd.13.6.2011 that the earlier letter No.3142 dtd.4.5.2011, letter No.3630 dtd.27.5.2011 and letter No.3669 dtd.31.5.2011 along with the final letter dtd.13.6.2011 are filed herewith as <u>Annexure-13</u> series. All those letters unequivocally forbids the prosecution of double course. Hence, all those instructions being available in the case record of Surekha Samal, the Collector has never considered the same and even never uttered a single word with regard to all those documents. Therefore, the findings recorded in favour of all those fake Vocational and Upasastri candidates is not only contrary to the above materials but also perverse.

26. That it is respectfully submitted that be that as it may even assuming for the sake of argument that one can simultaneously prosecute double higher secondary case and thereby can register himself as regular students with two registration numbers in respect of above two courses simultaneously or one after another without producing CLC / TC or surrendering registration number then also in that event, even if it is presumed that their Vocational certificates/ Upasastri certificates not liable to be a product of committing fraud in other words found to be considered then also all those Vocational candidates having Science subjects like Physics, Chemistry, Mathematics or Biology under the headings of basic foundation course, at that juncture, all those candidates including private Opp. Parties ought to have been considered for +2 Science C.T. Category not to +2 Arts C.T. Category. For appreciation, a copy of clarification regarding equivalency of CHSE is filed herewith as Annexure-14. Therefore, the Vocational candidates having combination Science Subject in foundation course ought to have been included to the +2 Science C.T. Category not to +2 Arts C.T. Category. Therefore,

judging for either of the angle their selection and engagement are not sustainable and tenable. Apart from that the judgment / order as relied by the learned Collector is also suffers from non-application of mind, particularly when, all those judgment as relied by the Collector are not applicable to the facts and circumstances of the case, as because, in the instant case, the Vocational candidates / Upasastri candidates have committed fraud in each stage, more particularly in furnishing false undertaking. Apart from that their continuance of 4 to 5 years is in view of the interim protection of this Hon'ble High Court, hence, the plea of estoppels or acquisance are not applicable to the case in hand, particularly when, the suppression of facts has been established and the said facts has been admitted by the Collector. In view of the above materials and the settled position of law, the impugned order is liable to be quashed and set aside.

27. Therefore, in the aforesaid facts and circumstances of the case, the petitioner having found no other alternative and efficacious remedy, has approached this Hon'ble High Court for getting appropriate relief.

PRAYER

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Under the above facts and circumstances of the case, it is humbly prayed that this Hon'ble High Court be pleased to allow the writ application by granting . following reliefs-

A. An appropriate writ / writs be issued quashing the impugned order under Annexure-12 and in consequence thereof the conditional engagement orders be declared illegal and arbitrary.

B. An appropriate writ / writs be issued to recast the merit list by excluding the fake Vocational and Upasastri candidates those have obtained engagement by suppressing the material facts as described above and thereafter necessary direction be made to engage the petitioners as Sikshya Sahayak with all benefits at par with others notionally.

(C) Or in alternative, any other writ(s), direction(s), order(s) be issued as this Hon'ble court may deem fit and proper;

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And for which act of your kindness the petitioners shall, as in duty bound, ever pray. the Petitioners through By

Date :

Cuttack.

Advocate.

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AFFIDAV IT

I, Surekha Samal, aged about 25 years, D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli, Dist. Bhadrak, do hereby solemnly affirm and state as follows :-

That I am the Petitioner No. 1 in this writ application and I have been 1. authorized by other petitioners to swear this affidavit on their behalf.

2.

That the facts stated above are all true and correct to

the best of my knowledge and belief.

Identified by

Advocate

n t. n e D 0 p

Certificate

Certified that due to non-availability of catridge paper this has been typed in thick white paper.

Advocate.

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Dt.

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GOVERNMENT OF ORISSA DEPARTMENT OF SCHOOL AND MASS EDUCATION RESOLUTION 10-1-11

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No

II-SME(B)- 41/2009.

Subject : Guidelines for engagement of Sikshya Sahayaks.

/SME

Government had issued the Resolution bearing No.18536 dtd.19.11.09 in supersession of this Department Resolution No. 673/SME dated 10.01.08 . No-11676/SME dated 31st May, 2006 and Corrigendum No.20000/SME dated 12th October, 2006 and Resolution No: 22438/SME dtd. 14.11.07 & Addendum No.3817/SME Dt.26.02.09 prescribing the procedure for engagement and the career advancement policy of Sikshya Sahayaks. The said Resolution dtd.19.11.2009 was challenged before the Hon'ble High Qourt and the Hon'ble High Court in their order dtd.29.06.2010 in WP (C) Nes. 1361/ 2010 and batch of cases passed order to the effect that "the notification (Resolution) dtd.19.11.09 and the consequential advertisement which have been annexed to the other writ petition also stand quashed with the observation that the Government shall take immediate steps for recruitment of such teachers(Sikhya Sahayaks) strictly in accordance with the existing rules after ascertaining the exact number of different types of teachers required to be recruited in the various schools already existing or to be opened / upgraded as proposed" .

The Right of Children to Free and Compulsory Education Act, 2009 came into force w.e.f.01.04.2010 (here in after called in the said Act).

As per the provisions under section-38 of the said Act the Orissa Right of Children to Free and Compulsory Education Rules, 2010 (here in after called in the said Rules) has been notified by the State Government vide Notification No 17291/SME, Dtd 27.09.2010 and came into force w.e.f. 18th October, 2010.

The said Act proposes to provide free and Compulsory Education to every child of the age group of 6 to 14 years.

As per the provisions under section-8(g) of the said Act, the State Government shall ensure good quality elementary education conforming to the standards and norms specified in the schedule.

Keeping in view the provisions of the said Act and Rules and to comply the orders of the Hon'ble High Court in WP(C) Nos 1361 / 2010 and batch of cases to go ahead with the recruitment process in accordance with existing rules i.e. the provisions contained in the Central Act and Rules framed their under and the guidelines issued by the National Council for Teacher Education (NCTE) as being the Academic Authority, Government have been pleased to issue the present Resolution in supersession of all the previous Resolutions, Corrigendum and Addendum for engagement of Sikshya Sahayaks provided that engagement made, action taken or things done under the provisions of the Resolution, Addendum and Corrigendum so superseded shall be deemed to have been taken, made, issued or done under this present

resolution, namely : -That, all the functions of elementary education will be transferred in phases to Zilla Parishad and other Panchayati Raj Institutions.

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2. That, the recruits shall be called as Sikshya Sahayaks (SS).

3. That, engagement of all Sikshya Sahayaks (SS) will be made by respective Zilla Parishads on need basis under each category i.e. trained graduate Science, trained graduate Arts, +2 science CT and +2 Arts CT under the programme of Elementary Education, Sarva Sikshya Abhiyan (SSA) and for implementation of the said Act.

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4. ENGAGEMENT:

4.1. Sikshya Sahayaks (SS) will be engaged in each Education District Unit wise by the respective Zilla Parishad by a Selection Committee to be headed by the Collector-cum-Chief Executive Officer, Zilla Parishad as Chairman and Circle Inspector of Schools, District Inspector of schools, District Project Coordinator (SSA), District Employment officer and the District Welfare Officer as members. The District Project Coordinator (SSA) will act as Convener of the Committee, who shall prepare the draft select list and place the same before the Zilla Parishad with due approval of Collector-cum-CEO, ZP. The final selection will be made by Zilla Parishad within 15 days at the maximum. In case the Zilla Parishad does not finalise the select list within the stipulated time, the draft select list submitted by the Collector-cum-CEO, ZP will be deemed to be approved.

4.2 Vacant posts as well as newly created posts in the elementary schools on account of opening of new Primary / Upper Primary Classes or due to Upgradation of existing Primary Schools to Upper Primary Schools or opening of Class-VIII by way of up-gradation of existing Upper Primary Schools shall be filled up by the candidates having the qualification of +2 Science Arts /Commerce (or its equivalent examination declared by appropriate authority)and C.T. Training or +2 Science , Arts / Commerce (or its equivalent examination declared by appropriate authority) and 2 year Diploma in Education (Special Education) a course recognized by Rehabilitation Council of India (RCI) and B.A., B.Sc. (or its equivalent Examination declared by appropriate authority) and B.Ed. or B.A., B.Sc. (or its equivalent examination declared by appropriate authority) and one year B.Ed. (Special Education) a course recognized by Rehabilitation Council of India (RCI) as per the requirement under each category.

As per Section 23(2) of the said Act, read with rule 16(2) and (4) of the said Rules the State Government shall request the Central Government for relaxation of the prescribed minimum qualification as laid down by the academic authority for appointment of teachers. The candidates with lesser qualification will be considered for appointment only on the basis of qualification so relaxed by the central Government.

Untrained candidates selected as per the relaxed standard shall furnish an affidavit at the time of engagement to the effect that they shall acquire the required training qualification within a period of 5 years at their own cost.

4.3 Selection shall be made only on merit i.e. on the basis of percentage of marks secured in +2 (or its equivalent examination declared by the appropriate authority) and C.T. for C.T. candidates and B.A., B.Sc. (or its equivalent examination declared by the appropriate authority) with B.Ed. for B.Ed. candidates.

In case of untrained candidates the percentage of marks secured in +2 or its equivalent examination declared by the appropriate authority or BA, B.Sc. or its equivalent examination declared by the appropriate authority shall be considered.

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In case two or more candidates secure the same marks, the candidates older in age and if ages are same, the candidates passing High School Certificate Examination earlier will be placed above the other in the select list.

4.4 The select list for each Education District unit will be valid for a period of one year from the date of its finalisation. This select list will be 150% of the posts advertised for such Education District unit.

4.5 Orders of engagement shall be issued by the Zilla Parishad through its C E O, ZP of the District

While issuing the engagement order the respective CEO Zilla parishad will exhaust the list of selected trained candidates of the required category first and thereafter if need be he/she will fill up the remaining vacancies from the list of selected untrained candidates.

4.6 The engagement will be on an annual contract basis. Contract will be renewed in subsequent years depending on the performance of the candidate. While renewing the contract of the Sikshya Sahayaks (SSs), the Zilla Parishad / Collector-Cum-CEO, Zilla Parishad must see that the Village Education Committee of the concerned school has given positive certificate in his/her favour about regular attendance and satisfactory teaching. The Sikshya Sahayak (SS) can be removed from engagement with a prior notice of 30 days, if she/he violates the conditions of the contract on the basis of adverse report of the Village Education Committee.

5. MODE OF APPLICATION

5.1 Applications will be invited from eligible candidates (registered with employment exchanges / State employment exchanges as the case may be) through advertisement in local newspapers by the respective Collector-Cum-CEO, Zilla Parishad.

A candidate may make an application for any Education District unit of the State irrespective of his / her home Education District subject to condition that he / she shall apply in respect of one Education District unit only.

Application will be submitted in following ways before the respective CEO, Zilla Parishad i.e..

(a) Registered post (b) By person

The candidate shall have to furnish an affidavit with his / her application to the effect that he / she has not made application for engagement of Sikhya Sahayak in any Education District unit other than the Education District unit applied for. If, on verification it is found that the candidate has applied in more than one Education District unit for engagement as Sikhya Sahayak, his / her application shall be rejected without assigning any reason thereof.

6. ELIGIBILITY

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6.1 The candidates must have passed +2 Science, Arts/Commerce (or its equivalent examination declared by appropriate authority) and C.T. Training from a recognized Board /University or +2 Science, Arts/ Commerce (or its equivalent examination declared by appropriate authority) and 2 year Diploma in Education (Special Education) a course recognized by Rehabilitation Council of India (RCI) or B.A.,B.Sc. (or its equivalent examination declared by appropriate authority) and B.Ed. from a recognized University or B.A.,B.Sc. and one year B.Ed. (Special Education) a course recognized by Rehabilitation Council of India (RCI). The +2 candidates must have odia as a subject up to class-VII and B.Ed. candidates must have Odia as a subject up to class -X.
6.2 B.Ed. candidates must have registered their names either in the special employment exchange located at Vani Vihar (Bhubaneswar), Jyoti Vihar

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(Sambalpur), Bhanja Vihar (Berhampur) or in the State Employment Exchange at Bhubaneswar. +2 C.T. and untrained candidates must have registered their name in any employment exchange.

7. AGE:

Candidates shall not be below 18 years of age and above 42 years of age. In case of SC/ST, Women, Ex-Servicemen & SEBC candidates the upper age limit may be relaxed by five years and incase of PH candidates the upper age limit may be relaxed by 10 years.

8. **RESERVATION**

The Orissa Reservation Vacancies (in posts and services for ST & SC) Act, 1975 and rules made their under and such other principles of reservation as prescribed by the State Government, from time to time, shall be followed. Up to 33 1/3% posts will be reserved for women candidates.

9. ASSIGNMENT

The Sikshya Sahayaks shall perform the following duties.

- (i) They must maintain regularity and punctuality in attending school.
- (ii) They must ensure completion of entire curriculum within the specified time.
- (iii) Assess the learning ability of each child and accordingly supplement additional instructions if any as required.
- (iv) They must ensure minimum level of learning (MLL) for the students as prescribed by the Competent Authority (School & Mass Education Department).
- (v) They must ensure at least 90% attendance of the children in respective schools in all classes.
- (vi) They shall reduce the dropout of the children in school below 10%.
- (vii) She/He shall motivate the parents / guardians of the village in which Primary School is situated for enrolment of children within the age group of 6 to 14 years. It shall be his/her duty to contact parents / guardians in case children fail to attend classes regularly and get back such children to the classes.
- (viii) They will hold regular meeting with parent and guardians and apprise them about the regularity in attendance, ability to learn, process made in learning and any relevant information about the child.
- (ix) They shall perform all such other duties as assigned to them by the competent authority as and when required.

9.1 The Sikshya Sahayaks (trained and un-trained) will get consolidated monthly remuneration as decided by the Govt. from time to time.

The untrained sikshya Sahayaks will start getting the remuneration of trained Sikshya Sahayaks on acquiring training qualification.

9.2 The Sikshya Sahayaks (SS) would attend training programme as may be fixed by Government, from time to time.

9.3 The engagement would be on the basis of annual contract. In case Zilla Parishad decides not to renew the contract, appeal shall lie to the Government in School and Mass Education Department within three months of non renewal of contract.

8.4 The Sikshya Sahayak shall be eligible for casual leave of 12 days during one Calendar year. She/He shall not be entitled to any other authorised absence beyond the above-mentioned period. If he/she remains absent with

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permission and if she/he does not have any authorised leave at her/his credit, the proportionate amount from consolidated remuneration shall be deducted.

Any Lady Sikshya Sahayak who is having less than two surviving 9.5 children is entitled to avail leave on account of maternity for three months with usual remuneration.

The agreement as prescribed by the Government, between the 9.6 Collector-cum-C.E.O., Zilla Parishad and Sikshya Sahayak (SS) is to be executed on stamped paper.

Funds as required for remuneration of Sikshya Sahayak (SS) for each 9.7 district will be placed with the respective Zilla Parishads who shall pay to the Sikshva Sahayak (SS).

Decision taken in the matter of engagement of Sikshya Sahayak (SS) 10. will also be applied mutatis-mutandis to the institutions looked after by the ST & SC Development Department.

This Resolution will take effect from the date of issue.

By order of the Governor

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Commissioner Cum-Secretary to Govt. /SME, Date 10-1-11 10-1-2011 Memo No.

Copy forwarded to the Gazette Cell in-charge, Orissa Gazette Cell, C/o Commerce Department, Orissa Secretariat, Bhubaneswar with a request to publish the above Resolution in an extra ordinary issue of Orissa Gazette and supply 500 (five hundred) copies to this Department.

10-1-11 /SME. Date Memo No. Copy forwarded to Finance Department / P&C Department /Panchayati Raj Department / ST & SC Development for information and necessary action.

Addi. Secretary to Govt.

Addi. Secretary to Govt.

590 /SME, Date ______10-1-11 Memo No. Copy forwarded to Director, Elementary Education / SPD, OPEPA / Addi. Director, Planning (OPEPA) /Director, TE & SCERT, Orissa for information and necessary action.

Addl. Secretary to Govt.

10-1-11 /SME. Date Memo No. Copy forwarded to all Collectors-cum-Chief Executive Officers, Zilla Parishad / All DPG /All DI of Schools for information and necessary aetion 1 11 Addl. Secretary to Govt.

10-1-11 592 ISME, Date Memo No. Copy forwarded to Section - I / V / VI / XIII/five copies to XIV (Legal Cell-I & II)/ Computer Cell/ Sr. Standing Counsel, S&ME Cell, Cuttack & Bhubaneswar/ 50 copies to guard file of Section-II for information and necessary action.

Addl. Secretary to Govt.

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ାଦା ସୁକ ଦୁକ (+2) ବିଜ୍ଞାନ, କଲା, ବାଣିକ୍ୟ କିମ୍ବା ଚତୁନ୍ୟ ପରାକ୍ଷରେ ପାସ ସହିତ ଓଡ଼ିଆ ମାତ୍ରଭାଷୀସସମ ପର୍ଯ୍ୟତ ଯୋଗ୍ୟତା.ଥାଇ ବାଙ୍କ ବିଜ୍ଞାନ ଓ କଳାବଦ କିମ୍ବା ତତୁଲ୍ୟ ପରାକ୍ଷରେ ଭୁବକୁ ପାଦ ସହିତ (ଓଡ଼ିଆ ମାତ୍ରଭାଷା ଦୁଶମ ପର୍ଯ୍ୟତ) ପୋଗ୍ୟତାଥିବା ଅଟେଭୁଲିମ ସାସ ସୁସ୍ଟିକିନିକିର୍ଦ୍ଦ କାଟି, କତୁଳିତ ଓ ଶାରିହାଇ ଆଇନୁ ପାଦ ସହିତ (ଓଡ଼ିଆ ମାତ୍ରଭାଷା ଦୁଶମ ପର୍ଯ୍ୟତ) ପୋଗ୍ୟତାଥିବା ଅଟେଭୁଲିମ ପତି ଦିପୁତ ଶିକ୍ଷା ପୁନିରେ ଆବନ୍ୟକ ସଂଖ୍ୟା ତପସିର୍ଜ୍ଣପୂର୍ବ ଭିନ୍ତି, କନଜାତି ଏବଂ ଶାରିରାକ ଅନ୍ତରେ ଚାଲିନ ପ୍ରାସ ପୁର୍ବ ପ୍ରାସ ମିକତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସଂପର୍କିତ ରିହାତିର ଆତେଶ ଅଜୁଯାଯା ସେମାନଙ୍କ ବିଷୟକୁ ବିଚାରକୁ ନେଇ କିଯୁନ୍ତି ଦିଆଯିତ ।

(୩) ୨୦୧୦-୧୧ ଖିକ୍ଷା ବର୍ଷରେ C.T. ପରୀକ୍ଷା ଦେଇଥିବା ପ୍ରାର୍ଥୀମାନେ Admit କାର୍ଡ଼ର ନକଲ ୱଂଯୋଗ କରି ଆରେଦନ କରିପାରିବେ । C.T. ଘରୀକ୍ଷା Result ବାହାରିବାର ୧୫ ଦିନ ମଧ୍ୟରେ ସେମାନେ ପାଶ Cartificate ଏବଂ Marksheot ର ନକଲ ଆବେଦନ କରିଥିବା କିଲ୍ଲାରେ ଦାଖଲ କରିବା ପରେ କେବଳ ସେମାନଙ୍କର ଦରଖାସ୍ତ ବିବାରକୁ ନିଆସିବ ।

ଏମହ ଅଣ ଡିଲିନିମିପ୍ରିାଷ ପ୍ରାର୍ଥାମାନେ ନିୟୋଜନ ହେବାର ପାଧ ବର୍ଷ ମିଧ୍ୟାରେ ନିଜ ଖାର୍ଚ୍ଚିରେ ଡାଲିମପ୍ରାୟ ହେବେ ବୋଲି ଏକ (Undertaking) ଦେବେ ।

୪. ବୟବସୀମା : ପ୍ରାର୍ଥାମାନଙ୍କର ବୟସ ତା.୧.୧୧.୨୦୧ ୧ରିଖ ସୁଦ୍ଧା ୪୨ ବର୍ଷରୁ ଅଧିକ ହୋଇ ଜଣ୍ଣବ କିମ୍ପା ୧୮ ବର୍ଷରୁ କମ୍ ରମ୍ଭାଜ ଜଥିବା ଆବଶ୍ୟାଜୀ ତଫସିଲ ଭୁଞ୍ଜ ଜାତି ଓ ଜନଜାତି, ସାମରିକ କର୍ମଚାରୀ, ମହିଳା ଏବଂ SEBC ପ୍ରାର୍ଥାମାନଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଜ ବୟସ ସାମା ଓ ବର୍ଷ ଜୋହକ ଜରାଯିବ । ଶାରିରୀଜ ଭିନ୍ନ କ୍ଷମ ପ୍ରାର୍ଥାମାନ୍**ଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଜ୍ ବୟସ ସାମା ୧୦** ବର୍ଷ ଜୋବଜ ଜରାଯିବ ।

୫. ନିୟୋଜନ ÷ ଶିକ୍ଷା ସହାୟକମାନେ ବାର୍ଷିକ ବୃଦ୍ଧି ଅନୁଯାଯା ପ୍ରାଥମିକ/ଭଚ୍ଚ ପ୍ରାଥମିକ ତଥା ଭଡ଼ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟର ଉନ୍ନୃତି ଶ୍ରେଣାମାନଙ୍କରେ ଆବଶ୍ୟକ ଅନୁଯାନ୍ଦା ନିୟୋଜିତ (ଏନରେଜମେ**ଏ) ହେବେ** ।

୫. ୧ ନିୟୋଜନ ପତ୍ର ପ୍ରଦାନ ପୂର୍ବରୁ ସଂସ୍କୃତ କିଲ୍ଲା ପରିଷଦ ଚରପରୁ ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ, କିଲ୍ଲା ପରିଷଦ ତଥା କିଲ୍ଲାପାଳ ଓ ଶିକ୍ଷା ସହାୟକଙ୍କ ମଧ୍ୟରେ ଝାମ୍ପ କାଗଜ ମାଧ୍ୟମରେ କିର୍ଦ୍ଧାରିତ ଫର୍ମରେ ଏକ ବୁନ୍ତିନାମା ସ୍ୱାକ୍ଷରିତ କରାଯିବ ।

୫. ୨ ଶିକ୍ଷା ସହାୟକ/ସହାୟକାମାନଙ୍କୁ ସେମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା ନିଲ୍ଲା ମଧ୍ୟରେ ନିୟୋଜନ କରାସିବ ।

୬. ସଂଭିକ୍ଷଣ ବି<u>ଏବୁସା</u> । ଓ.ଆର,ଭି ଆକ ସଂଗେ ସଂଗେ ରାଜ୍ୟ ସରକାରଙ୍କର ଅନ୍ୟାନ୍ୟ ସଂରକ୍ଷଣ ନୀତି ଏବଂ ଅନ୍ୟ ପ୍ରାର୍ଥୀ ସଥା-ପୂର୍ବତନ ସାମରେ ଜମିଚାରି (Ex-Servicemen), ଭିନ୍ୟସମ (Handicapped) ଙ୍କ ପାଇଁ ସାଧାରଣ ପ୍ରଶାସନ ବିଭାଗ ରିଜଲ୍ୟୁସନ ନଂ-୨୫୩୮ ୪ ଡା.୨୦.୦୯.୨୦୦୫ ଅନୁସାୟୀ ସଂରକ୍ଷଣ ବ୍ୟବସା ଲାଗୁ ହେବ ଏବଂ ଜ୍ରିତା କ୍ଷେତ୍ରରେ ସ୍ୱାତତ୍ୟେ ଅର୍ଜନ କରିଥିବା ବ୍ୟତ୍ତ (Eminent Sports Personel)ଙ୍କନିମତ୍ତେ ସରକାରଙ୍କ ଦ୍ୱାରା ସଂକଳିତ ସଂରକ୍ଷଣ ନିୟମ ଲାଗୁ କରାଯିବ**ା ମହିଳା ପ୍ରାର୍ଥାନାଙ୍କ** ପାଇଁ ସପୁତ୍ତ ବର୍ଗର ୩୩.୧/୩ ପ୍ରତିଶତ ସଂରକ୍ଷଣ ଲାଗୁ ହେବ ।

୬. ତାଳମ୍ ପ୍ରାପ ଶିକ୍ଷା ସହାଯକମାନିଙ୍କୁ ମାର୍ସକ ଟ.୪୦୦୦/- ପାରିଶ୍ରମିକ ଥାକାରରେ ଦିଆଯିବ ।

ି. ଅଣ ଚାଇଁମ ପ୍ରାପ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ.୩୫୦୦/- ପାରିଶ୍ରମିକ ଆନାରରେ ଦିଆଯିବ ।

୯. ନିମ୍ନ ପ୍ରତର ଦରଖାସ ଫର୍ମ ଅନୁସାରେ ଆବେବନ କରାଯାଇ ପାରିବା ଦିରଖାସ ସହ ମାଟ୍ରିକ ଠାରୁ ଆବେଦନ କରିଥିବା ପଦବୀପାଇଁ ଶିକ୍ଷାଗଡ଼ ଯୋଗ୍ୟତାର ପ୍ରମାଶପତ୍ର ଏବଂ ମାର୍କ ଚାଲିକାର ଅବିନଳ ନକଳ (ଆହେସଡ଼ିବ କପି) କର୍ମନିୟୋଜନ ସଂସ୍ଥା ପଞ୍ଜିକରଣ ପ୍ରମାଣପତ୍ର, ରାତିଗତ ଏବଂ ଆବାସିକ ପ୍ରମାଶପତ୍ର, ଭିନୁଷମ ହୋଇଥିଲେ ତାଉ ଅବିନଳ ପ୍ରମାଶପତ୍ର, ପ୍ରାର୍ଥୀଙ୍କର ୨ କିଚା ବର୍ତ୍ତମାନର ସହିମୋହର ପାସପୋର୍ଟ ଆକାର ଫଟୋ ଏବଂ ଜେବଳ ଗୋଟିଏ ଶିକ୍ଷାନିଲ୍ଲାରେ ଆବେବନ କରିଛର୍ଡି ବୋଲି ସତ୍ୟପାଠ (Affidavit) ଇଚ୍ୟାଦିର ସଂପୋଗ ନଥିଲେ ଆବେବନ ପତ୍ରଟିକୁ ଖାରଜ କରିତିଆଯିତ ।

ଶିକ୍ଷା ସହାୟକ ପଦପାଇଁ ଆବେଦନ ପତ

୧. ପେଉଁ ଶିକ୍ଷା କିଲ୍ଲାରେ କିଯୁରି ବାହୁଁଛବି କାର ନାମ । ୨. ଯେଉଁ ପଦକାରେ କୁଯୁବି କାହୁଁଛବି କାର ନାମ । ଏ. ପ୍ରାର୍ଥୀଙ୍କର ସଂପୂର୍ଣ୍ଣ କାମ । ୪. ପିକା କିମ୍ବା ସ୍ୱାମୀଙ୍କର ନାମ । ୫. ବର୍ତ୍ତମାନର ପିକରା । ୬. ଯୋଣ ପିକରା । ୨. କରୁକାରିଖ (ପ୍ରମଧ୍ୟାଠନ୍ତର ଅବିକଳ୍ପ କଳେ ସଂପୃଧ କରିବେ) *। ୮. ପ୍ରାର୍ଥା*,ପ୍ରାର୍ଥୀନା ରେଉଁ କରିର ଅଟନ୍ତି । ୧. ଶିକ୍ଷାରତ ପୋର୍ମ୍ବଚା, ରହାର୍ଖ ସେଲଥିବା ପରାକ୍ଷାନକଙ୍କର କାମ, ଭିଷାନୁଷ୍ଟାଦକ କାମ, କୋର୍ଡ କିମ୍ବା ବିଶ୍ୱବିବଧ୍ୟକଥର କାମ, ଭତ୍ତାର୍ଖ କରି କରେ କରୁର ପାଇଥିଲେ, ୬ କମ୍ବଲ, (ଯୁହ କୁଲ୍ଲାରକର କୁମ୍ଭାର ଅଟନ୍ତିକା କ କାମ, କୋର୍ଡ କିମ୍ବା ବିଶ୍ୱବିବଧ୍ୟକଥର କାମ, ଭତ୍ତାର୍ଖ କରି କରେ କରୁର ପାଇଥିଲେ, ୬ କମ୍ବଲ, (ଯୁହ କୁଲ୍ଲାରକର କମ, ଭିଷାନୁଷ୍ଟାଦକ କାମ, କୋର୍ଡ କିମ୍ବା ବିଶ୍ୱବିବଧ୍ୟକଥର କାମ, ଭତ୍ତାର୍ଖ କରି କରେ ପାଇଥିଲେ, ୬ କମ୍ବଲ, (ଯୁହ କୁଲ୍ଲାରକର ମାନ୍ତି ଅଟନ୍ତିକା କରିକା ସେଥିମାନେ ନିର୍ବା ବିଶ୍ୱବିବଧ୍ୟକଥର କାମ, ଭତ୍ତାର୍ଖ କରିକେ କରେ (ଅନ୍ତାରେ ସେ ପାଇଥିଲେ, ସେଥିକା କରି ପାଇଥିଲେ ସେଥିକା ସାର୍ଥୀମାନେ Admit କାର୍ବର ଅବିକଳ କଳଲ ସଂଯୋଗ କରିବେ । ୧୦. ୨୦୧୦-୧୧ ଶିକ୍ଷାବର୍ଷରେ ସିଟି ପରାକ୍ଷା କେଇଥିକା ପ୍ରାର୍ଥୀମାନେ Admit କାର୍ବର ଅବିକଳ କଳକ ସଂଯୋଗ କରିବେ । ୧୨. ୨୦୧୦-୧୧ ଶିକ୍ଷବର୍ଷରେ ସିଟି ପରାକ୍ଷା କେଇଥିକା ପ୍ରାର୍ଥୀମାନେ Admit କାର୍ବର ଅବିକଳ କଳକ ସଂଯୋଗ କରିବେ । ୧୨. ୭୦ନେ କରୁର କାମ ବଂଜ ରେନିବସ୍ଥଳକ ସଂଖ୍ୟ ଓ କରିକା ପ୍ରାର୍ଥୀମାନେ ଲକଳ ସଂଯୋଗ କରିବେ) । ୧୨. ଜାତିଗତ ପ୍ରମଣପତୁ (ଅବିଳକ ନକଳ ସଂଯୋଗ କରିବେ) । ୧୩. ଅବର୍ମନା ପ୍ରମାଜିରୁ (ଅବିଳକ ନକଲ ସଂଯୋଗ କରିବେ) । ୧୫. ଅବାସିକ ପ୍ରମଣପତୁ (ଅବିଳକ ନକଳ ସଂଯୋଗ କରିବେ) । ୧୫. ରେନିଏ ଶିକ୍ଷାକ୍ରିକ୍ସାରେ ଆକରକର କରିଥିବାର ବତ୍ୟପାଠ (Affidavitin Original) ସଂଯୋଗ କରିବେ । ୧୬. ପୁକଳିକା କରିକାନ ପ୍ରମାନର ସଂଶ୍ୱି ନେହର ପାରେକ ଓ ବର୍ଥ ମଧ୍ୟରେ କାଳିମ ସଂସ୍ଥର କରିବେ : ବାର ପାରେ ମହାର କରିବେ : ବାସିକ

ଅନେନକାରୀଙ୍କର ସ୍ୱାୟର

ପ୍ରାର୍ଥୀଙ୍କ ନାମ :

ସାନ୍ଦ :

କୁମିକ ସଂଖ୍ୟା : ପିକଶା :

ଜିଲ୍ଲାପାଳଙ୍କ ଆଦେଶ ଜୁମେ

ନିମ୍ନୋକ୍ତ ସଂଲଗ୍ନମାନ (Enclosures) ହସ୍ତଗତ ହୋଇଛି ।

(ଜ) HSC ସାର୍ଟିପିକେଟ, ପୁଦ୍ଧ ଦୁଇ ସାଟିପିକେଟ, ଚାଲିମ ସି.ଟି. ସାଟିପିକେଟ, ସ୍ନାଉକ,ରି.ଇଚି ,ସେସାଲ ବି.ଇଚି.) ସାଟିପିକେଟ, (ଖ) ଯୁତ୍ତ ଦୁଇ ମାର୍କସିଟ , ଚାଲିମ୍ (ସିଟି) ମାର୍କସିଟ ଓ ସ୍ନାଉକ, ବି.ଇଚ, ସେସାଲ ବି.ଇଚି)ମାର୍କସିଟ/ RCI Registration ର ପ୍ରମାଣପତ୍ର / ୨୦ ୧୦ ୧ ୧ ୦୦ ପରୀଷାର Admit Card ନକଲ (ଗ) ଜାଚିଗଡ଼ ପ୍ରମାଣପତ୍ର (Caste Certificate) (ର) ଆବସିକ ସ୍ମାଣପତ୍ର (Residential Certificate) (ଡ) ଗୋଟିଏ ଶିକ୍ଷା କିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ରପାଠ (Affidavit in Orlginal) (ତ) କର୍ମକିଯୋଜନ କେନ୍ଦ୍ରର ରେଜିଞ୍ଜେସନ ପ୍ରମାଣପତ୍ର (ଛ) ଅଣତାଲିମପ୍ରାସ୍ତ ପ୍ରାର୍ଥୀ ନିକ ଖର୍ଚ୍ଚରେ ୫ ବର୍ଷ ମଧ୍ୟରେ ଚାଲିମ୍ ପ୍ରାସ ହେବେ ବୋଲି Under Taking (ଜ) ଅକର୍ମଣ୍ୟ ପ୍ରମାଣପତର ଅବିଜଳ ନକଲ : (ଝ) ଦୁଇକିହା ବର୍ତ୍ତମାନର ସହିମୋଦର ପାସପୋର୍ଟିଆକାର ଫଟୋ

ପ୍ରାପ୍ତି ସ୍ମାକାର

ପ୍ରାର୍ସି ସ୍ୱୀକାରକାରୀଙ୍କ ସ୍ୱାକ୍ଷର ନାମ^{୍ମ} -ପଦରୀ :

ସ୍ୱା/- କିଲ୍ଲାପ୍ରକଲ ସଂଯୋଜକ ସର୍ବଶିକ୍ଷା ଅଭିଯାନ, ଇଚ୍ଚ

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PROVISIONAL MERIT LIST OF SHIKSHYA SAHAYAKS AMAYAKS AMAYAKS (150% OF THE VACANT POST) UNDER BHADRAK DISTRICT, 2011

	NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd*s Name	l Permanent Address	Date of Birth	., Sex	Categ ory	Caste certi. No. Date	R esiden t Certi. No.	Emplo ymeiit Exche nge Regn. No.	+2 Full Mark	+2 Mark Obtain ed	Ferce ntage	Full Mark CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
· 7	1	205	SANITA BALA KAR	H-MANASH RANJAN DASH	atipo- Jagannathpur ,BDK	02.02.88	F	GEN		3226/10	WT786 63/09	900	564	62.67	1250	919	73.52	136.19		
、のた、	2	291	ANITA • BHUIYAN	F- BRAHAMANA NDA BHUIYAN	at-Kuanrda,po adia,via- Bonth,BDK	27.05.90	F	SEBC	79/11	218/11	WT/85 15/10	900	562	62.44	1250	916	73.28	135.72		-
	3	65	DIPTI PRAVA BEHURIA	F-TAPAN KU. BEHURIA	at-tikara.po- akhuapada,b.p okhari,bdk	15.05.91	F	SEBC	90/11	75/11	WT/67 6/11	600	406	67.67	1250	841	67.28	134.95		
	4	374	USHARANI JENA	F-ANIRUDHA JENA	at- Gandagara,po Kenduapada,b Hadrak	06.04.89	F	GEN		188/11	WT724 20/09	900	521	57.89	1250	963	77.04	134.93		•
	5	174	RASMITA DEY	F-PRAVAT KU. DEY	at- Januganj,po- Madhabnagar, BDK	04.05.87	F	OBC	83/05	417/11	W1718 22/08	900	537	59.67	1250	939	75:12	134,79		

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PROVISIONAL MERIT LIST OF SHIKSHYA SAHAYAKS (150% OF THE VACANT POST) UNDER BHADRAK DISTRICT,2011

	in the second se	,10.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Perm anent Add ress	Date of Birth	Sex	- Categ ory	Caste certi. No. Date	Rosider t Certi. No.	Emplo yment Excha nge Regn. No.	+2 Fuli Mark	+2 Mark Obtain ed	Perce ntage	Full Mark CT	Mark Obtai ned CT	1	Totai	PH/Ex. Ser./Sp orts	Remarks
		6	36	SASMITA BARIK	F-NARAYAN CH. HARIK	AT- SHYAMP UR.PO- D.NAGAR. BDK.75 6117	08.06.91	F	OBC	753/11	675/11	WT/22 4/11	600	368	61.33	1250	918	73.44	134.77		
68-		7	61	BISAKHA KUMARI BAL	F-SHYAMA SUNDAR BAL	AT-NEUL IA, PO- MANJURI, VIA- AKHUAP ADA BO K, 756112	02.05.91	F	SEBC	09/11	33/11	TW/28 0/11	600	389	64.83	1250	851	68.08	132.91		
	1	8	167 -	Snehalata Kar	F-PARSURAM Kar	at-kuan rda.90 adia,via- Bonth,B D K	12.06.91	F	GEN		141/11	TW/62 7/11	600	400	66.67	1250	828	66.24	132.91		
		9			F-MAYADHAR BEHERA	AT- KAHALIAG ADHA ,PO- KAHALIGADIA, VI A- D.J.PUR, KEONJH AR,758078	18.05.67	F	SEBC	504/11	500/11	WT/58 3/09	900	558	62.00	1250	886	70.88	132.88		· · · ·
		10	68		KU.	at- Jagannathpur Po-Bdk,7 8 8100	18.03.80	F	GEN		560/11	TW/32 63/08	900	571	63.44	1250	858	68.64	132.08		

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PROVISIONAL MERIT LIST OF SHIKSHYA SAHAYAKS (150% OF THE VACANT POST) UNDER BHADRAK DISTRICT, 2011

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	NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Caste certi, No. Date	Reside t Certi. No.	Emplo yment Excha nge Regn. No.	1 .a.	+2 Mark Obtain ed	Perce ntage		Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
	11	163	MANASI SABAT	H-NARENDRA KU SENAPATI	AT-PALLI,PO- ATTO,BDK,75612 3	22.05.90	F	GEN		48 8/11	TW784 98/10	900	545	60.56	1250	892	71.36	131.92		
69	12	145		H-BASANTA KU. NAYAK	AT- KESHABNAGAR PO- MADHABNAGAR BDK,756181	13.06.74	F	SEBC	874/09	6755/10	TW730 13/07	900	557	61,89	1250	873	69.84	131.73		
	-13.	101		PAMAKANTA	AT/PO- OLANGA,VIA- RANDIAHAT,BDK ,756135	04.06.91	F	GEN		81/11	CT/375 /11	600	369	61,50	1250	870	69.60	131.10		
	14 ;-			F-MD. KASIM KHAN	AT- MUNSIMAHALLA, PO- GUJIDARADA,BD K	18.05.87	F	GEN		531/11	TW18 72/08	\$00	5 16	57.33	1250	921	73.68	131.01		
	15			DADUI	atipo- Kalyani,via- Kothar,bok	14.04.84	F	GEN		7807/11	TW 771 77/06	900	412	45.78	1250	890	71.20	116.98	PH(OR TH) 55%	

	•		GT		PR OVI (150% OF TH										011		8 -	- U	R FEMAL	.E	
		NORM	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ	Caste certi. No. Date	Resider t Certi. No.	Emplo yment Excha nge Regn. No.	+2	+2 Mark Obtain ed	Perce ntage		Mark Obtai ned CT	4	Total	PH/Ex. Ser/Sp orts	Remark	Ļ
			· · · · · · · · · · · · · · · · · · ·	I	L	L	L	l	NAITI	NG	, I	.I	ł	Į	I	1 <u></u>	1	L	I	l	
	1	103	geetanjali Mishra	H- CHANDRALO CHAN TRIPATHY	AT/PO- SABARANGA BD K 756123	06.05,86	F	GEŅ		6074/10	TW/37 10/07	900	504	56.00	1250	929	74.32	130.32 '			
170-	2	122	NASREEN AKHTARI	F-HASIM	AT- KAZIMOHALLA P O- PURUNABA ZAR BDK	05.06.86	F	GEN	•	470/11	WT/15 14/09	900	506	56.22	1250	921	73_68	129.90			
	3 ** *(*	1 330 4	CHANDINI KHATOON	GAFFAR	AT-NUASAHLPO- GARADPUR DIST BHADRAK	28.01.91	F	GEN		470/11	WT/66 1/11	ööð	332	55.33	1250	932	74.56	129.89			i
	4	302	kalpana Panigrahi	F-GOURHARI	A T-HARIPUR, PO- Sahada, VIA- Sabaranga, BD K	Q8.06. 89	F	GEN		475/11	WT/11 1/10	900	502	55.78	1250	914	73.12	128.90	PH(EY E) 42%		

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1	, , , , , , , , , , , , , , , , , , ,			Name of ti Applican		(150% OF Permanent Address		e l		Caste		Emple		+2 Mark	Per	Ful	Mark Obtai ned	Perce	n Total	PH/Ex Ser_/Sp	Remark
	5	27;		RCHANA IISHRA	F- BYOMOKESH A MISHRA	AT/PO- 1 APARTIBINDHA BDK	06.07.81	F	GEN		535/10	No. TW/30 32/07	900	509	56.56	1250	ст 903	72.24	128.80	orts	
6	5	176	SH	IAMMA RWEEN	F-SK. DAUD	AT-HELASAHI,P PURUNABAZAR BDK	0	F	GEN		654/11	FW/10 26/10	900	491	54. 5 6	1250	923	73.84	128.40		
7		293	SMI Pan	ITA RANI VIGRAHI	PANIGRAHI	AT- HARIPUR, POSAH ADAHARIPUR, VI A- SABARANGA, BD K	06.07.89	F	GEN	9		/T/11 P0/10	200	475	2.78	1250	945 7	5.60 1	128.38		
}		B9	Anit Mish	IRA K	CONKI (AT-EREIN, PO- HARAMPA, BDK. 56101	09.02.79	FG	SEN SEN	52	28/11 2	W78		90 54		250 9	-			-+	,

L.NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Caste certi. No. Date	Resider i Certi. No.	Emplo yment Excha nge Regn No.	+2	Obtain	Perce ntage	Full Mark CT	l Mark Oʻstai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
9	95	MITANJALI DHAL	F- PURUSOTTA M DHAL	AT/PO- KANPUR, VIA- DHANUR, JAYAPU R. PS- SOSO, KENOJHA R. 758078	07.07.91	F	SEBC	332/11	330/11	WT/18 3/11	600	364	60.67	1250.	847	67.76	128.43	PH(OR TH) 50%	
2	127	anita Pradhan	H-BİKRAM KÜ ROUT	AT- CHANDRAPUR, P C- IALAMANDUA, VI A-BARIKPUR BAZAR, DIST- EHADRAK	48.07.83	F	SEBC	18/11	417/11	TW/12 68/08	900	554	61.56	1250	630	66.40	127.96		
3	272	MANOSWINI RANA	F-LAMBODAR RANA	at- Binayakpur.Bd K	04.05.90	F	OBC	243/08		TW/87 7/11	900	500	55.66	1250	901	72.08	127.64		
4	13	Shanti Lata Sahoo	H-JITENDRA KU DAS	at- Naripur Po/PS- Bhadrak:Bok	02.01.88	F	OBC	319/06	5378/09	T/2306/ 09	900	526	58.44	1250	857	68.56	127.00		
5	270	SARITA NAYAK	NITYANANDA	AT- BALIPATANA, PO- MALIDA, VIA- MADHAB	02.08.89	F	SEBC	316/06	817/11	WC/94 78/10	900	523	58.67	1250	854	68.32	126.99		

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PROVISIONAL MERIT LIST OF SHIKSHYA SAHAYAKS (150% OF THE VACANT POST) UNDER BHADRAK DISTRICT, 2011

SEBC FEMALE CATEGORY

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Emplo Caste Mark FORM vment +2 Full Obtai Percen Residen PH/Ex +2 Name of the Father/Husba Permanent Date of certi. Mark INDEX Categ Excha Perce 5L.NO. Ser /Sp Remarks Sex t Certi. Full Total Mark Applicant rid's Name Address Birth NO οη No. Obtain | ntage red tage nge Mark No. CT orts Date Regn ed CT No. AT-٦ د BHABANIBINDHA MANINI PO-WT/19 6 85 JUDHISTHIR 07.04.83 F OBC 103/11 525/11 900 472 52.44 1250 927 74.16 126.60 PARIDA ICHHAPUR VIA-15/08 PARIDA DOLASAHUBDK 7 56127 ÷F AT/PO-F-INDRAMAN! EALIBAREL HADA MALATI TW/15 299 14.06.88 F SEBC 970/11 958/11 900 536 59.56 1250 833 66.64 126.20 LATA NAYAK NAYAK GARH KEONJHA 62/09 AT-JAMITIRA PO-SUBHASMIT HATADIHI, KEON: 11.04.91 F SEBC 137/11 138/11 ORALI, VIA-WT/10 8. 153 ABHIMANYU 61.00 1250 815 65.20 126.20 600 366 A MOHANTY 7/11 MOHANTY HAR AT-PARBATI F-KASHINATH WT/89 288 9) MATIAPADA PO- 27.05.84 F SEBC 643/03 316/11 900 526 58.44 1250 828 66.24 124.68 SAHOO SAHOO 05/09 **PURI-ILPURI** AT-PH(EY PHCW Dip In Spl BAYANGDIHI,PO-BASANTILAT F-ISWAR CH. 05.08.81 F SEBC 2281/0 1935/11 4342/0 490 900 522 58.00 3325 2192 65.92 123.92 E) A SAMAL SAMAL NUAHAT, VIA-Edu. 8 100% 3 KOTHAR BOK

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PROVISIONAL MERIT LIST OF SHIKSHYA SAHAYAKS (150% OF THE VACANT POST) UNDER BHADRAK DISTRICT, 2011

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SEBC FEMALE CATEGORY

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		SL.NO.	Form Index NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	 Sex	Caleg ory	Caste certi, No, Date	Residen 1 Certi. No.	Emplo yment Excha nge Regn. No.	+2	+2 Mark Obtain ed	Perce ntage	Full Mark CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
		11	184	SUREKHA SAMAL	F- BISWANATH SAMAL	at- Bimbalbar.po- Patuli,via- Barikpur Bazar,bok	15.07. 89	<u>_</u> F	SEBC	5150/0 7	330/11	WT/86 46/10	900	525	58.33	1250	813	65.04	123.37		
		12	224	SMT. SUDHA NAAYK		AT/PO- DANAR,VIA- M:ROAD,KENOJ HAR	05.07.91	F	SEBC	22/10	23/11	TW/26 6/11	600	345	57.50	1250	£20	65.60	123.10		
1	•					· · · · · · · · · · · · · · · · · · ·			V	VAITU	1G				الــــــــــــــــــــــــــــــــــــ				<u> </u>		
		1		lyotsnara Ni Giri	KAMALKANTA GIRI	at- Gopalpur,po- Ganijang,via- Bonth,BDK,756 114	02.05.82	F	SEBC	297 <i>1</i> 00	5978/10	WC/19 04/08	1000	597	59.70	1250	786	62.88	122.58		
		2			F-SRIDHAR OJHA	AT- PADMAPUR.PO- GANJEIBADUVA- DOLASAFUBDK-7 56127	26.05.85	F	OBC	91/11	526/11	TW/18 78/08	900	491	54.56	1250	840	67.20	121.76		
	المراجع من	3		SWARNALA TA PAUL	H-SUJNAN KU. DAS	ATIPO- ICHHADA, VIA- BARIKPUR, PS- D. NAGAR, BOK, 75 6112	03.02.83	F	SEBC	935/11	678/11	Г/9 84/1 1	900	458	50.89	1250	683	70.64	121.53		

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Annexure 3 series.

ALEMERG (100% OF THE VACANT POSTS) UNDER RELACED STRICT, 2017 IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.F.(L) NO. 6452/11)

	SL NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast e certi . No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2 Full Mark	+2 Mark Obtain ed		Full Mark CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex Ser,/Sp orts	Remarks
	1			IL-SOMANATH	at- Patrisahi,po- Dhusuri,bok	08.07.90	F	SEBC	1382 /11	768/11	TW/92 12/10	500	383	76 .60	1250	969	77.52	154.12		
it i	2	50	PRAVATI BARIK →	F-ABHAYA CH. BARIK	at- Sankhuaī,po- Naami,via- M.Road,bdk	13.07.91	F	OBC	1397 708	3417/10	WT/18 5/11	600	429	71.50	1250	979	78 32	149.82		-
	3	115	arun ku. Kar	F- Bhagirathi Kar	AT- PRAKATPUR,P O- MARDAKATIAC HHAK,PS- MANGALPUR,J AJPUR	1	M	GEN		108 08/1 0	тл27/1 1	1000	780	78.00	1250	896	71.68	149.68		VOCATIONAL (UNDER ENQUIRY)

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FINAL MER TELES (100 A CONTRACTOR FOR THE MONTELE HIGH COURT IN W.P.(C) NO. 6452/11) 5.000

SL	- II	ORM NDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast e corti . No. Date	1	Emplo yment Excha nge Regn. No.	+2 Full Mark	Obtain	Perce ntage	Full Mark CT	Mark Obtai ned CT	Percer	- and a	PH/Ex. Ser./Sp orts	Remarks
4		40	amiyabala Rout	F-PRAMOD KU. ROUT	at- Gothina,po- Ambiliga n,via - Kothar, bo k	12.06.89	F	GEN		263/11	WT/59 2/11	900	601	66.78	1250	992	79.36	116.14		
	5()	31	TAPASWINI	F-NARAYAN CH. JENA	at-padi,po- adia,via Bonth,b o k	11.06.90	D F	SEBC	89/1 1	78/11	WT/49 6/11	5 1000) 745	74.50	125					
	6	93		F-GIRIDHARI PANDA	AT- SANKHULA,PO NAAMI, N.ROAI ,BDK,756 12 1	09.06.9	n F	GEN	1	3248/1	WT/2) 406	67.6	7 125	0 97				
L		<u>,</u>				- 		_	,	Dim Pr S.	B bject Co S. A. B	-ordini hadrak	1 1-1 ²							

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FINAL MERIT LIST OF S.S.S. (100% OF THE VACANT POSTS) UNDER BHADRAK DISTRICT, 2011 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO 6452/11)

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SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast e certi . No. Dâte	Roside nt Certi, No,	Emplo yment Excha ngo Rogn. No.	+2	0	Perce ntage	Full Mark `CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	
7	159	PRITIPADMA DAS	F-BHASKAR CH. DAS	at. Bishnupur,p o. Bahudarada, B.pokhari,bd K	15.06.91	F	GEN		05/11	TW/10 3/11	8 00	410	68,33	1250	959	76.72	145.05		
8	19	NIYATI JENA	F-BASUDEV JENA	AT- RASUNAPADI,P O-KAUPUR,VIA- RANDIAHAT;BD K	17 03 85	F	SEBC	6/11	120/11	TW/25 1/11	1000	741	74.10	1250	883	70.64	144.74		UPASAST UNDER ENQUIR
9	34		F-ALEKHA KU, MOHAPATRA	at/po- Sabaranga,b DK,756123	21.05.88	м	SEBC	14 <u>22</u> /10	51 0 6/10	T/304/1 1	1000	702	70.20	1250	822	73.76	143.96		VOCATION (UNDER ENQUIRY



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UNAL MERHILIST OF S.S.S (100 & OF THE VACANT POSTS) UNDER BHADRAK DISTRICT,2011 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO 6452/11) + +2 ART -GT

	51 1	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Binth	Sex	Categ ory	Cast e certi . No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2 Full Mark		Perce ntage	Full Mark CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex Ser./Sp orts	Remarks
-34-	10	402	BIKASH KU. Sethi	F- BRUNDABAN	AT/PO- KENDUAPADA, DIST- BDK,75 5 142	06.04.90	M	sc	205/ 05	449/11	614/11	1000	638	63.80	1250	1000	80.00	143.80		UPASASTRI UNDER ENQUIRY
	11	107	AJIT KU. GIRI	F-GOPINATH GIRI	AT/PO- MAREIGAON, VI A- HATADIFIJKEO NJHAR, 768083	02.06.80	M	овс	4827 /10		T/608/0 9) 1000	661	66.10	1250	958	76.6	112.74		VOCATIONAL (UNDER ENQUIRY)
	12	3	MITARANI SAHOO	F-ANANDA CH SAHOO	AT- KAHARAPOKH ARI,PO- PIRIPUR,MA- BARIKPUR BAZAR,BDIK	16.03.91	F	GEN		16/11	TW/10 4/11	600	411	68.50	1256	921	73.0	142.1	B	

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FINAL MERIT LIST OF S.S.S (100% OF THE VACANT BOSTS) UNDER BHADRAK DISTRICT, 2011 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO. 6452/11)

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	SL. NO.	FORM INDEX NO	I Nomo effet	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast e certi . No. Date	R oside nt Certi, No,	Emplo yment Excha nge Røgn, No.	+2	Official	Perce ntage	Full Mark CT	Mark Obtai ned CT	Percen tage	Totai	PH/Ex. Ser./Sp orts	Remarks
, ÉÉ	13	194		F-LATE NILAMANI SANKHUA	at. Talapada,po. D.Nagar,bdk	03.02.86	Μ.	OBC	3891 /10	3890/10	T/1827/ 08	900	554	61.50	1250	1005	¢ 80.40	141.96		· · ·
1	14	175	GULE FIRDOSH	F-SK AIVID	at- Helasahi,po- Purunabazar ,BDK ~	02.06.83	F	GEN		853/11	WT/10 627/10	900	548	60.89	1250	1009 10	80,12	141.61		
	15	76	DIPAK KU. NAYAK	F-GOURANGA	ATIPO- SERAPUR, VIA- DOLASAHI, BDK , 756122	10.04.91	М	GEN		91/11	T /306/1 1	600	404	67.33	1250		73.76	141.09		2

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SL. NO:	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast e certi No Date	Reside nt Certi. No.	i nog l	+2 Full Mark	+2 Mark Obtain ed	Perce ntage		Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
16		TILOTTAMA MAEIK	MALIK	AT/PO- RAMAKRUSHN APUR, VIA- BARAPADA, BD K, 756113	02.05.90	F	SC	200/ 06	292/11	WT/41 4/11	600	400	66.67	1250	927	74.16	140.83		
17	59	SWORNANJ ALI PANIGRAHI	CH.	atipo Banitia,via- Charamapa,b Dk	15.02.91	F	GEN		388/11	WT/15 0/11	600	366	61.00	1250	995	79.60	140.60		
.18		PHHAN	F-BISHNU PRASAD	at- Kodandpur,p O-Atto,via- Sabarang,bd K	14.06.90	F	Sebc	34/1 1	490/11	WT/91 18/10	900	603	67.00	1250	919	73.52	140.52		

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FINAL WERD LIST OF S.S.S. (100% OF THE VACANT POSTS: UNDER BHADRAK DISTRICT, 2011 (IN CONSONANCE WITH THE ORDER OF THE HON BLE HIGH COURT IN W.P. (C) NO. 6452/11)

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SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ	Cast e certi . No.	Reside nt Certi.	Emplo yment Excha nge	E.di	+2 Mark Obtain	Perce	Full. Mark	Mark Obtai ned	Percen tage	Total	PH/Ex. Ser./Sp	Remarks
								Date		Regn. No.	WBLK	ed		СТ	СТ			orts	
(19)	383		H- NITYANANDA DASH	at-sugo,po- Gopaljew Sugo,bdk	04.01.87	F	GEN		890/11	WT/16 98/09	1000	795	70.50	1250	869	69.52	140.02		Vocational (Under Enquiry)
20	8		F-ВІЈАҮА КU. МОНАΝТҮ	atipo- Naguan,via- Barikpur Bazar,bdk	05.04.91	F	GEN		34/11	WT/13 5/11	600	410	68.33	1250	891	71.28	139.61		upasastri Under Enquiry
21	102	6	H-MANAS KU. PRADHAN	AT- KHANABARI,PO ANDHAIPALLI,V IA- BARIKPURBAZ AR,BNDK,75611 2	18.06.86	F	GEN		84/11	WT/33 3/11	1000	7465	76.50	1250	786	62.88	139.38		

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FINAL MERTILLIST OF S.S.S (100% OF THE VACANT POSTS) UNDER BHADRAK DISTRICT, 2011 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO. 6452/11)

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SL. NO.	FORM	Name of the Applicant	Father/Husba nd's Name	Permanent Add res s	Date of Birth	Sex	Categ ory	Cast e certi . No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2	+2 Mark Obtain ed	Perce ntage	Fuli Mark CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
22			F-BARINI KUANR	at- Matha,povvia- Hatadihi,keo Njhar	07.09.85	M	SEBC	6115 /10	6116/10	T/200/1 1.	1000	674	67.40	1250	899	71.92	139.32		Vocational (Under Enquiry)
(23)	361		H-RAJIV KU. DASH	atvpo- Mohammadpu R,Via- Simulia,BLS	04.05.82	F	GEN		129/11	TW/11 05/11	1000	740	74.00	1250	815	65.20	139.20		UPASASTRI UNDER ENQUIRY
24	459	MADHUSMIT A ROUT	F-BIDYADHAR ROUT	at- Sushiladeipu R,po- RAMBHILA, VIA- RANITAL, BOK	19.04.87	F	SEBC	2491 /10	1289/11	т/1836/ 09	900	575	63.89	1250	939	75.12	139.01		

S. S. A. Bhadrak

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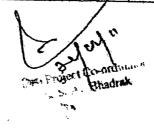
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(100% OF THE VACANT POSTS; UNDER DHAURAR DISTRICT, 2011. (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO 6452/11)

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Emplo FORM Cast SL. Name of the Father/Husba yment +2 Mark e Reside INDEX Permanent Date of +2 Categ Full NO. Excha PH/Ex. Sex Mark Perce Applicant Obtai nd's Name certi nt Certi Percen NO Address Full Birth Mark огу Total Ser./Sp nge Obtain ntage Remarks ned No. No. tage Mark СТ Regn. orts eđ СТ Date . No. • BISHNUSAN AT-PADI, PO-ITI 25 30 RATNAMAYE BISHNUPADA ADIA, VIA-E BARIK BONTH.BD 15.04.91 F OBC 261/ WT/44 79/11 600 400 66.67 1250 901 72.08 138.75 68 BONTH, BDK 9/11 E BARIK AT/PO-JAYAPRAKA PARASURAM SARASADA, VIA-B.POKHARI, BD 01.06.85 M SEBC 09 26 69 VOCATIONAL T/3997/ S SWAIN SWAIN 137/11 1000 727 72.70 1250 825 09 66.00 138,70 (UNDER 09 K.756120 ENQUIRY) AT-BERUNAPADI,P MANDAKINI 27 248 DINABANDHU O-SOSO,VIA-WT/26 478/ 01.06.89 F JENA SC 479/11 500 356 71.20 1250 839 67.12 138.32 JENA D.J.PUR,KEONJ 11 45/10 HAR



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(100) OF THE VACANT PUSTOUNDER BHADRAK DISTRICT 2011 (N.CONSONANCE WITH THE ORDER OF THE HON'BLE FIGH COURT IN W.P.(C) NO. 6452(1))

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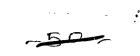
•	SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Cast certi . No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2	Ohani-	Perce ntage	Full Mərk CT	Mark Obtai ned CT	Percen tage	Total	PH/Ex Ser./Sp orts	Remarks
	28	209	Manasi Nayak		atipo- Bonth,BDK	07.03.87	F	OBC	65/0 5	441/11	WT/20 81/08	900	544	60.44	1250	972	77.76	138.20		
, 84	29			F-KISHORE KU. SAWAIN	AT/PO- KENDUAPADA, DIST- BDK, 756142	06.01.90	F	SEBC	219/ 07	450/11	WT/91 15/10	1000	665	66.50	1250	896		138.18		VOCATIONAL (UNDER ENQUIRY)
	30			H-PRAMOD KU. SAHU	at/Po- Alabaga,via- Ertal,BDK,756 124	16.02.89	F	GEN		360/11	T/9495/ 10	1000	652 2	65.20	1250	907	.72.56	137.76		UPASASTRI UNDER ENQUIRY

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PINAL MERGINS FOR S.S. (100% OF THE VACANE POSTS) UNDER BHADRAK DISTRICT, 2011 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P. (C) NO. 6452/11)

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SL. NO.	Form INDEX NO		Father/Husba nd's Name	Permanent Address	Date of Birth	Sex	Categ ory	Casi e certi . No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2	Oher In	Perce nlage	Fuli Mark CT	I OLIAL	Percen tage	Total	PH/Ex. Ser./Sp orts	Remarks
31	216	diptimayee Rout	F-GOLAK BIHARI ROUT	AT-KANIARI, PO- DHENKA, VIA- HADAGARH, KE ONJHAR	05.06.91	F.	SEBC	97/1 1	88/11	WT/12 7/11	600	395	65.83	1250	899	71.92	137.75		
32	211	SUBASH CH. TRIPATHY	UPENDRA NATH	AT- KORKADA,PQ- DOBAL,VIA- D.NAGAR,BDK	18.01.67	M	GEN		901/11	T/1868/ 93	900	421	46.78	1050	518	49.33		PH(EN .T) 40%	



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USE COMERCE DER BRAURAK DISTRICT, 2017 (IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P. (C) 10 - 6452/11)

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	FORM INDEX NO		Father/Husban d's Name	Permanent Address	Oate of Birth	Sex	Categ ory	Caste certi. No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2 Full Mark	+2 Mark Obtain ed	Perce ntage	Fuil Mark CT	Mark Obtai ned CT	Perce ntage	Tetal	PH/Ex .Ser./S ports	Fiemark
1	54	SASMITA NAYAK	F-RAMAKANTA	ATIPO- KUMARPUR,PO BASUDEVPUR, VIA- ANANTAPUR,B DK,756046	03.06.89	F	OBC	215/10	52/11	WT725 9/11	1000	699	69.90	1250	846	67.68	137.58		UFASAS UNDEF ENQUIF
2	287	PRAVATI BEHERA	H-ASHOK KU.	at- Raintira,po- Adia,via- Bonth;Bdk	24.04.88	F	GEN	÷.	479/11	TW/13 30/09	990	584		1250	906	72.48	137.37		
3		sujata Jena	F-SARAT CH. JENA	átipo- Tódanga, via- Barikpur Bazar, Bok	05.05.91	F	SEBC	195/11	139/11	W1766 7/11	600	373	62.17	1250	932	74.56 `	136.73		
4	205			atipo- Jaganinathpu Ribdk	02.02.88	F	ĢEN		3226/10	WT/66 63/09	900	564	62.67	1250	919	73.52	136.19		

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Charles Contribution

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2	FORM INDEX NO		Fəther/Husban d's Nəme	Permanent Address	Date of Birth	Sex	Categ ory	Caste certi. No. Date	Reside nt Certi. No.	Emplo yment Excha nge Regn. No.	+2 Full Mark	+2 Mark Obtain ed	Pørce ntage	Full Mark CT	Mark Obtai ned CT	Perce ntage	Total	PH/Ex .Ser./S ports	Remarks
5	290		h-jatindra Ku. padhi	AT- CHAKABANTAL ,PO- KESHPUR,VIA- GUJIDARADA,B DK	19.02.84	F	GEN		359/11	WT/15 84/09	1090	744	74.40	1250	770	61.60	136.00		VOCATIONAL (UNDER ENQUIRY)
6		BIDYABHA RATI BEHERA	BEHERA	AT/PO- SAMIA,VIA- SABARANGA,B DK	02.03.88	F	OBC	118/11	670/11	WT/42 8/11	900	671	74.56	1250	768	61.44	136.00		VOCATIONAL (UNDER ENQUIRY)
7		ини таат и	F- BRAHAMANAN DA BHUYAN	at- Kuanrda,po- Adia,via- Bonth,BDK	27.05.90	F	SEBC	79/11	218/11	WT/05 15/10	900	562	62.44	1250	916	73.28	135.72		
8	25		H-PRAKASH	AT- AKULIKANA,PO- SARASADA,PS- B.POKHARI,BD K,756120	24.08.87	F	SEBC	1500/0 8	1167/09	TW/40 60/08	1000	694	69.40	1250	828	66.24	135.64		Vocationa (Under Enquiry)

Co-ondaniate* Ahadrak

UNDERIAKING-TO-BE-SUBMITTED-BY-PROVISIONALEY----SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM TO HAVE PASSED +2 VOCATIONAL COURSES OR UPASHASTRI. Fratema Sri/Smt/Kumari village SIO WIO DIO Mahamad A P.O. residing 0800 Bal Dist. Mahamadpur Sime & village · at Szmelea present Dist. at. Mahamadpur P.S. being present in the verification counter today P.O. (11.03.11) do hereby solemnly affirm and state that, I have not passed +2 Examination or equivalent Examination from CHSE; Orissa or from equivalent Council/Board/University before appearing at the Vocational Course/Upashastri examination for which I have submitted my pass certificate and mark sheet. If any thing contrary to the above is established, I shall be criminally. prosecuted under the provisions of law. Knowing well the prevalent rules, I do hereby undertake that, I have passed Vocational Examination from CHSE, Orlssa or any other equivalent Council/Board/University OR Upashastri Examination from Sri Jagannath Sanskrit University, Srivihar, Puri or equivalent University/Council/Board. The copy of the pass certificate has been submitted by me. Full signature of the applicant <u>Witness</u> 1. Rajeeb Kremar Dash

HISSUED Under RTI-ACT-US PIO, SSA, Bhaorak

pragyon Mienra

UNDERTAKING TO BE SUBMITTED BY PROMISIONALLY SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM TO HAVE PASSED <u>+2 VO</u>CATIONAL COURSES OR UPASHASTRI.

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padi	· · · · · · · · · · · · · · · · · · ·	P.O. MOLEC	Č	village at
P.SA9a	παραπα	Dist. Bhad	Mak	residing
at pres	ent at	village	Padi	_ residing
P.O. Ad	<u>ta</u>	P.S	rapara	Dist.
Bhadi	<u>70K</u> b	eing present in the		
(11.03.11) do	hereby solemnly	affirm and state th	nat, I have not	assed +2

Examination or equivalent Examination from CHSE, Orissa or from equivalent Council/Board/University before appearing at the Vocational/Course/Upashastri examination for which I have submitted my pass certificate and mark sheet.

If any thing contrary to the above is established; I shall be criminally prosecuted under the provisions of law.

Knowing well the prevalent rules; I do hereby undertake that, I have passed Vocational Examination from CHSE, Crisss or any other equivalent Council/Board/University OR Upashastri Examination from Sri Jagannath Sanskrit University, Srivihar; Puri or equivalent University/Council/Board. The copy of the pass certificate has been submitted by me.

Witness 1. Pratapheon Maynik Je. m., Khad & 29 Sreecharran mattice .D. 181 S.J. 1

TRINCE OLOSWENT Full signature of the applicant

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Issued Unger RTI-PIO, 55

UNDERTAKING TO BE SUBMITTED BY PROVISIONALLY SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM TO HAVE PASSED 72 VOCATIONAL COURSES OR UPASHASTRI-

Sri/Smt/Kumari Bangini megkra
S/O,W/O D/O Johnan Perrolation of village at
Challe bentel P.O. Kesh pair.
PS. Bhadrail, Dist. Bhadrail, residing
at present at village <u>CLeilla bentel</u>
PO Kegt Prin P.S. BRoderak. Dist.
Bhadrogy being present in the verification counter today
(11.03.11) do hereby solemnly affirm and state that I have not passed +2

(11.03.11) do hereby solemnly affirm and state that, I have not passed +2 Examination or equivalent Examination from CHSE Orissa or from equivalent Council/Board/University before appearing at the Vocational Course/Upashastri examination for which I have submitted my pass certificate and mark sheet.

If any thing contrary to the above is established, i shall be criminally proceduted under the provisions of law.

Knowing well the prevalent rules, I do hereby undertake that, I have passed Vocational Examination from CHSE. Orissa of any other equivalent Council/Board/University OR Upashastri Examination: from Sri Jagannath Sanskrit University, Srivihar, Puri or equivalent University/Council/Board. The copy of the pass certificate has been submitted by me.

Witness からちん Banajini Prakap Kuona Nayak

Srechoran mallice ups. Drught.

DISTRICT PROJECT OFFICE SARVA SHIKSHYA ABHIYAN: BHADRAK 5300 Order No. / Dated. 30/011 Consequent upon execution of an agreement dated. 28.04.11 between BANAJINI MISHRA, W/O-JATINDRA KUMAR PADHI, AT CHAKABENTAL, P.O.KESHPUR, VIA GUJIDARADA, DIST BHADRAK and Collector-cum-CEO, ZP: Bhadrak, "BANAJINI MISHRA is hereby engaged as "SHIKSHA SAHAYAK" for a period as mentioned in the agreement on a fixed monthly honorarium of Rs. 4000/-(Rupeas four thousand only)subject to the fallowing terms and conditions. Place of engagement. TXV SCHOOL under 🗠 Block. 1)44032000 No in i 1. The "SHIKSHA, SAHAYAK" shall motivate the parents/guardians of the village in which Pry. /UP schools are situated for enrolment of the children within the age group 6-14 years. 2. It will be his/her duties to contact parents/guardians in case children fail to attend class regularly and ger back such children to closses. 🤆 3. Whenever upplicable he/she will work under the administrative control of Headmaster/Headmistress in charge of the school to which lie/she is assigned. He/She shall perform the duties as will be entrusted upon him/her by the concerned Headmaster/Headmistress. 4. He/She may be assigned any other work in furtherance of objective of universalisation of Primary Education by Chief Executive Officer, ZP, or any other authority as decided by the Govt.in School and Moss Education Deptt.from time to time: S. He/She'shall attend training programme as fixed by Govt.filom time to time. 6. This engagement order is subject to the order of the Hon We High Court in W.P.(C) No. #478/2011 and trasequent order at the Govt. in S&M.E. Deptt. It is further, ordered that if any irregularity is detected in future, his/her endanement wil terminuted without assigning any reason thereof. District alertom Provertunio SA) Bhadrak Bated. BOXO Momo No. Copy to person concerned for information and necessary action. He/She is directed to report betarconcerned H.M.of school with all original documents within a week patitively failing which this order will stand concelled. reject Co-ordinator. SSA,\Bhadrak 9 10 /Dated. Memo No. Copy to the Headmaster/Headmistress of the concerned School for information and necessary action. He/Sha a requested to report the date of joining of Siksha Sahayak/to the undersigned through concerned BRCC for further action at this end, Distric Project/Co-ordinator SSAL Bhadrak 36 1 1401,02 Trated. Memo No. Copy forwarded to the B.R.C.C. concerned for information and necessary action. Project Co-ordinator Disi SSA, Bhadrak (Dated.____ Memo No. Copy forwarded to the concerned Block Development-Officer / District Inspector of schools, Bhodrak-I for information and necessary action. PIO SSA Bhadrak Distric Project Condimator SSA) Bhodrok

MEXUM- A Senter

DISTRICT PROJECT OFFICE

SARVA SHIKSHYA ABHIMANA BHADRAK / Dated. 5000 30/07/11 Order No. JENA, D/O, NARAYAN CH. JENA, AT-PADI, PO-ADIA, VIA-BONTH DIST-BHADRAR and Collector-cum-CEO, ZP, Bhadrak, TAPASWINI JENA is hereby engaged as "SHIKSHA SAHAYAK" for a pelled as mentioned in the agreement on a fixed monthly honorarium of Rs.40.00/-(Rupees four thousand only)subject to the following terms and conditions. Place of engagement Oladanaa Pray Tray School under Boarth Block. 1. The "SHIKSHA SAHAYAK" shall motivate the parents/guptdians of the village in which Pry. /UP schools are situated for enrolment of the children within the age group 6-14 years: 2. It will be his/her duties to contact porents/guardians in case children fail to attend class regularly and get back such children to classes. 3. Whenever applicable he/she will work under the administrative control of Headmaster/Headmistress in charge of the school to which he/she is assigned. He/She shall perform the duties as will be entrusted upon him/her by the concerned Headmaster/Headmistress. 4. He/She may be assigned any other work in furtherance of objective of universalisation of Primary Education by Chief Executive Officer, ZP, or any other authority as decided by the Govt in School and Mass Education Deptt:from time to time. 5. He/She shall attend training programme as fixed by Govt.from time to time. 6. This engagement order is subject to the order of the Hon'ble High Equit in W.P. (C) No. 7478/2011 and subsequent order of the Govt. in S & M.E. Deptt. It is further, ordered that if any progularity is detected in future, his/her engagement will be terminated without assigning any reason thereaf. VCEO: ZP: Bhadrak By order of t District Project Co-ordinator And the state of the SSA) Bhadrak DHIT 592 /Dated. Memo No. Copy to person concerned for information and necessary action. He/She is directed to report before the concerned. H.M.of school with ell-original abundant minertages on receipt of this i' have engagement order. District Project Co-ordinator 5547 Bhodrok ٢ /Deted.) Memo No. Copy to the Headmaster/Headmistress of the concerned School for information and necessary action. He/She is requested to report the date of Jalping of Siksha Sahayak to the undersigned through concerned BRCC for further action at this end./ District Project Co-ordinator ŞSA, Bhadrak 2081 BOIDUIN /Dated. Memo No. Copy forwarded to the B.R.C.C. concerned for information and necessary action. M VI District Project Co-ordinator SSA, Bhadrok 0104111 Memo No. /Dated. Copy forwarded to the concerned Block Development Officer / District Inspector of schools, Bhadrak-I for information and necessary action. District Co-ordinator

Issued Unger RTI-A

SSA, Bhudruk

DISTRICT PROJECT OFFICE SARVA SHIKSHYA ABHIYAN: BHADRAK Order No. 11776 Dated Consequent upon execution of an agreement dated. 28.04.11 between PRAITIMA MANJART KAR, W/O-RAJIV KUMAR DASH, AT/P. O. MAHAMMADPUR; VIA-SIMULIA; DIST-BALASORE and Collector-cum-CEO, ZP; Shedrok, PRATIMA MANJARI, KAR is hereby engaged as "SHIKSHA SAHAYAK" for a period as mentioned in the agreement on a fixed monthly honorarium of Rs.4000/-(Rupees four thousand only)subject to the following terms and conditions. Place of engagement PALLI NODAL U.P. SCHOOL under BHADRAK Block. 1. The "SflixSHA SAHAYAK" shall motivate the parents/guardians of the village in which Pry. /UP schools are situated for enrolment of the children within the age group 6-14 years. 2. It will be his/her duties to contact parents/guardians in case children fail to attend class regularly and get back such children to classes. 3. Whenever applicable he/she will work under the administrative control of Headmaster/Headmistress in charge of the school to which he/she is assigned. He/She shall perform the duties as will be entrusted upon him/her by the concerned Headmaster/Headmistress. 4. He/She may be assigned any other work in furtherance of objective of universalisation of Arimary Education by Chief Executive Officer, ZP, or any other authority as decided by the Govt.in School and Mass Education Depit from time to time. 5. He/She-shall attend training programme as fixed by Govt.from time to time. 6. This engagement order is subject to the order of the Hon'ble High Court in W.P.(C) No. 7478/2011 and subsequent order of the Govt. in S&M.E. Deptt. It is further, ordered that if any irregularity is detected in future, his/her engagement will be terminated without assigning any reason thereof. District Project Co-ordinator SSA, Bhadrak /Dotes Memo No Copy to person concerned for information and necessary action. Hershe is directed to report before the concerned H.M.of school with all ariginal documents within a week positively falling which this order with stand concelled. District Project Co-ordinator SSA, Bbadrak BOION /Doted Memo No. Copy to the Headmaster/Headmistress of the concerned School for information and necessary action. He/She is requested to report the date of joining of Siksha Sahayak to the undersigned through concernant and the location at this end. District Project Co-ordinator SSA, Bhadrak /Date Memo No. Copy forwarded to the B.R.C.C. concerned for information and necessary actions District Project Co-ordinator SSA, Bhadrak Memo No. Dated. Copy forwarded to the concerned Block Development Officer / District Inspector al schools, Bhadrok-rice information and necessary action. Under RTI-ACT-ND District Project Co-ordinator SSA\Bhadrak

Annexure 6 series

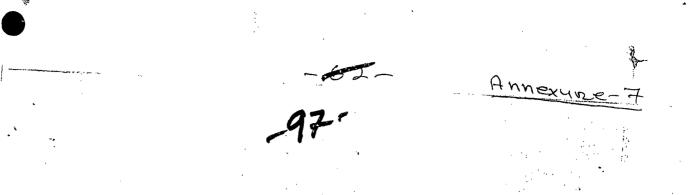
The same way and the second states and the

4 , - 4-Office notes as to action taken on of at Order with Initial of Officer Date SI. No. (if any) & date of of Order Order 3 -2 4 In the Office of the District Project Coordinator-cum-Enquiring Officer, S.S.A., Bhadrak Mise Case No. 24/2011 arising out of W.P. (C) No.18256/2011 Manini Parida & othersPetitioner MPARED BY. Vrs. Tapaswini Jena Opp. Party ORDER 21.11.201 The case is taken up today. I have already heard both the parties on different dates. The records available clearly reveal that the O.P. Tapaswini Jena passed +2 Vocational course in the year 2008 from. Govi. Vocational Jr. College. Nuasahi under CHSE (O). She has also passed -2 Science course prior to -2 Vocational course from Agarapara College. Agarapara under CHSE (O) as reported by the PIO. Agarapara College. Agarapara. It is a fact that Tapaswini Jena has not submitted the fact at any point of time during selection of Shikshya Sahayak, 2013, Now it is ascertained that continuance of study in -2 Vocational course as regular student after passing out of +2 Science course as regular student without obtaining CLC goes against the guide line instructions of CHSE (Q) communicated vide Letter No.3920 CHSE/ dated: 13.06.11 of the PIQ. CHSE (O) read with the instructions of the 11 Government in School & Mass Education AL BRANK Department intimated vide Letter No.11385 SME dated.08.06.11. So, the engagement of Tapaswini Jena as Shikshya Sahayak basing on the Vocational course passed certificate and mark sheet suppressing the carlier certificate and mark sheets Certified to be true copy Somobore Homber and REL'OBA REEPER Aurnorised US-75, Aci-Lof 1872 towards passing out of +2 Science Examination is to be cancelled as per law. So, issue show-cause notice to Tapaswini Jena through R.P. so as to submit her statement of defence why she will not be disengaged from the post of Shikshka Sahayak by 24.12.2011. Accordingly, the Mise Case is disposed of. District Project Co-ordinator. SSA, Bhadrak

LOWHE त्टाग्प और फोलिओ की अपेक्षित | अपेक्षित स्टाग्प और फोलिओ | तारीख, जबकि देने के संख्या स्चित करने की लिमित the Office of the District Publice तिस्ति भी प्रतिलिपि के लिए आवेदन की तारीख, जबकि देने के विए तारीख आवेदक को प्रतिलिपि देने की Date of application for ordinatorectum Brouting Officen the copy तारीख Date fixed for notifying the requisite number of the copy. requisis. Staps Bladrak Date of making over the ready for delivery. copy to the applicant. stamps and follos. Mise Case No. 26/2011 arising out 201 15/121 15/12/2/br W.P. (C) No. 18256/2011 CII 201/ 19/2 Banajini Mishra Opp. Party ORDER 24.11.201 The case is taken up today. I have already heard both the parties on different dates. The srecords available clearly reveal that the O.P.Banajini Mishra passed +2 Vocational course in the year 2006 from Govt. Vocational Jr. College, Basudevpur under CHSE (O). She has also passed +2 Arts course prior to +2 Vocational course from Trupti Women's College, Basudevpur COMPARED BY. under CHSE (O) as reported. It is a fact that Banajini Mishra has not submitted the fact at any point of time during selection of Shikshya Sahayak, 2011. Now it is ascertained that continuance of study in +2 Vocational course as regular student after passing out of +2"Arts course as regular student without obtaining CLC goes against the guide line/instructions of CHSE (O) communicated vide Lettar; No.3920/CHSE/ dated.13.06.11 of the PIO, CHSE (O) read with the instructions of the Government in School & Mass Education Department intimated vide Letter No.11385/SME/dated.08.06.11. 1. Col t di cer chi barres So, the engagement of Banajini Mishra as Shikshya Sahayak basing on the Vocational course passed certificate and mark sheet suppressing the earlier certificate and mark sheets towards passing out of +2 Arts Examination is to be cancelled as per law. So, issue show-cause notice to Banajini Mishra through R.P. so as to submit her statement of defence why she will not be disengaged from the post of Shikshya Sahnyek by 2512 2011. Accordingly, the Miss Case is disposed of. Certified to be true copy 18- NEPER District Project Co-ord SSA, Bhorrack

REAL PROPERTY AND ADDRESS

Office of the Dis dinator-cimetonauiring Officer. आवेदक को प्रतिलिपि देने की स्टाम्प और फोलिओ की अपेधित प्रतिलिपि के लिए आवेदन व तारीख प्रतिलिपि तैयार थी संख्या सूचित करने की निश्चित तारीख Date of making over the Date of delivery of the Date on which the dopy requisits same Nor 27/2014 arising of Ublivery. bpy ीत्रत copy to the applicant. Date of application for Date fixed for notifying the requisite number of stamps and follos. the CODY. oflow.P. (C) No.18256/2011 16 /12/11 17-1121 2011 15412/2011 Vrs. 15/12/2011 Opp. Party 2011 miari Kar-ORDER 24.11.201 The case is taken up today. I have already heard both the parties on different dates. The records available clearly reveal that the O.P.Pratima Manjari Kar passed +2 Upasastri course in the year 2006 from Chintamani Sanskrit Mahawidyalaya, Fatepur, Balasore under Shri Jagannath Sanskrit Vishvavidyalaya, Puri. She has also passed +2 Arts course prior to +2 Upasastri course from Agarapara College, Agarapara under CH9E (Θ) as reported. It is a fact that PratimaManjari Kar has not submitted the fact at BY. OMPARED any point of time during selection of Shikshya Sahayak: 201. Now it is ascertained that continuance of study in +2 Upasastri course as regular student after passing out of +2 Arts course without obtaining CLC goes against the guide line/instructions of SJSV.Pui communicated vide Letter_No.5316/SJSV/ dated.14/15.09.11 of the Register, SISV, Puri read with the instructions of the Government in School & Muss Education vide Leiter Department" . intimated No.11385/SME#dated.08.06.11. So, the engagement of Pratima Manjari Soynty Sailsold Kar as Shikshya Sehayak basing on the Upasastri Lourd Hoom / Dolla provers course passed certificate and mark sheet Blacks suppressing the earlier certificate and mark sheets 1. 1. 2.11 towards passing out of +2 Arts Examination is to be cancelled as per law. So, issue show-cause notice to Pratima Manjari Kar through R.P. so as to submit her statement of defence why she will not be disengaged from the post of Shikshya Sahayak by 24.12.2011. Accordingly, the Mice Case is disposed of. h Certified to be true cpp District Project Co-dridingtor, Company barry of SSA, Bhadrak RECORD X EEPER $\wedge w$



IN THE HIGH COURT OF ODIHSA: CUTTACK

W.P.(C) NO.32025 OF 2011

Banajini Mishra ...

..... Petitioner.

-Vrs-

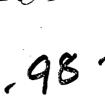
State of Odisha & others..... Opp.parties.

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Cuttack Date: -

Standing Counsel, School & Mass Education Cell.



IN THE HIGH COURT OF ODIHSA: CUTTACK

W.P.(C) NO.32025 OF 2011

Banajini Mishra ...

..... Petitioner.

-Vrs-

State of Odisha & others...... Opp.parties.

COUNTER AFFIDAVIT FILED ON BEHALF OF OPP.PARTY NO-1,2 & 3

I, Sri Manoj Kumar Behera, aged about 52 years, Son of Late Harikrishna Behera of Village- Malasahi, P.O/P.S- Mangalabag, Dist:- Cuttack at present working as District Project Co-ordinator, SSA, Bhadrak, At/Po/Dist:- Bhadrak do hereby solemnly affirm and state as follows:-

That, I have been authorized by Opp.party No-1 & 2 to swear this affidavit on their behalf.

That, I have gone through the averments made in the writ petition and have understood the averments made therein.

1. That, the District Project Co-ordinator, SSA, Bhadrak arbitrary passed order dated.24.11.2011 without holding any enquiry. In accordance with the order of the Hon'ble High Court in W.P.(C) No.18256/2011, the District Project Co-ordinator,SSA,Bhadrak has enquired into the alleged matter against Shikshya Sahayak applicants who have passed +2 Vocational course/Upasastri course after passing out the +2 Arts/Commerce/Science examination. Under the principle of the

ag-2

natural justice the concerned Shikshya Sahayak applicants (subsequently engaged) were given adequate opportunity to defend themselves.

- 2. That, the District Project Co-ordinator,SSA,bhadrak has carefully followed the direction of the Hon'ble High Court in W.P.(C) No.18256/2011 and has enquired into the matter before taking action on the findings. The District project Co-ordinator, SSA, Bhadrak has not exceeded his jurisdiction. Similarly, the D.P.C.,SSA,Bhadrak passed order on 24.11.2011 so as to issue show-cause notice to the petitioner to substantiate notice is not violative of the principles of natural justice.
- 3. That, this deponent humble submits that there is nothing to comment in respect of Para-3 of the writ petition.
- 4. That, this deponent humble submits that there is nothing to comment in respect of Para-4 of the writ petition.
- 5. That, this deponent humble submits that there is nothing to comment in respect of Para-5 of the writ petition.
- That, this deponent humble submits that there is nothing to comment in respect of Para-6 of the writ petition.
- 7. That, by the time the order No-2 dated.15.07.2011 in W.P.(C) No.18256/2011 of the Hon'ble High Court was received the petitioner had already been engaged as Shikshya Sahayak. But it was specified that "respondents shall not appoint against whom the enquiry is

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pending till it is complete." Under such circumstance issue of showcause notice is in accordance with the order of the Hon'ble High Court.

 That, this deponent humble submits that there is nothing to comment in respect of Para-8 of the writ petition.

- That, it is not a fact that the District Project Co-ordinator, SSA, Bhadrak issued show-cause notice without holding any enquiry and without giving any opportunity to the petitioner.
- 10. That, it is not a fact that the District Project Co-ordinator, SSA, Bhadrak arrived at a conclusion on enquiry that the Vocational course certificate is a forged and fake certificate. Rather, the crux of the issue is that she had passed +2 Vocational course after she passed +2 Arts course which is not permissible.
- 11. That, this deponent humble submits that there is nothing to comment in respect of Para-11 of the writ petition.
- 13. That, this deponent humble submits that there is nothing to comment in respect of Para-13 of the writ petition.
- 14.That, it is a fact that the District Project Co-ordinator,SSA,Bhadrak detected the irregularity committed by the petitioner in taking admission in +2 Vocational course after completetion of +2 Arts course is against the principles laid down by the Council of Higher Secondary Education,Odisha as has been communicated by the P.I.O of the C.H.S.E(O). Even the said P.I.O also intimated to the District Project Co-ordinator, SSA, Bhadrak vide his Letter No.3920 dated.13.06.2011



that the information submitted by letter No.3142 dated.04.05.2011 is genuine and authentic. All the letters are annexed at <u>Annexure-A/3</u> <u>series</u>.

- 15. That, it is not a fact that the scope of the enquiry by the District Project Co-ordinator, SSA, Bhadrak is limited to the genuineness of the certificate only.
- 16. That, enquiry was undertaken in accordance with the direction of the Hon'ble High Court in W.P.(C) No.18256/2011. In course of enquiry it was lawfully detected that a person can not study +2 Vocational course after successful completetion of +2 Arts/Commerce/Science course by him/her. Hence, no irregularity has been committed by the District Project Co-ordinator, SSA, Bhadrak in issuing show-cause notice against the petitioner.

17. That, this deponent humble submits that there is nothing to comment in respect of Para-17 of the writ petition.

Identified by

Asst. A.G's Office.

Certificate

Certified that due to non availability of cartridge papers plain blue papers has been used.

Guttack Date: -

Standing Counsel, School & Mass Education Cell.

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102 Annexure HB series -3422 BYREOD.POST 13-05-11 しの COUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA PRAJNAPITHA: SAMANTAPUR: BHUBANESWAR: -13 Ĉ 1.2 CHSE(0), Dt From

Dr.Gopa Ranjan Mishra, Public Information Officer, C.H.S.E.,Orissa, Bhubaneswar.

To

District Project Co-Ordinator, S.S.A., Bhadrak.

Sub:-Supply of information under RTI Act. Ref:-Your letter No.6587 dt.31.05.2011.

Sir,

KA/-

With reference to your letter on the subject cited above, I am to say that the letter No.3142 dt.04.05.2011, No.3630 dt.27.05.2011 and No.3669 dt.31.05.2011 which were sent to the applicants are authentic.

This is for your kind information.

Yours faithfully,

Public T ation Officer. 13.6.1

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Project Co-ordinal S. S. A., Bhadral

COUNCIL OF	HIGHER	SECONDARY	E STON	T 011	6 m m
PRANGY	PITHA:	SAMANTAFUS	L BHIII	LODI: JANTON	ORISS/

CHSE(0),dt.

By honey 53

From:-

No.RTI.24

Dr Gopa Ranjan Mishra, Public Information Officer CHSE(O), Bhubaneswar.

To Ramakanta Sahoo, C/O-Mahendra Prasad Sahoo At-Kalidaspur, Po-Narasinghpur Dist-Bhadrak.

> Sub:- Supply of information under RTI Act. Ref:- Your application dt.4.5.2011

sir,

With reference to your application dt.4.5.11 on the subject cited above, I am to say that you have applied under RTI Act to know whether a student can have two Registration Number. A student cannot have two Registration Number. In case a student fails on in the A.H.S.Examination conducted by the Council and taken admission changing his stream he will get a new Registration Number as surrender of old registration number.

This for your kind information.

Atteste

224 Project Co-ordinat S. S. A. Bhadrak

<u>GCB</u>

Public Information Officer 28.5. JI

Yours faithfully,



Hand

154

COUNCIL OF AIGHER SACONDARY EDUCATION:ORIS A PRAJNAPITHA SAMATTAPUR E.O.BARESWAR:13 -0-

NO. CHSE, Dt

104-

From,

Dr.Gopa Ranjan Mishra, Public Information Officer.

Τo

Ramakanta Sahoo, C/o-Mahendra Prasad Sahoo, At- Kalidaspur, Po- Narasinghapur, PS- Basudevpur, Dist-Bhadrak.

Sub:- Supply of information under RTI Act.

Ref:- Your application dt. 4.5.11.

Sir,

G/

With reference to your application dt.4.5.2011 on the subject cited above, I am to say that, you have applied " under RTI Act regarding admission procedure of a student. If a student takes admission in another College in 1st year having been failed in Annual HS Exam. conducted by the Council, the C.L.C from the 1st College needs to be released and required to be submitted in second College at the time of admission.

This is for your kind information.

Yours faithfully, Atlest ormation Officer. Public Ini 27.5.11 Art Project Co-ordinals -S. A. Bhadrak

COUNCIL OF HIGHER SECONDARY EDUCATION; ORISSA PRAJNAPITHA: SAMANTAPUR: BHUBANESWAR, 13

CHSE(U)., Dt.

BY HAD

NO. RTI-95/11

From

Dr.Gopa Ranjan Mishra, Public Information Officer, C.H.S.Z.,Orissa, Bhubaneswar. To

Sri Ramakanta Dash, C/o:-Late Jogendra Dash, At/Po-Arandua, Via:-Basudevpur, Dist:-Bhadrak

> Sub: -Supply of information under RTI Act. Ref: -Your application under RTI dt. 16:04-20

Sir,

S.

-

KA

With reference to your application under RTI Act dt.10:04.2011 on the subject cited above, I am to say that you have applied under RTI Act to get the information regarding whether after passing +2 Arts/Science and Commerce course a: student can appeared +2 Vocational stream or not. As per rule 2(i) of the C.H.S.E. Act and Regulation 1982, Higher Secondary Course means course immediately following the High School Certificate Course and covering a petiod of two academic years which is provided for either in college or a Higher Secondary School and includes Arts.Science. Commerce and Vocational courses. If a student appears, and gualifies in H.S.Examination in Arts,Science and Commerce Stream successfully under any recognised institution he/she Can Horrowse.

Yours faithfully.

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This is for your kind information.

Hester

Project Co-ordinal

S. A., Bhadhak

- 106-

The Collector-cum-Chief Executive Officer, Zilla Parisada, At/P.O./Dist-Bhadrak.

Sub- Petition with a prayer to call for all the case records pertaining to enquiry conducted in pursuant to the earlier order dtd.24.3.2011 passed in W.P. (C) No.7478/2011 (filed by Sri Rama Kanta Sahoo and others) and order dtd.15.7.2011 passed in W.P. (C) No.18256/2011 (filed by Manin Parida and others) for reference and consideration of the materials / documents produced by the petitioners of the aforesaid case in proof of the fraud committed by the vocational and Upasastri Candidate

Sir,

With due respect, we the petitioner in W.P. (C) No.5077/2014 do hereby, humbly beg to submit that

(1) The list of vocational candidate and Upasastri candidate those have obtained certificates of Vocational pass and Upasastri pass in suppression of materials fact and in violation of CHSE Rules and Regulations are available in the enquiry case records prepared / conducted by the office of DPC, Bhadrak in pursuant to earlier order dtd.24.3.2011 passed in W.P. (C) No.7478/2011 (filed by Sri Rama Kanta Sahoo and others) and order dtd.15.7.2011 passed in W.P. (C) No.18256/2011 (filed by Manin Parida and others).

(2) In all such enquiry case records pertaining to D.I.-1 and D.I.-2, the documents / materials evidences of double certificates and deliberate willfully acts of fraud are available. Those materials are also vital for conducting the present enquiry in pursuant to the order of the Hon'ble High Court passed in W.P. (C) No.5077/2014 (filed by Surekha Samal) and a batch of cases.

We therefore, pray your good authority to be kind enough to consider the above grievance and be pleased to call for all enquiry case records for further, verification and scrutiny with further opportunity of hearing to the petitioners on the scheduled date fixed for enquiry i.e.10.7.2015. For which act of kindness, the petitioners shall be obliged.

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Annexuner 9

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REJECT LIST OF THE APPLICANTS FOR THE POST OF SIKSHYA SAHAYAK,2012 UNDER BHADRAK DISTRICT

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District Project Co-ordinate S. S. A., BHADRAK

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REJECT LIST FOR THE POST OF SS, 2012 UNDER BHADRAK DISTRICT

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REJECT LIST FOR THE POST OF SS, 2012 UNDER BHADRAK DISTRICT

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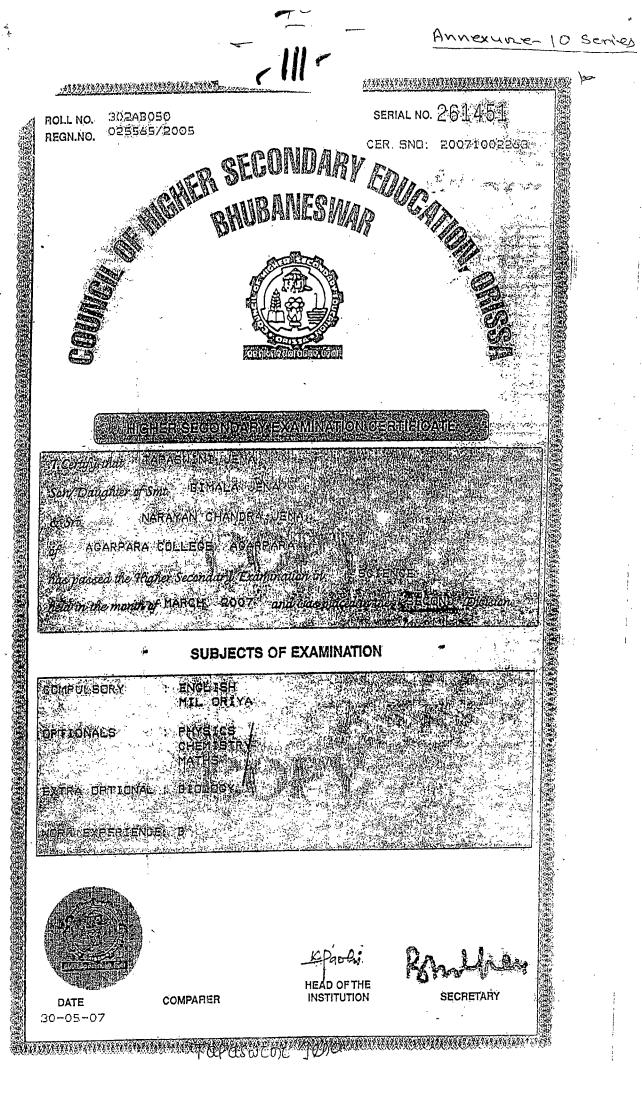
REJECT LIST FOR THE POST OF SS,2012 UNDER BHADRAK DISTRICT

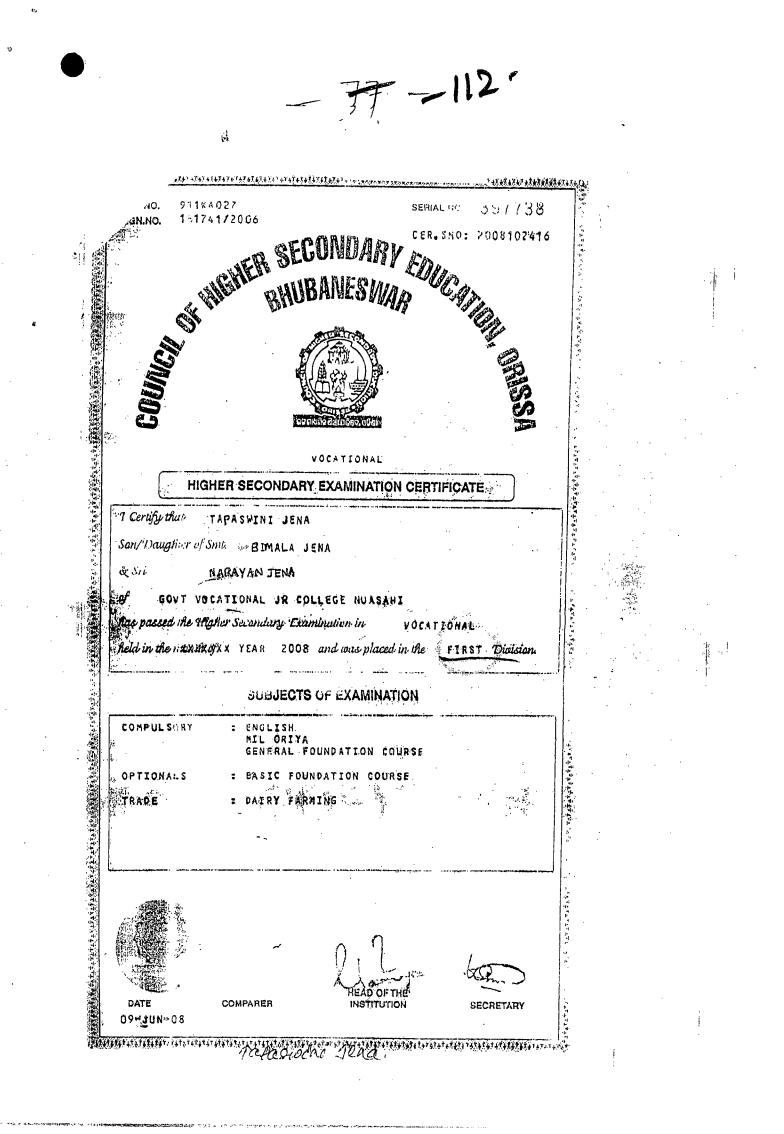
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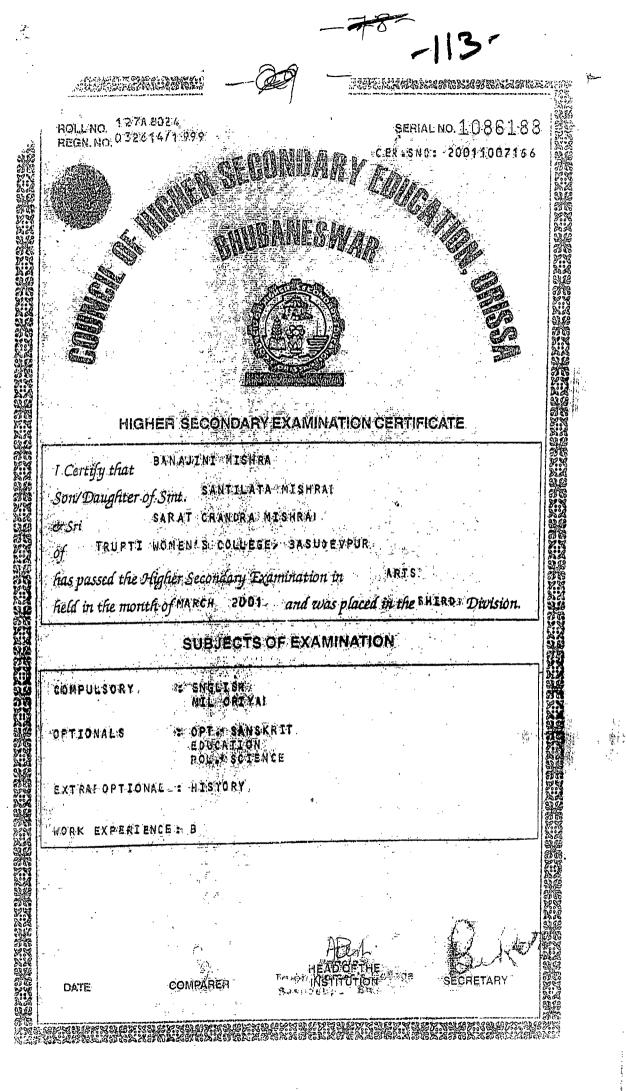
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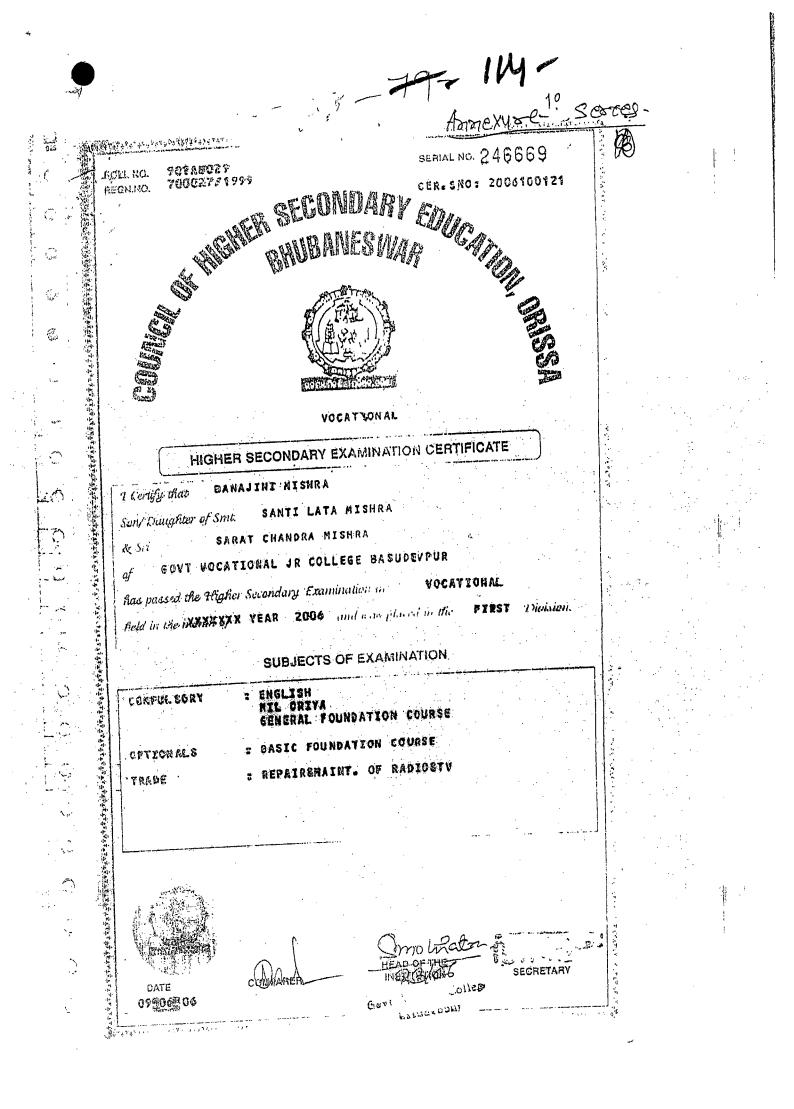
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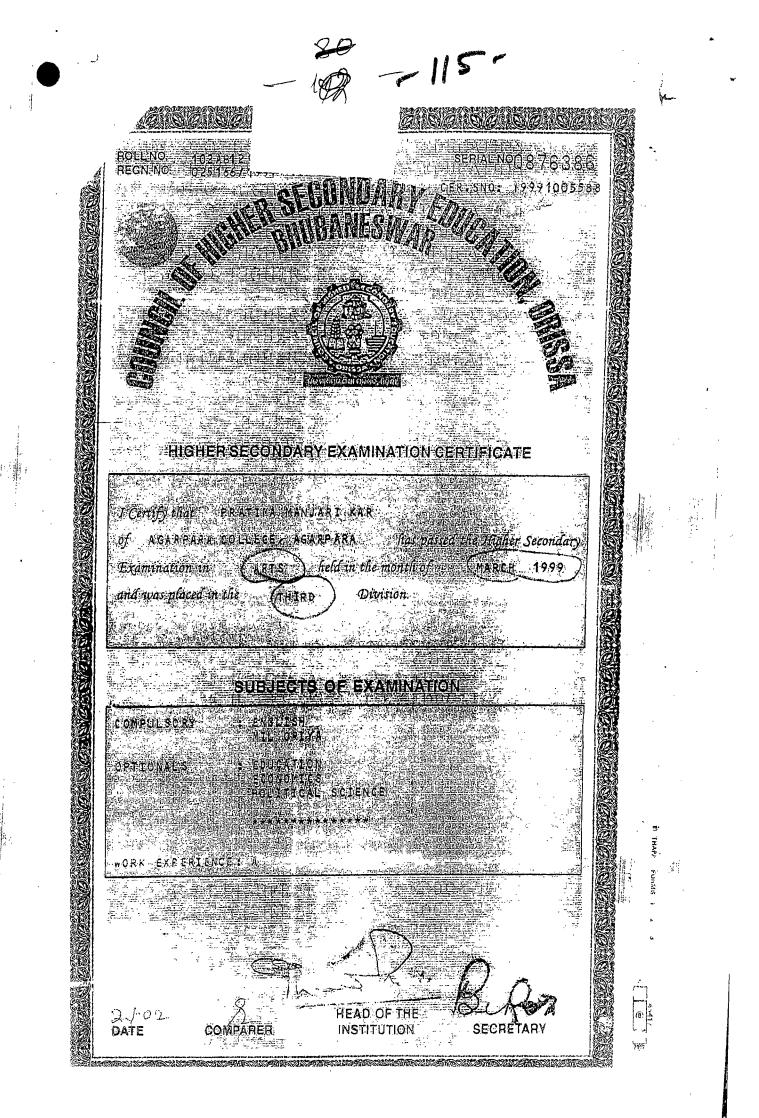
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BEFORE THE COLLECTOR-CUM-CHIEF EXECUTIVE OFFICER, ZILLA PARISADA, BHADRAK.

MISC. CASE NO. 3 / 2015

(Arising out of W.P. (C) No.5077/2014 along with a batch of cases disposed of on vide common order dtd.5.5.2015).

DATE OF EVENTS AND NOTE OF SUBMISSION FILED BY THE PETITIONERS (NON- VOCATIONAL / UPASASTRI CANDIDATES).

1) 10.1. 2 011	State Govt. issued Resolution dated-10.01.2011 prescribing guideline for engagement of SS on Annual Contractual Basis.
2) 22.1.2011	Following the Govt. Resolution dtd.10.1.2011, the advertisement for engagement of SS was published in respect of D.II and D.III.
3)	Initially provisional merit list was published. In the said list name of the petitioners / Intervener-Petitioner found place excluding the vocational candidates.
4) 21.4.2011	2^{nd} provisional list was published including vocational candidate and upasastri candidate.
5) 18.03.2011	one of the writ petitioner (Ramakanta Sahoo,& another) submitted objection to the inclusion of fake vocational and upasastri candidates on the ground that they are all fake candidates and by committing fraud and in / concealment/misrepresentation of fact, they have applied for the post of SS.
6) 24.3.2011	The Hon'ble High Court in W.P.C NO-7478/2011 directed the DPC to consider the grievance petition of the petitioners against the vocational and upasastri candidates and their inclusion to the merit list.
7) 16.07.2011	Some of the Intervener-Petitioners also filed W.P. (C) No.18256/2011 again challenging the inclusion of fake vocational and upasastri candidate and steps being taken for engagement. The Hon'ble High Court vide order dtd.15.07.2011 directed to complete the enquiry and thereafter give appointment. But in violation of the above

direction, fake vocational candidates and upasastri candidates are engaged.

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The DPC by then conducted enquiry and found that a large number of vocational / upasastri candidate have committed fraud in both way by Concealing the fact of their earlier Arts/Commerce/Science pass certificates and by giving false undertaking. Accordingly, many of the fake vocational / upasastri candidates were issued with disengagement notices. Against Disengagement action, fake vocational candidates and upasastri candidates approached the Hon'ble High Court in different writ petitions.

The petitioners (in W.P.C No.5077/2014 & others) being the genuine candidates intervened all those cases opposing the fake vocational and Upasastri candidates. On the other hand also filed independent cases praying for engagement as SS.

10) 05.05.2015

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All the writ petitions were clubbed together and finally vide order dtd.5.5.2015 were disposed of with a direction to disengage fake / fraud candidates and to engage genuine candidates by recasting the merit. Copy of the order dtd.5.5.2015 passed in W.P. (C) No.5077/2014 (copy enclosed).

The following issues emerge to be decided

What is fraud and what is misrepresentation of fact , concealment of fact ?.

Whether the vocational candidates and upasastri candidates committed any fraud in acquiring vocational and upasastri certificates in contravention of the CHSE Act,Regulation and instructions ? or Whether the vocational candidates and upasastri candidates, committed fraud in obtaining engagement as SS by suppressing the earlier fact of prosecuting or passing Arts / Science / Commerce course immediately after passing H.S.C. Examination ?.

Whether the vocational and upasastri candidates have willfully / deliberately concealed/misrepresented the fact to gain contractual engagement of SS in disadvantage to the genuine general candidates (petitioners)?.

Issue No.-A

(C)

In order to answer, the following **provisions** of Contract Act 1872 is quoted herein below:-

Section – 17 –

- "Fraud" defined - "Fraud" means and includes <u>any of the</u> <u>following acts</u> committed by a party to a contract,

- (2) The active concealment of a fact by one having knowledge or belief of the fact.

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(3) - XXXXXXXXXXXXXXXXX

(4) Any other act fitted to deceive

Section – 18 –

(2) -

(1) - Misrepresentation means and includes
 (1) - xxxxxxxxxxxx

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Any breach of duty which without an intention to deceive, gains an advantage to the person committing it, or anyone claiming under him by misleading another to his prejudice, or to the prejudice of anyone claiming under him.

In view of the aforesaid provision any thing obtained by concealment of a fact or by misrepresentation of fact either to deceive or to gains an advantage or to the disadvantage of others is amounts to fraud.

Question No.-B

Section-2(i) -

-B In order to answer the aforesaid question the relevant provisions are quoted below:-

Govt. Resolution dtd.1.10.2011 governing the field at Paragraph-4.6. The engagement will be on an Annual Contract Basis.

(2) The provisions of the Orissa Higher Secondary Act 1982.
 Definitions

"Higher Secondary Course" means course "immediately" following the High School Certificate Course and covering a period of two academic years which is provided for either in a College or a Higher Secondary School and includes Arts, Science, Commerce and Vocational Courses".

Section-2 (J)- "Higher Secondary Education" means such general and Vocational Education forming in itself a complete purposive whole, which immediately follows Secondary Education as has been defined in the Orissa Secondary Education Act 1952 and immediately "precedes" a stage of education controlled by any university".

Section-30 (2) -

) - The first regulations shall be framed by the Govt.

ORISSA HIGHER SECONDARY EDUCATION REGULATIONS 1982.

Consists of Chapter -I to V which covers Regulation 1 to 87

ORISSA HIGHER SECONDARY EDUCATION (AMENDMENT) REGULATIONS 1983.

Consists of Chapter -VI to X which covers Regulation 88 to 164

Chapter-VII deals with admission to Higher Secondary Education

Regulation - 106 -Regulation - 107 -

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"Any registered student of the Council may be admitted to the annual examination in Arts, Science, Commerce Courses, if he / she has completed in one or more affiliated institutions, recognized for the purpose of such examinations a regular courses of study, on the subjects in which the candidate wishes to be examined, for not less than two academic years after passing the High School Certificate Examination of the Board of Secondary Education, Orissa, or some other examination recognized by the Council as equivalent thereto (Examinations conducted by the Central Board of Secondary Education, Indian School Certificate Examination and the Board of Secondary Education of other states in India) and has been promoted to the second year class on the basis of the examinations conducted by that institution in the first year".

Regulation -109 (1)

Regulation -109 (2) -

No students shall ordinarily be admitted into an institution six weeks after the date of reopening of the institution or from the date of publication of results of the Annual High School Certificate Examination of the Board of Secondary Education, Orissa, whichever is later, provided that the Councils may permit a student two weeks more for admission with a late fees of Rs.10".
"A candidate who passes the Supplementary High School Certificate Examination of the Board of Secondary Education of the Board of Secondary High School

Education, Orissa, may be admitted to an institution

within three weeks after the publication of the results, provided that the Council may extend the date of admission by 10 days with a late fee of Rs.10".

Chapter-VIII

Admission to the Higher Secondary Education in the Vocational Stream

Regulation -122 -**Regulation -123**

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"Any registered student of the Council may be admitted to, the Annual Examination in Vocational courses, if he:/ she completed in any Higher Secondary School / Junior College, recognized by the Council as a Vocational Centre a regular course in a Vocational subject for not less than two academic years after passing the High School Certificate Examination of the Board of Secondary, Orissa or some other examination r4ecognized by the Council as equivalent thereto, and has been promoted to the second year class".

Regulation -124 (1) "No student shall be admitted into an institution six weeks after the date of reopening of the institution or from the date of publication of results of the Annual High School Certificate Examination of the Board of Secondary Education, Orissa, whichever is later provided that the Council may permit a student two weeks more for admission with a late fee of Rs.10".

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Regulation -124 (2) "A candidate who passes the supplementary High School Certificate Examination of the Board of Secondary Education, Orissa, may be admitted to an institution within three weeks after the publication of result. Provided that the Council may extend the date of admission by 10 days with a late fee of Rs.10".

Submission in reply to question-B.

(1) The Higher Secondary Course is a two year course, which is **immediately** being followed from High Schools Certificate Courses. The Higher Secondary Course may be general (+2 Arts/ Science/ Commerce) and Vocational.

From Section-2(i) and (j) of the Act, it is clear that the course either general or vocational is to be treated Higher Secondary Course / Higher Secondary Education, which is followed immediately from the stage of HSC. Therefore, there cannot be two courses at the stage of Higher Secondary Education by any stretch of imagination to be prosecuted just after HSC.

Here all the fake vocational and upasastri candidates have prosecuted their vocational and upasastri courses after taking admission to the general courses of +2 Arts/ Science/ Commerce, which was legally impermissible. Therefore all such vocational &Upasastri candidates have **committed fraud** in obtaining either vocational or Upasastri certificates.

(2) The Regulation - 107 deals with admission to general courses +2 Arts/ Science/ Commerce and Regulation -123 deals with admission to vocational courses. Both these regulations envisage admission just after passing HSC Examination for not less than two academic year. Both these Regulations are in consonance with the Section-2 (i) and (j) of the Act. In view of the said regulation, the statutory restriction has been envisaged that no two year course is possible to be followed one after another.

(3) Apart from Section-2(i) and (j) read with Regulation -107 & 123, the Regulation-109 and 124 are expressly clear by stipulating time statutorily when and how a candidate can take admission either one of the general courses or vocational course. The time stipulation as provided under Regulation-109 for general courses and under Regulation -124 for vocational courses are identical and same so far admission is concerned.

Therefore, reading together the Regulation - 109 and 124 along with the Regulation -107 and 123 with reference to Section -2 (i) and (j), the Act and the Regulation -1993 framed by the Government <u>does not leave any scope for double</u> <u>course or double certificates</u> by any stretch of imagination rather it clearly imposes restrictions that no admission is possible one after another.

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In other words, only one course can be preferred within six weeks from the date of passing HSC Examination. Hence, the aforesaid provisions being statutory nature is mandatorily required to be followed. Any course prosecuted in violation of / deviation of / derogation of the aforesaid provision of the Act & Regulation and thereby obtained certificates deserves no consideration as the certificates obtained by committing fraud stands ifso-facto invalid and illegal.

W.P.(C)writ petitioners in Vocational/Upasastri fake The (4) No.32024/2011, W.P.(C) No.32023/2011, W.P.(C) No.32025/2011, W,P.(C)W.P.(C) No.1857/2012, W.P.(C) No.28414/2011, W.P.(C)No.32026/2011, No.5340/2012 have never disputed the fact that they failed or passed with less percentage of marks, again they have prosecuted the alleged vocational courses and upasastri courses by antedating the said admission to the alleged course.

Therefore, the statutory time as stipulated under Regulation -109 and 124 for getting admission either to one of the general course or to vocational course respectively is mandatory in nature. The certificate obtained by the fake vocational candidates and upasastri candidates dehors the aforesaid provisions of law are not liable to be considered for engagement of any public post.

Therefore, all the vocational candidates and upasastri candidates have not only committed fraud in taking admission to vocational courses by suppressing the fact of earlier prosecution of general courses but also obtained such certificates so as to acquire C.T. qualification and further to get engagement as SS.

Submission in reply to question-C.

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1. As per Clause-4.6 of the Govt. Resolution, Sikshya Sahayak engagement is a contractual engagement.

2. All the vocational and upasastri candidates have willfully and deliberately suppressed/ concealed material facts i.e. the earlier passing of +2 Arts / Science / Commerce.

3. The undertaking given by the vocational and upasastri candidate is very clear to the extent that they have willfully/deliberately given false information, thereby, deliberately misrepresented the facts not only to gain the post of SS but also in disadvantage to other genuine candidates.

4. Hence, in view of the admitted fact & definition of fraud and the judgement of the Hon'ble High Court & Hon'ble Supreme Court, they have committed fraud in Two stages :-

i) in obtaining vocational / Upasatri certificates

ii) in obtaining contractual engagement as Sikshya Sahayakby givin false under takings.

Bhadrak

Advocate for Surekha Samal and others

Date :

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BEFORE THE COLLECTOR-CUM-CHIEF EXECUTIVE OFFICER, ZILLA PARISADA, BHADRAK.

MISC. CASE NO.3/2015

(Arising out of W.P. (C) No.5077/2014 along with a batch of cases disposed of on vide common order dtd.5.5.2015).

<u>LIST OF JUDGMENTS</u> relied by the Petitioners (Surekha Samal and others)

An act committed by a party with intent to gain advantage An act to deceive another. An act or omission or concealment/ misrepresentation of fact by which a person obtains an advantage against another. (including in reference to Section-17 of the Contract Act.)

2009 (II) OLR (SC), Page-229, Para-36, 37.

AIR 1994 (SC), Page-853, Para-

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Fraud & justice never dwell together.

JT 2005(II) (SC), Page-439, Para-15,16 & 18. 2012 (II) OLR, Page-721, Para-7.

Fraud & its Consiquences.

AIR 1996 (SC), Page-686, Para-6.

SCALE 2011(9), Page-295, Para-11.

AIR 1998 (SC), Page-111, Para-6,7.

W.P.C NO-160/2012 disposed of on 09.01.2012 of the Hon, ble High Court in the context of the present nature of case.

by the petitioners (Surekha Samal and others)

Through Advocate.

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IN THE COURT OF THE COLLECTOR-CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD, BHADRAK

Misc. Case No. 03/2015 arising out of W.P. (C) No.5977 of 2014 and batch of cases disposed of on common vide order dated.05.05.2015 Surekha SamalPetitioner

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State of Odisha & Others Opp. Parties.

<u>ORDER</u>

21:08.2015

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With a view to complying with the order dated.05.05.2015 of the Hon'ble High Court in W.F. (C) No.5077 of 2014 along with similar cases clubbed together, this Mise. Case has been taken up at this level. The Hon'ble High Court directed the Collector, Bhadrak to take a decision by taking into consideration the show cause reply along with the enquiry report, after supplying copy of the enquiry report to the petitioners and affording reasonable opportunity of hearing to them. As such adequate opportunity has been provided to the petitioners and others to substantiate their claim with documentary evidence as well as supporting materials on records.

In brief, the issue involved in this case is three fold. Firstly, the claim of Surekha Samel and others in WP(C) No. 5077/2014, 10872/2013,11112/2011 & 21461/2013 and in similar writ petitions that they have not been selected and engaged as Sikshya Sabayak deepne the fact that they deserve consideration and engagement in view of the

provisions/terms and conditions advertised during January,2011 under Bhadrak District in place of candidates who have been engaged as Sikshya Sahayak by practising fraud and in contravention of Council of Higher Secondary Education, Odisha Act and regulation. Secondly, the claim of the petitioners in W.P. (C) No.32023/2011, 32027/2011, 32028/2011, 32026/2011 and other similar writ petitions who were issued with show-cause notice continuing as Sikshya Sahayak, on the ground that they have been engaged suppressing the facts is that they have neither violated any rule or regulation of the Council of Higher Secondary Education, Odisha nor have they committed any fraud in submitting the Vocational/Upasastri pass certificates as alleged by Surekha Samal and others. Thirdly, the claim of some of the petitioners in W.P. (C) No.539/2013, 597/2013, 597/2013 is that they have not been selected and engaged as Sikshya Sahayak and their candidature have been rejected by the District Project Co-ordinator, SSA, Bhadrak pursuant to the advertisement published during December, 2011 though they are antitled to get engagement order for the post of Sikshya Sahayak by virtue of their Vocational/Upasastri certificates.

COMPARE

The learned advocate for Surekha Samal and others (petitioners in W.P.(C) No.5077 of 2014 & others) Mr. M.K.Sahoo submits that, the candidates having Vocational/Upashastri qualification have been engaged as Sikshya Sahayak pursuant to the advertisement No.243

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dated.22.01.2011 of the District Project Co-ordinator, SSA, Bhadrak suppressing the facts that they have passed carlicr +2Science/Arts/Commerce Examination conducted by the Council of Higher Secondary Education, Orissa, Bhubaneswar which goes against the guidelines/resolution of the Council. They are all fake candidates and by committing fraud and in concealment/misrepresentation of fact, they have applied for the post of Sikshya Sahayak. He also state that, pursuant to the order of the Hon'ble High Court in W.P. (C) No. 7478 of 2011 and 18256 of 2011, the then D.P.C, SSA, Bhadrak conducted enquiry and found that a large number of candidates having vocational/upasastri-Setalification have committed fraud in both way by concealing the fact of their earlier +2 Arts/Science/Commerce pass certificates and by giving false undertaking to the effect that they have not passed +2 Arts/Science/Commerce examination or equivalent examination from

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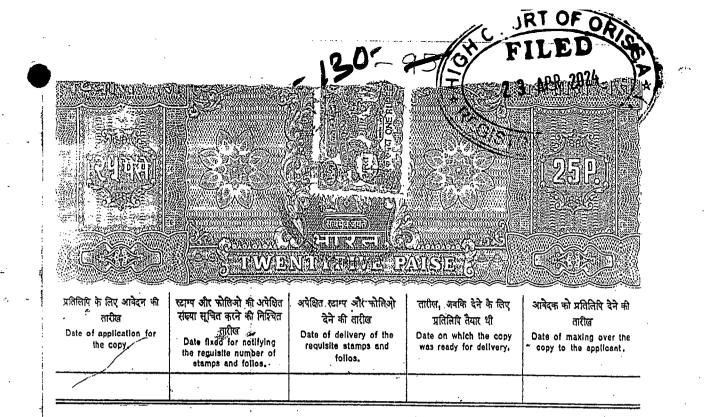
CHSE, Odisha or from equivalent Council/Board/University before appearing at the vocational/upasastri course examination at the time of receipt of engagement order. Accordingly many of the fake vocational/upasastri candidates were issued with disengagement notices and against such action of the DPC, SSA, Bhadrak; the Vocational/Upashastri candidates approached the Hon'ble High Court in different writ petitions. The petitioners in W.P. (C) No.5077 of 2014 and others being the genuine candidates intervened all those cases opposing

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the fake Vocational and Upashastri candidates and praying for engagement as Sikshya Sahayak. To clarify the meaning of fraud and misrepresentation/concealment of facts they cited the provisions of Contract Act, 1872 that fraud means the active concealment of a fact by one having knowledge or belief of the fact or any other act fitted to deceive. As per said Act the meaning of misrepresentation that, any breach of duty which without an intention to deceive, gain an advantage to the person committing it or any one claiming under him by misleading another to his prejudice or to the prejudice of anyone claiming under him. In view of the said provision anything obtained by concealment of a fact or to the disadvantage of others is amount fraud. He submits that, as per provisions of the Odisha Higher Secondary Act, 1982, Higher Secondary course means course immediately following the High School Certificate course and covering a period of two academic years which is provided for

course means course immediately following the High School Certificate course and covering a period of two academic years which is provided for either in a college or a Higher Secondary school and includes Art, Science, Commerce and Vocational courses. Higher Secondary Education means such general and vocational education forming in itself a complete purposive whole, which immediately follows secondary education as has been defined in the Orissa Secondary Education Act, 1952 and immediately precedes a stage of education controlled by any university. He also cited some points of the Orissa Higher Secondary Education

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Regulations, 1982. As per regulation-107, any registered student of the council mav be admitted to the annual examination in Arts, Science, Commerce courses, if he/she has completed in one or more affiliated institutions, recognized for the purpose of such examinations a regular courses of study, on the subjects in which the candidates wishes to be examined, for not less than two academic years after passing the High School Certificate examination conducted by the Board of Secondary Education, Orissa or some other examination recognized by the council as where and has been promoted to the second year class on the basis of the examinations conducted by that institution in the first year. As per regulation-109(1), no students shall ordinarily be admitted into an institution six weeks after the date of reopening of the institution or from the date of publication of results of the annual High School Certificate Examination of the Board of Secondary Education, Orissa whichever is later, provided that the council may permit a student two weeks more for admission with a late fees of Rs.10/- and regulation-109(2) says, a candidate who passes the supplementary High School Certificate examination of the Board of Secondary Education, Orissa may be admitted to an institution within three weeks after the publication of the results, provided that the council may extend the date of admission by 10 days with a late fee of Rs. 10/-. Further he states that, as per Chapter-VIII(regulation-122), any registered student of the council may 4

be admitted to the annual examination in vocational courses, if he/she completed in any Higher Secondary School/Junior College recognized by the council as a vocational centre a regular course in a vocational subject for not less than two academic years after passing the High School Certificate Examination of the Board of Secondary Education, Orissa or some other examination recognized by the council as equivalent thereto and has been promoted to the second year class.

Further he submits that as per Section-2(i) and (j) of the said Act, it is clear that the course either general or vocational is to be treated Higher Secondary course/Higher Secondary education which is followed immediately from the stage of HSC. Therefore there cannot be two courses at the stage of Higher Secondary Education by any stretch of imagination to be prosecuted just after HSC. In the instant case all the fake vocational and upasastri candidates have prosecuted their vocational and upasastri courses after taking admission to the general courses of +2 Arts/Science/Commerce which was legally impermissible. Therefore all such vocational and upasastri candidates have committed fraud in obtaining either vocational or upasastri certificates. Therefore all the vocational/upashastri candidates have not only committed in taking admission to vocational/upashastri courses by suppressing the fact of carlier prosecution of general courses but also obtained such certificates so as to acquire C.T. qualification and further to get engagement as

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Sikshya Sahayak. Hence, their engagement should be terminated and FIR should be lodged against them and they are not allowed to receive their salary and they should be ousted from their Sikshya Sahayak posts and the deserving candidates like the petitioners in W.P. (C) No.5077/2014 and similar writ petitions should be engaged in the said posts.

The learned advocate for the petitioners in W.P. (C) No.32023 of 2011 and others similar writ petitions Mr. R.N.Mishra submits that, the petitioners in aforesaid writ petitions have neither violated any rule or regulation of the CHSE nor have they committed any fraud in submitting the Vocational/Upasastri pass certificates as alleged by Surekha Samal and others. He also states that, as per the Black's law dictionary fraud means, (i) a knowing misrepresentation of knowing concealment of a material fact made to induce another to act to his or her detriment and (ii) a reckless misrepresentation made without justified believe in its truth to induce another person to act." As per chambers 20th century dictionary fraud means deceit, imposture, a cheat. As per the major law lexicon (4th edition) fraud means and includes any of the following acts committed by a party to a contract or with his connivance, or by his agent, with intent to deceive another party thereto or his agent, or to induce him to enter into the contract:- (1) the suggestion. as a fact, of that which is not true, by one who does not believe it to be true,(2) the active concealment of a fact by one having knowledge or belief of the fact.

(3) a promise made without any intention or performing it, (4) any other act fitted to deceive, (5) any such act or omission as the law specially declares to be fraudulent. Under the aforesaid premises the allegations against the vocational/upashastri candidates have to be considered in light of the aforesaid dictums and the law. He submits that there was no such prohibition to have both +2 Arts/Science and +2 vocational qualifications from CHSE. All those documents now forthcoming and filed by the petitioners in W.P.(C) No.5077/14 and other similar writ petitions either in the writ petition or before this Hon'ble forum are of the year 2011. But none of those letters or information obtain through RTI Act were in force at the relevant time when the vocational/upashastri candidates acquired the qualifications. Further all those letters or informations now relied upon by them giving the statement that one cannot have both +2 Arts/Science and +2 vocational qualification from the CHSE, Odisha. Besides that as it may once the vocational/upashastri candidates acquired the qualification much prior to issuance of those letters or instructions, those letters or instructions could not have any retrospective operation or affect. Hence it is incorrect to allege that the vocational/upashastri candidates have practiced fraud in the matter of engagement as Siskhya Sahayak. He also submits that in pursuance of the order of the Hon'ble High Court in W.P.(C) No.6452/2011 the candidates having vocational qualification were treated at par and the students having +2 Arts/Science.

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As such said candidates were allowed to apply for the post of SS. From the aforesaid facts it is crystal clear that there is no illegality or irregularity committed by those candidates having both +2 Arts/Science and +2 vocational qualifications from the CHSE. The objectors are put to strict proof. In this matter he also cited the order of the Hon'ble High Court in the case of Dr. Pranaya Ballari Mohanty-vrs-Utkal University and others reported in 2014(I) OLR- 226. He also submits that in the case of Guru Nanak Dev University-vrs-Sanjaya Kumar Katwal and other reported in 2009(I) SCC,610 it has been settled by the Hon ble Apex Court that only the examining body, i.e. the University has the right to withdraw or cancel a certificate. In the instant case till date the certificates issued in favour of the vocational/upashastri candidates by the appropriate authorities have not yet been cancelled or recalled by the examining body, i.e. the CHSE. So, this Hon'ble forum cannot declare the certificate issued to the vocational/upashastri candidates as illegal or void. Therefore this forum has no authority or jurisdiction to declare such certificate as null and void. It is the admitted fact that the petitioners were duly issued with the certificates by the competent authority, i.e. the CHSE; therefore there is no question of fraud in the matter of issuance of certificates. Hence their selection as Sikshya Sahayaks cannot be faulted with and accordingly it needs no interference. He also submitted that if the certificates are wrongly issued in favour of such category of

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candidates then also it cannot be recalled or cancelled by CHSE,Odisha now after about eight to ten years, moreover when all the candidates changed their position by virtue of such certificate and settled in their life. The claim of the vocational/upasastri candidates have been crystallized and the certificates so issued in their favour cannot be cancelled or recalled in view of the settle position of law laid down in the case of Dr. Pranaya Ballari Mohanty(supra). The judgement of Dr. Pranaya Ballari Mohanty was challenged in WA No. 30 of 2014 before the Division Bench of the Hon'ble High Court but it was dismissed. So the judgement eached its finality. He also submits that the Clause-2(i) of CHSE regulation never prohibits second +2 qualification for that this Hon'ble forum in the case of Smt. Abanti Panda in Misc. Case No.01/2011 has held a candidate having +2 vocational and +2 Arts qualification prior to 2011 cannot be debarred for selection to the post of GRS and an another order passed by this Hon'ble Forum vide order No.534 dated.04.04.2015 pursuant to the order passed in O.A.No.179(c)/2015- Ratikanta Das-vrs-Collegeor, Bhadrak and others regarding the engagement in the post of Amin, because there was no bar at the relevant time when the candidate acquired the qualification and this Hon'hle forum or the Hon'ble Collector has no authority to cancel any certificate issued by the competent authority. He submitted that the undertaking taken from the vocational/upashastri candidates cannot be used against them as it was my_

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और फोलिओ की अपेक्षित म स्पित करने की निश्चित तारीख	अपेक्षित स्टाम्प और फोलिओ देने की तारीख Date of delivery of the	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy	आवेदक को प्रतिलिपि देने व तारीख Date of making over th
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taken on coercion. The employee and employer relationship is that a Lamb & Lion relationship. The poor employee cannot have any bargain power before employer. Unless such candidates have given any undertaking they could not have given engagement. So such undertaking is redundant. Finally, he submits that for the reasons stated above the show cause notice issued to the vocational/upasastri candidates are unsustainable in law and therefore the complain petitions filed against them are also vague and baseless. Therefore the same be set aside and the Sikshya Sahayaks having vocational/upashastri qualification be allowed to continue in service with all consequential benefits.

Perused the order of the Hon'ble High Court, WNA submitted by the advocates and official records submitted by the District Project Co-ordinator, SSA, Bhadrak. Heard the advocates previous dates ' asowell-as-today. It is a fact that, some of the candidates were recruited to The post of Shikhya Sahayaks (during the year 2011) on the basis of Ď+2 Vocational certificate which is equivalent to +2Arts/Science/Commerce certificate prescribed by the Council of Higher Secondary Education, Odisha. These vocational certificates were obtained much prior to the recruitment around 2006,2007......

Here two things are very crucial for the entire issue. (i) The students obtaining the Vocational certificates after completing +2 ARTS/Science/Commerce or concurrently having two

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courses and obtaining certificates. But their certificates have not been withdrawn or cancelled by the competent authorities.

(ii) Secondly, it is the prerogative of the Examination conducting authority to cancel or withdraw the certificates issued by them and this Court has no jurisdiction to pass any comment on that.

It is very common in human nature when one has two certificates having equal importance he/she is most likely to produce the one which will suit the best. The restriction imposed by the CHSE, Odisha on this issue came in the year, 2011 and the students appeared their Vocational education much prior to that. Had it been any procedural deficiencies the recruiting authority or the Certificate Issuing Authority should have taken appropriate steps in the form of not allowing the candidates to appear in the examination or withdrawing their certificates.

It is a fact that, the successful candidates have given an undertaking that they have not passed the +2 ARTS/Science/Commerce stream prior to the Vocational Course. But subsequent arguments and production of documents show that this is not correct and there is suppression of facts. But this is not enough to disqualify the successful candidates and declare their recruitment as void.

Every Govt. Servant/Employee/Job Holder of this country is considered to be a privileged person. If one gets a Govt. Job/Service and

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thereby secures his daily bread it is like enjoying the early dawn after coming out of the perpetual groom. When he/she comes so nearer to get a Govt. job/service, it is very natural that he/she has not smart enough to declare the true facts.

These Shikhya Sahayaks have already put in around 4 to 5 years of service till date. On the basis of the analysis made in the foregoing paras, this Court is not inclined to interfere in the recruitment of Shikhya Sahayaks made in the year 2011.

This is pronounced in the open Court today i.e. on 21.08.2015

COMPARED B

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OR-CUM-CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD, BHADRAK COLLECTOR-CUM-CHIEF

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•	-109	Annexune-13 series	
	139	BYREJD'PUST	
	CPUNCIL OF HIGHER SECONDARY PRAJNADITHA: SAMANTADUR: BHU	EDUCATION:ORISSA IBANESWAR:-13	
× Tro.	3920 /CHSE(0).	Dt. 13/6/1/	
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Dr.Gopa Ranjan Mishra, Public Information Officer, C.M.S.E., Orissa, Bhubanéswar.

To

District Project Co-Ordinator, S.S.A., Bhadrak.

Sub:-Supply of information under RTI Act. Ref:-Your letter No.6387 dt.31.05.2011.

Sir,

With reference to your letter on the subject cited above; I am to say that the letter No.3142 dt.04.05.2011, No.3630 dt.27.05.2011 and No.3669 dt.31.05.2011 which were sent to the applicants are authentic.

This is for your kind information.

Yours faithfully imation Officer. Public I 13.6.11

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Q. Dar Project Co-ordina 5. S. A. Bhadrak

COUNCIL OF HIGHER SECONDARY EDUCATIONFORISSA PRAJNAPITHA: SAMAITAPUR: DHUBANESWAR

CHSE(U), Dt.

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Dr.Gopa Ranjan Mishra, Public Information Officer, C.H.S.E., Orissa, Bhubaneswar.

Sri Ramakanta Dash, C/o:-Late Jogendra Dash, At/Po-Arandua, Via:-Basudevpur, Dist:-Bhadrak

Sub: -Supply of information under RTL Act Ref;-Your application under RTI dt. 16.04.2

Sir,

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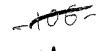
With reference to your application under KTT Act dt. 10.04.2011 on the subject cited above, I am to say that you have applied under RTI Act to get the information regarding whether after passing +2 Arts/Science and Commerce course a student can appeared +2 Vocational stream or not. As per rule 2(i) of the correst. S.E. Act and Regulation 1982, Higher Secondary Course means course immediately following the High School Certificate Course and covering period of two academic years which is provided for either in college or a Higher Secondary School and includes Arts, Science . Commerce and Vocational courses. It a student appears and qualifies in H.S.Examination in Arts, Science and Commerce Stream successfully under any recognised institution he/she Can not called Course. admission again in vocational stream of Higherry

This is for your kind information.

yours faithfully Officer. Public Inf 1 l, şψ_i, 1.

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Set Project Co-ordinal. S. S. A. Bhadrak



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COUNCIL OF HIGHER SECONDARY EDUCATION:ORISLA PRAJNAPITHA SAMAMIAPUR LUDBAMESWAR:13 -0-

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From,

Dr.Gopa Ranjan Mishra, Public Information Officer.

Τo

Ramakanta Sahoo, C/o-Mahendra Prasad Sahoo, At- Kalidaspur, Po- Narasinghapur, PS- Basudevpur, Dist-Bhadrak.

Sub:- Supply of information under RTI Act.

Ref:- Your application dt. 4.5.11.

Sir,

With reference to your application dt.4.5.2011 on the subject cited above, I am to say that, you have applied under RTI Act regarding admission procedure of a student. If a student takes admission in another College in 1st year having been failed in Annual HS Exam. conducted by the Council, the C.L.C fixem the 1st College needs to be released and required to be submitted in second College at the time of admission .

This is for your kind information.

Yours faithfully, Public Information Officer. 27.5.11

No. S. A., Bhadrak

G/

COUNCIL OF HIGHER SECONDARY EDUCA TON: ORISSA PRANGYAFITHA: SAM.NITAFUR: BHUBANESWAR-13

CHSE(C), dt. No.RTI.24/11 From:-

Dr Gopa Ranjan Mishra, Public Information Officer CHSE(0), Bhubaneswar.

TO Ramakanta Sahoo, C/o-Mahendra Prasad Sahoo At-Kalidaspur, Po-Narasinghpur Dist-Bhadrak.

> sub: - Supply of information under RTI Act . Ref:- Your application dt.4.5.2011

Sir,

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with reference to your application dt.4.5.11 on the subject cited above, I am to say that you have applied under RTI Act to know whether a student can have two Registration Number. A student cannot have two Registration Number. In case a student fails 20 in the A.H.S.Examination conducted by the Council and taken admission changing his stream he will get a new Registration Number as surrender of old registration number.

This for your kind information.

Yours faithfully,

APR 2024

Public Information Officer 28.5.11

Dan Project Co-ordina N. S. A., Bhadrak

0 COUNCIL OF HIGHER SECON DARY EDUCATION: ORISSA PRANGMAPITHA, C/2 SAMANTAPUR: BHUBANESWAR-13 民族政府民义派中法的法律公 From ŧ CE SECY/DE 14/2/11 Dr.J.K.Mabapatra, Secretary Τo The Special Secretary to Covt., Deptt. of Higher Education, Orissa, Ehubaneswar. Sub : Clarification regarding equivalence of the H.S. Vocational Examinations conducted by the CHSE, Orissa, Bhybaneswar. Sir, As desired by you, I am directed xx to inform you that as per the proceedings of the Academic Committee of the Council held on 11.01.2010 and duly approved by the General Body of the Council in its meeting held on 13.01 2010, the followings are the criteria for deciding equivalence to different streams of H.S.Examinations. H.S. Yocational Examination having subjects as mentioned Equivalant to below as Basic Foundation Course Higher Secondary Evaluations In History, Pol. Science & Economics Arts Stream Accounting, Cost Management stc. Comerce Stream Physics, Chemistry, Mathema-tics or Biology Science Stream This is for your kind information and necessary action. True CoRY Attested Yours Inthing TRUE CONSAMPESTED Advocate Copy attested TRUE GELADAADAATED JURI Secretary 病药

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IN THE HIGH COURT OF ORISSA: CUTTACK

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W.P.(C) No. 18706 of 2015

Surekha Samal and others ... Petitioners

-VERSUS-

State of Odisha and others ... Opposite Parties

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1,		Counter affidavit by 1- 21 opposite party no.4.
2.	Annexure- A/4	A copy of the advertisement dated 22.01.2011 22 - 25
3.	Annexure- B/4	A copy of the letter dated 15.02.2011 26
4.	Annexure- C/4	A copy of the letter dated 12.02.2010
5.	Annexure- D/4	Copy of the order of $2\beta - 32$ regularsiation

INDEX

By the opposite party no.4 through

Cuttack

Dt. 12.2023

ADVOCATE

SHRI DURGESH NARAYAN RATH ENROLMENT No.1650/2000 MOB:-9861041020

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IN THE HIGH COURT OF ORISSA: CUTTACK

W.P.(C) No. 18706 of 2015

Surekha Samal and others ... Petitioners

-VERSUS-

State of Odisha and others ... Opposite Parties

<u>COUNTER AFFIDAVIT FILED BY</u> <u>OPPOSITE PARTY No. 4</u>

I, Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.o-Adia, Dist-Bhadrak, do hereby solemnly affirm and state as follows:-

1. That I am the opposite party no.4 in this writ application. I have gone through the writ petition and understood the contents made therein.

2. That the petitioners in the above writ application has challenged the order under Annexure-12 passed by the Collector-cum-Chief Executive Magistrate, opposite party no.2 rejecting the claim of the petitioners on the ground that since the certificate which was issued by the competent authority in favour of opposite party

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No. 4 has not been cancelled and is valid till to date, at that circumstances, no decision can be taken with regard to illegal selection of opposite party no. 4 for the post of Sikshya Sahayak.

3. That it is respectfully submitted that the deponent has gone through the writ application filed by the petitioners. As it is understood by the deponent, the entire case of the present petitioners is that present opposite party no. 4, who was appointed as Sikshya Sahayaks by giving certificate +2 vocational, even though she had passed +2 CHSE Examination, therefore, since he was selected on the basis of the marks secured in +2 vocational, when she has already passed +2 CHSE examination, therefore, appearing in +2vocational is illegal and by giving the said certificate, since she was selected, her selection is to be declared as illegal. Earlier they had approached before this Hon'ble Court and this Hon'ble Court clubbed all the writ petitions together along with W.P.(C) No. 5077 of 2014 and directed opposite party no.2 to take a decision and

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accordingly, opposite party no.2 has taken a decision rejecting their claim, the petitioners prayed for quashing of the same and also prayed to re-cast the merit list by excluding the vocational and upasastri candidates those have obtained engagement by suppressing the material facts as described above and thereafter necessary direction be made to engage the petitioners as Sikshya Sahayak with all service benefit at par with others notionally. Therefore, the essence of the writ petition, as it is understood by the opposite party no. 4 is that according to the petitioners, since the opposite party no.4 was illegally selected, their selection is to be declared illegal and the petitioner is to be selected.

4. That it is respectfully submitted that without giving reply to each and every paragraph of the writ petition and denying the same to be true and reserving their right to give reply if necessary at the time of hearing of the case, the opposite party no.4 submits herewith that an advertisement was published on 22.01.2011 in pursuant to the State

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Government Resolution dated 10.01.2011, inviting applications for the post of Sikshya Sahayaks. The qualification required as per the advertisement at Clause-2 (a) is +2 qualification or its equivalent qualification. It was also required to pass C.T. qualification. For better appreciation of the case, a copy of the advertisement dated 22.01.2011 is annexed to the counter affidavit as <u>Annexure-A/4</u>.

5. That it is respectfully submitted that pursuant to the said advertisement, opposite party no.4 applied for the post of Sikshya Sahayak and accordingly she was selected. It is also further submitted that the opposite party no.4 appeared in +2 CHSE Examination in the year 2007 and successfully passed the said examination. While the matter stood thus, she again took admission in +2 Vocational course. Subsequently she also passed +2 Vocational Course in the year 2008. By submitting the vocational certificate and mark sheet she applied for the post of Sikshya Sahayak as per the advertisement. But her cases were not considered by the authority, even though the

advertisement provided that the candidates having +2equivalent and will be eligible for consideration for the post of Sikshya Sahayak. The CHSE passed an order on 15.02.2011 indicating therein clarification regarding equivalency of Higher Secondary Education by the CHSE Orissa, Bhubaneswar stating inter alia that as per the proceeding of the academic committee counsel held on 11.01.2010 and duly approved general body council in its meeting dated 13.01.2010 the followings are the criteria for deciding equivalent to different stream of higher secondary education. Higher Secondary vocational education having the subject as mentioned below, i.e. Histrory, Political Science are equivalent to Arts Steam of the Higher Secondary Education. For better appreciation of the case, a copy of the letter dated 15.02.2011 is annexed to the counter affidavit as Annexure-B/4.

6. That it is respectfully submitted that the Secretary, Council of Higher Secondary Education wrote a letter to the District Project Coordinator, Bhadrak regarding clarification related to

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-150vocational and upasastri examination indicating therein that the vocational examination is equivalent to +2 Arts and Commerce stream of the Council and the Upasastri Examination conducted by the Jagannath Sanskrit Viswa Vidyalaya Puri is also equivalent to the council. A copy of the letter dated 12.02.2010 is annexed to the counter affidavit as <u>Annexure-C/</u>4.

That it is respectfully submitted that since 7. the Council has declared that +2 examination under vocational course is equivalent to CHSE examination and the opposite party no.4 submitted the vocational qualification certificate at the time of selection, her case was considered and engagement orders were issued in favour of the opposite party no. 4 vide engagement order dated 30.04.2011. From that date the opposite party no.4 is continuing in the said post. Subsequently she was made regularized as regular primary school teacher with effect from 2017. For better appreciation of the case, copy of the order indicating therein that the opposite party no.4 has

already been made regularized as regular primary school teachers after completing six years as Junior Teacher and Sikhya Sahayak taken together is annexed to Counter affidavit as <u>Annexure-D/4</u>.

That it is respectfully submitted that some 8. persons, those who are not selected as Sikshya Sahayaks made objection that when the persons have already passed +2 CHSE examination, they cannot appear in +2 Vocational Course, therefore, subsequent appearance in the examination is illegal in view of the regulation of the council. Therefore, their selection are to be declared illegal. The petitioners relied that as per Clause 2 (i) of the CHSE regulation, a person cannot appear in the vocational course after completing the course in annual CHSE examination and accordingly the writ petition was filed by some of the persons bearing W.P.(C) No. 5077 of 2014, 10872 of 2013, 11112 of 2011 and 21461 of 2013. All the writ petitions were taken up by this Hon'ble Court and disposed of on 05.05.2015 directing the opposite party no.2 to take a decision with regard to the

grievance of the present petitioners. Accordingly, the opposite party no.2 allowed the petitioners as well as the present opposite party no.4 to participate in the hearing process. Accordingly, the opposite party no.4 submitted their present statement. The entire stand of the present opposite party no.4 before the opposite party no.2 that since the allegation was made with regard to fraud, as per the Black Law Dictionary, fraud means a knowing concealment of the material facts made to induce another to act to his or her detriment. It was also stated before the opposite party no.2, that the allegation made against the opposite party no.4 that vocational Upasastri candidates have to be considered in the light of the aforesaid dictum and law. They submitted that there is no such provision to have both +2 Arts/ Science and +2 Vocational qualification from CHSE. The documents which were relied on by the petitioners by obtaining under RTI Act are of the year 2011. So since by the time if any restriction is given by the council in the year 2011, the opposite party no.4 has already completed their course since 2008.

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Therefore, the document and or the order in 2011 cannot have any retrospective applicability to give any restriction for appearing in the examination. It was also stated that none of the documents of 2011 was there at the relevant point of time when the opposite parties appeared in the vocational/upasastri examination in order to acquire the qualification. It is the case of the opposite party no.4 that in view of the judgment of this Hon'ble Court in W.P.(C) No. 6452 of 2011 the +2 Arts/Science was treated at par with the qualification of the vocational. This Hon'ble Court in W.P.(C) No. 6452 of 2011 observed that the cases of the candidates, who have completed +2 Vocational course with C.T. training shall be considered by the Collector-cum-CEOs, Zilla Parishad as per the instruction given by the Department of School & Mass Education Department and the provisional list of selected candidates already published shall be revised accordingly after considering the case of the opposite party no.4 and other candidates situated similarly. For better appreciation of the case, the

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order dated 18.03.2011 passed by this Hon'ble Court in W.P.(C) No. 6452 of 2011 is quoted hereunder.

W.P.(C) No. 6452 of 2011

18.03.2011 Heard

The sole grievance of the petitioners in this writ application is that they made applications pursuant to an advertisement for being appointed as Sikshya Sahayak for which the eligibility qualification is Arts/Science/Commerce with Certified Teachers Training. The petitioners have completed 2 Vocational Courses from the Council of Higher Secondary Education. which is not being treated equivalent to Arts/ Science/Commerce in the District of Bhadrak though the CHSE has treated the same lo be equivalent to +2.

Mr. KK. Rath. learned counsel appearing for the School und Mass Education Department submits that he has obtained instruction that the +2Vocational Course be treated as equivalent to +2 Arts/Science/Commerce and there was no impediment for considering the

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cases of the petitioners for appointment as Sikshya Sahayuk. He also produces a written instruction received by him that the Government in its Department of School and Mass Education has issued a letter dated 09.04.2011 as well as 17.03.2011 to all Collectors-cum-CEOs. Zilla Parishad in respect of equivalence of +2 Vocational courses. In spite of this the case of the Vocational C.T. pass candidates have not been taken into consideration while preparing the draft merit list as well as many candidates have filed writ petitions before this Court and in the present writ petition, this Court has directed to consider the case of the petitioners, The Collector- Cum-CEOs of different Districts have therefore been requested to revise the draft merit list immediately after taking into account the candidates, who have passed +2 Vocational course with CT under intimation to the Department.

Mr. Das. learned counsel for the petitioners submits that in the meantime a provisional list of selected candidates have been published without considering the cases of the petitioners. In this view of the

matter all the pending Misc. Cases as well as the writ petition is disposed of directing that the Cases ofthe petitioners/candidates. who have completed +2 Vocational course with CT Training shall be considered by the Collectors-cum-CEOs, Zilla Parishad as the instruction given per bythe Department of School and Mass Education Department and the provisional list of selected candidates already published shall be revised accordingly after considering the cases of the petitioners and other candidates situated similarly. Fresh provisional merit lists of selected candidates shall be published. Since there are many similar matters pending and all the Collectors-cum-CEOs have been directed lo revise such provisional list of selected candidates, this order shall apply to the entire process of selection in the State. The interim order passed earlier

A copy of this order be handed over to Mr. K.K.Rath, learned Counsel for the school and Mass Education Department.

stands Vacated.

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Urgent certified copy of this order be granted on proper application.

Sd/- M.M. Das, J."

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That it is respectfully submitted that the 9. ground of the opposite party no. 4 before the opposite party no.2 at the time of hearing that the certificate which was issued by the competent authority, i.e. CHSE has not been disputed till to date. Therefore, the certificate which was issued and not yet been cancelled or recalled by the examining body, the Hon'ble forum, i.e. the opposite party no. 2 cannot declare the certificate issued to the vocational and upasastri candidates as illegal and void one. It is also submitted that if the certificates have been wrongly issued in favour of such category of candidates, then also it cannot be recalled/ cancelled by the CHSE after about 10 years, when all candidates have changed their position by virtue of such certificates and settled in their life.

10. That it is respectfully submitted that since council regulation does not have any restriction or

 2^{nd} prohibition any to appear the in +2qualification, therefore, there is no illegality or irregularities committed by the opposite party no.4 by appearing the +2 Vocational Examination after completing +2 CHSE Examination. Therefore, by considering all the grounds of the opposite party no. 4, the opposite party no.2 had taken a right decision that since the opposite party no. 4 appeared in the examination before any restriction was there by the authority in the year 2011 and more so, there was no restriction in the Council Regulation at the time when the opposite party no. 4 appeared in the +2 Vocational examination, and lastly when the certificate has not yet been cancelled/ recalled by the CHSE, therefore, by taking into consideration all these aspects, the opposite party no.2 came to a conclusion that the selection made in favour of the opposite party no.4 cannot be declared illegal and accordingly rejected the case of the petitioners, which is challenged in the present writ petition.

11. That it is respectfully submitted that this Hon'ble Court has also decided in the case of one

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Basudev Guru v. State of Odisha and others (W.P.(C) No. 16810 of 2016 disposed of on 18.12.2018), where the similar questions had come up for consideration, such as

- (i) After passing +2 H.S. examinations in any stream one cannot pursue +2 H.S. studies in an other stream including vocational stream. The student passed in vocational stream cannot appear at the +2 H.S. examinations again;
- (ii) if a candidate fails in +2 H.S. examinations, she/he can pursue +2 H.S. course in any other stream and can appear at the +2 H.S. examinations after completion of the said course in that stream; and
- (iii) since a student can pass the +2 H.S. course only once, if anybody has pursued and passed the 2nd +2 H.S. course fraudulently, the 2nd course certificate is to be rejected."

While dealing with these three questions, this Hon'ble Court decided at paragraph-15 that a

bare reading of the above clause would go to show that a student can pass the +2 H.S examination only once, if he/she has pursued and passed the 2nd +2 H.S. course fraudulently, the second course certificate is to be rejected. What constituted "fraud" has not been clarified. More so, acquisition of subsequent +2 H.S. qualification in vocational stream cannot be construed to be fraudulent acquisition of qualification. It does not confine any meaning whether acquisition of vocational qualification after +2 Arts/ Science/ Commerce is construed to be a second +2 H.S. obtained fraudulently. Therefore, course the question of acquisition of vocational qualification, after +2 H.S. course, cannot be construed to be fraudulent one. Thereby, the Council has misconstrued this fact and issued such letter, which cannot sustain in the eye of law.

This Hon'ble Court finally decided that the petitioners, who have acquired vocational qualification, shall be treated as genuine and on that basis they shall be eligible to be considered

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for selection to the post of Livestock Inspector and other future service prospects.

12. That it is respectfully submitted that the above judgment was passed by this Hon'ble Court relying on the decision in the case of Dr. (Smt.) Pranaya Ballari Mohanty v. Utkal University and others, where this Hon'ble Court had taken into consideration the principles of promissory Hon'ble Court This relied estoppels. on paragraphs-13, 14 and 15 of the said judgment, wherein it has been indicated that once a student is admitted after satisfying all the qualifications, subsequent cancellation of admission cannot be made since he would be deprived of pursuing his studies in any other institution. Similarly, the principle of promissory estoppel has been considered by the apex Court in Union of India and others v. M/s.Anglo Afghan Agencies etc., AIR 1968 SC 718, Chowgule & Company (Hind) Pvt. Ltd. v. Union of India and others, AIR 1971 SC 2021, M/s.Motilal Padampat Sugar Mills Co. Ltd. v. The State of Uttar Pradesh and others, AIR

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1979 SC 621, Union of India and others v. Godfrey Philips India Ltd., AIR 1986 SC 806, Delhi Cloth & General Mills Ltd. v. Union of India and others, AIR 1987 SC 2414, Bharat Singh and others v. State of Haryana and others, AIR 1988 SC 2181 and many other subsequent decisions also. In view of the aforesaid authoritative pronouncement, applying the same principle in the present case, the authorities after lapse of 20 years cannot unsettle the settled position by arbitrary and unreasonable exercise of power and alter the position.

13. Therefore, when the opposite party no.4 had completed her course in the year 2008, after completing more than 7 year, objection was raised by some outsiders that the certificates obtained by the opposite party no.4 are by way of fraudulent means. In view of the judgment of this Hon'ble Court in the case of Basudev Guru, it cannot be said that the opposite party no.4 obtained the certificate by fraudulent means. Rather the opposite party no.4 applied for the vocational

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course and took admission in the vocational course, completed the vocational course and appeared in the examination conducted by the CHSE and after being successfully passed out, certificates were issued by the CHSE. The certificates and the mark sheet which were issued by the CHSE have not been tampered or manufactured. These certificates have been issued by the Council. The only objection the petitioners are raising that they cannot appear in the vocational course, after appearing in the +2 CHSE examination. That cannot be accepted, because there was no restriction by the Council.

14. That it is respectfully submitted that as it reliable learnt that the aforesaid judgment in the case of Basudev Guru has been carried before the Division Bench in W.A. No. 115 of 2019 and the matter was remanded for re-consideration where the same is pending sub judice.

15. That it is respectfully submitted that the law has already been settled by this Hon'ble Court in the case of *Puspanjali Mishra v. State of*

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Orissa, 2015 (II) ILR-CUT 982 that once a person has completed the course and by taking the same course has already entered into the service, after long gap the settled position cannot be unsettled by the authorities because of their mistake. Therefore, when the opposite party no.4 had already completed the course and basing upon such course, they have already selected and after completing six years of service, they have already taken as regular primary school teachers, at this juncture, disputing the selection of the year 2011 by the petitioners cannot be sustained. It is also further submitted that since the petitioners were not selected, they have challenged the selection of opposite party no.4 with a view that if the present opposite party no.4 will be oust from the service and the merit list of the year 2011 will be recast, their cases will be considered, which is not permissible as per the law decided by this Hon'ble Court in series of cases, that once the thing has been settled that cannot be unsettled after long

lapse of years.

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16. That it is respectfully submitted that the statements made in the writ petition, which have not been specifically replied by the opposite party no.4 and contrary to the above statement made in this counter are deemed to have been denied by the opposite party no.4 to be true, reserving her right to file additional affidavit, if necessary, for a just and proper adjudication of the case.

17. That the facts stated above are true to the best of my knowledge.

Identified by

Tapasocini Jena

Advocate

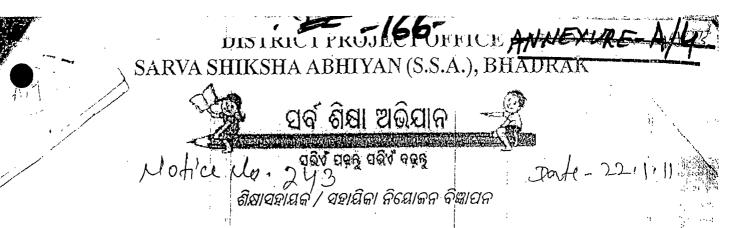
DEPONENT

CERTIFICATE Certified that due to want of cartridge paper, thick white papers have been used.

Cuttack

Dt. 12.2023

ADVOCATE



ଭଦ୍ରକ ରାଜସ୍ୱ କିଲ୍ଲାର ଶିକ୍ଷା କିଲ୍ଲାଗୁଡିକର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକ ଶିକ୍ଷା ସହାୟକ ନିୟୋଜନ ପାଇଁ ଭଦ୍ରକ କିଲ୍ଲା ପରିଷଦ ତରଫରୁ ଦରଖାଞ ଆହାନ କରାଯାଉଅଛି । ଇନ୍ଧୁକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ /ପ୍ରର୍ଥୀନାମାନେ ଯେକୌଣସି ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିପାରିବେ । ଏଥିପାଇଁ ଆବେଦନ ପତ୍ର ସହିତ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନୀ କେବୁଲ ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ଯଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ଯଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ଯଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ଯଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ ଶିକ୍ଷା ଜିଲ୍ଲାରେ ଆବେଦନ କରିଥିବା ପ୍ରମାଣିତ ହୁଏ, ତେବେ ପ୍ରାର୍ଥୀଙ୍କର ଆବେଦନ ପତ୍ର ବିଷରକୁ ନିଆନଯାଇ ନାକଚ କରି ଦିଆଯିବ । ସାର୍ଟିଫିକେଟ କାଲ ବୋଲି ପ୍ରମାଣିତ ହେଲେ ଆଇନ ଅନୁଯାୟୀ କାର୍ଯ୍ୟାନୁଷାନ ଗ୍ରହଣ କରାଯିବ ଏବଂ ନିଯୁକ୍ତି ରଦ୍ଧ କରାଯିବ । ଇନ୍ଥକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ସାଧା କାଗଳରେ ନିମ୍ନ ପ୍ରଦତ୍ତ ବରଖାଞ୍ଚ ପର୍ମ ଅନୁସାରେ ଆବେଦନ ପତ୍ର ସର୍ବଶିକ୍ଷା ଅଭିଯାନ କାର୍ଯ୍ୟାଳୟ,ଭଦ୍ରକ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ ଜାଗୁଳାଇ ପ୍ରୋକେକୁ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ, ଭଦ୍ରକ ଶିକ୍ଷାନ୍ଧିଲା – ୧ ପାଇଁ ଏବଂ କିଲ୍ଲାକ୍ସ୍ଲ, ଭଦ୍ରକ ଶିକ୍ଷାକିଲ୍ଲା-୨ ପାଇଁ ଆସନ୍ତା ତା ୧୦.୦.୨.୨୦.୧ ୧ ରିଖ ସୁଦ୍ଧା ରେଜିଷ୍ତୀ ତାକରେ କିୟା ବ୍ୟକ୍ତିଗତ ଭାବେ ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ତୃଟିପୂର୍ଣ ବା ବିଳନ୍ୟରେ ପ୍ରାପ୍ତ ଦରଖାଞ୍ଚ ଗୁଡିକ ବିଷରରକୁ ନିଆଯିବନାହିଁ । ଆବେଦନ ପତ୍ର ଜିଲ୍ଲା ପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରା ତଥା ଜିଲ୍ଲାପାଳଙ୍କୁ ସଂବୋଧିତ କରିବା ଆବଶ୍ୟକ ।

 ଏହି ଶିକ୍ଷା ସହାୟକ ନିୟୋଜନ ପାଇଁ ଶିକ୍ଷା ଜିଲ୍ଲାଖ୍ୱାରୀ ବିଭିନ୍ନ ଶ୍ରେଣୀର (Catagory) ପଦବୀ ସଂଖ୍ୟା ହଙ୍କ ବିଭିନ୍ନ ଙ୍କର୍ତ୍ତିଆଇଁ ସଂରକ୍ଷଣ ଥିବା ପଦବୀ ସଂଖ୍ୟା ଏଥିସହିତ ସଂଲଟ୍ କରାଗଲା । ଏହାର ୧୫୦% ଭାଗ ଯୋଗ୍ୟ ବିବେଚିତ ପ୍ରାର୍ଥୀଙ୍କୁ ତାଲିକାଭୁକ୍ତ କରାଯିବ ଯାହା ବର୍ଷକ ପାଇଁ ବୈଧ ରହିବ । ଏହି ଯୋଗ୍ୟ ବିବେଚିତ ଅସ୍ଥାୟୀ ଏବଂ ଚୁଡାନ୍ତ ପ୍ରାର୍ଥୀ ତାଲିକା (Provisional & Final Select List) ଶିକ୍ଷା ଜିଲ୍ଲା, ଜିଲ୍ଲା ପରିଷଦ ଏବଂ ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ ମାନଙ୍କର ନୋଟିସ୍ ବୋର୍ଡରେ ସର୍ବସାଧାରଣଙ୍କ ଅବଗତି ନିମନ୍ତେ ପ୍ରକାଶିତ ହେବ । ଶିକ୍ଷା ସହାୟକମାନେ ଜିଲ୍ଲା ପରିଷଦ ଦ୍ୱାରା ନିୟୋଜିତ ହେବ । 9. <u>ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା :</u>- ନିମ୍ପଲିଖିତ ଯୋଗ୍ୟତାଥାଇ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଯେକୌଣସି ଗୋଟିଏ ପଦ୍ଦମ ପାଇଁ

ଆବଶ୍ୟକ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଆବେଦନ କରିପାରିବେ ।

Sepcial Education)

- (କ) ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିନ୍ୟା ଉପଯୁକ୍ତ କର୍ଭୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାପ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- (ଖ) ଯୁକ୍ତ ଦୁଇ (+2) କଳା / ବାଣିକ୍ୟ କିନ୍ୟା ଉପଯୁକ୍ତ କର୍ଭୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାପ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- (ଗ) ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ / କଳା । ବାଶିକ୍ୟ କିନ୍ୟା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୂଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of india (RCI) ଦ୍ୱାର ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷାରେ ୨ ବର୍ଷିୟା ଡିପ୍ଲୋମା ତାଲିମ (2 Year Diploma in Education-

ralpator

- ସ୍ନାତକରେ ବିଜ୍ଞାନ କିନ୍ୟା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ସ୍ୱାରୀ ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାର୍କ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାସ୍ତ (Recognised by NCTE)
- (ଙ) ସ୍ୱାତକରେ କଳା କିନ୍ୟା ଉର୍ପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପର୍ରୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ୍ ପର୍ଯ୍ୟିନ୍ତ ଓଡିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାପ୍ତ (Recognised by NCTE) ।
- (ଚ) ସ୍ନାତକରେ ବିଜ୍ଞାନ । କଳା କିୟା ଉପଯୁକ୍ତ କର୍ଭୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ମାଟ୍ରିକ୍ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଞ୍ଚା ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of India (RCI) ଦ୍ୱାରା ସ୍ୱୀକୃତି ପ୍ରାସ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷା ପାଠ୍ୟକ୍ରମରେ ବି.ଏଡ୍. ତାଲିମ (1 Year B.Ed Special Education) ।

ଯୁକ୍ତ ଦୂଇ (+2) ବିଜ୍ଞନ, କଳା, ବାଶିଙ୍କ୍ୟ କିୟା ତତ୍ରିଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟତ ପୋଗ୍ୟତା ଥାଇ ଏବଂ ବିଜ୍ଞାନ ଓ କଳାରେ କିୟା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ସ୍ନାତକ ପାସ୍ ସହିତ (ଓଡିଆ ମାତୃଭାଷା ଦଶଟ ପର୍ଯ୍ୟତ) ଯୋଗ୍ୟତାଥିବା ଅଣତାଲିମ ପ୍ରାପ୍ତ ତଫସିଲଭୁକ୍ତ ଜାତି, ଜନଜାତି ଓ ଶାରିରୀକ ଅକ୍ଷମ ପ୍ରାର୍ଥୀମାନେ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଗୋଟିଏ ପଦପାଇଁ ଆବେଦନ କରିପାରିବେ । ଯଦି ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲା ୟୁନିଟରେ ଆବଶ୍ୟକ ସଂଖ୍ୟକ ତଫସିଲଭୁକ୍ତ ଜାତି, ଜନଜାତି ଏବଂ ଶାରିରୀକ ଅକ୍ଷମର ତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀ ନ ମିଳଡି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ନିର୍ଦ୍ଧିଷ୍ ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମ୍ବାନଙ୍କ ବିଷୟକୁ ବିଋରକୁ ନେଇ ନିଯୁକ୍ତି ଦିଆଯିବ ।

ସାଧାରଣ ବର୍ଗ ଏବଂ ଏସ୍ଟ୍ ଇ.ବି.ସି. ବର୍ଗର ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିର୍ଘ୍ଘା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ, ବିଜ୍ଞାନରେ ସ୍ନାତକ କିୟା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିଆ ମାତୃଭାଷା ଦଶମ ପର୍ଯ୍ୟନ୍ତ ଯୋଗ୍ୟତା ଥିବା ଅଣତାଲିମ ପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ତାଲିମପ୍ରାପ୍ତ ବିଜ୍ଞାନ (+2 Sc. C.T., TGT Sc.) ପଦବୀ ପାଇଁ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଗୋଟିଏ ପଦ ପାଇଁ ଆବେଦନ କରିପାରିବେ । ଯଦି ସଂପୃକ୍ତ ଶିକ୍ଷା କିଲ୍ଲା ୟୁନିଟରେ ସେହି ପଦବୀ ପାଇଁ ଆବଶ୍ୟକ ସଂଖ୍ୟକ ତାଲିମ ପ୍ରାପ୍ତ ବିଜ୍ଞାନ ପ୍ରାର୍ଥୀ ନମିଳନ୍ତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମାନଙ୍କ ବିଷୟକୁ ବିଷ୍ଟରକୁ ନେଇ ନିଯୁକ୍ତି ଦିଆଯିବ ।

ସମସ୍ତ ଅଣ ତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ନିୟୋଜନ ହେବାର ପାଞ୍ଚ ବର୍ଷ ମଧ୍ୟରେ ନିଜ ଖର୍ଚ୍ଚରେ ତାଲିମପ୍ରାପ୍ତ ହେବେ ବୋଲି ଏକ Under taking ଦେବେ ।

- ୩. <u>ବୟସସୀମା</u> : ପ୍ରାର୍ଥୀମାନଙ୍କର ବୟସ ତା ୦୧.୧୨.୨୦୧୦ ରିଖ ସୁଦ୍ଧା ୪୨ ବର୍ଷରୁ ଅଧିକ ହୋଇନଥିବ କିୟା ୧୮ ବର୍ଷରୁ କମ୍ ହୋଇନଥିବା ଆବଶ୍ୟକ । ତଫସିଲଭୁକ୍ତ ଜାତି ଓ ଜନଜାତି, ପୂର୍ବତନ ସାମରିକ କର୍ମୟରୀ ଏବଂ ମହିଳା ପ୍ରାର୍ଥୀ ଏବଂ ଏସ.ଇ.ବି.ସି. ପ୍ରାର୍ଥୀମାନଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ବୟସସୀମା ୫ ବର୍ଷ କୋହଳ କରାଯିବ । ଶାରିରୀକ ଭିନୃକ୍ଷମ ପ୍ରାର୍ଥୀ ମାନଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ସୀମା ୧୦ ବର୍ଷ କୋହଳ କରାଯିବ ।
- ୪. <u>ନିୟୋକନ</u> : ଶିକ୍ଷା ସହାୟକମାନେ ବାର୍ଷିକ ବୁକ୍ତି ଅନୁଯାୟୀ ପ୍ରାଥମିକ । ଉଚ୍ଚ ପ୍ରାଥମିକ ତଥା ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟର ଉନ୍ନତି ଶ୍ରେଣୀମାନଙ୍କରେ ଆବଶ୍ୟକ ଅନୁଯାୟୀ ନିୟୋକିତ (ଏନଗେଜମେର୍ଢ) ହେବେ ।
- ୪.୧ ନିୟୋଜନ ପତ୍ର ପ୍ରଦାନ ପୂର୍ବରୁ ସଂପୃକ୍ତ ଜିଲ୍ଲା ପରିଷଦ ତରଫରୁ ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ, ଜିଲ୍ଲା ପରିଷଦ ତଥା ହିଲ୍ଲାପାଳ ଓ ଶିକ୍ଷା ସହାୟକଙ୍କ ମଧ୍ୟରେ ଷାମ୍ପ କାଗଜ ମାଧ୍ୟମରେ ନିର୍ଦ୍ଧାରିତ ଫର୍ମରେ ଏକ ଚୁକ୍ତିନାମା ସ୍ୱାକ୍ଷରିତ କରାଯିବ । ଅଣତାଲିମ ପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ନିକ ଖର୍ଚ୍ଚରେ.ଟ୍ରେନିଙ୍ଗ ନେବେ ବୋଲି Undertaking ଦେବେ ।

୪.୨ ଶିକ୍ଷା ସହାୟକ । ସହୟିକାମାନଙ୍କୁ ସେମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା ଜିଲ୍ଲା ମଧ୍ୟରେ ନିୟୋଜନ କରାଯିବ ।

Altested

(ଘ)

District Project Co-ordinato S. S. A., BHADRAK

	T ILQ-
8.	<u>କର୍ମନିୟୋଜନ ସଂସ୍ଥାରେ ପଞ୍ଜିକରଣ ଓ ଆବାସିକ ପ୍ରମାଣପତ୍ର</u> : - 1687
	<u>ି କରି ସାର୍ଥ୍ୟ ସାହିନୀ ବାଣାବିହାର, ଜ୍ୟୋତବହାର ଓ ଭଞ୍ଜବହାର (ଭୁବତନ ସ୍ୱର, ସଂଜ୍ଞାପୁର ୦ ଏକ୍ଟ୍ରୁପୁର୍ତ୍ତ, ବ</u> ୍ଦ୍ଧ
i	ସ୍ୱତନ୍ତ୍ର ଏମ୍ଲ୍ୟମେଣ୍ଟ ଏକ୍ଟେଞ୍ଜରେ କିୟା ଭୁବନେଶ୍ୱରରେ ଥିବା ଷେଟ ଏମ୍ଲ୍ୟୁୟମେଣ୍ଟ ଏକ୍ଟଡେଞ୍ଚରେ ନାମ ପଞ୍ଜିକରଣ
	ସ୍ୱତନ୍ତ୍ର ଏମ୍ଲୁଅନୋଙ୍କ ଏକ୍ଟଟେଓାରେ କାର୍କା ଭୁଦରେ ସ୍ବର୍ଦ୍ଦର ସ୍ବର୍ଦ୍ଦର ସ୍ବର୍ଦ୍ଦର ସ୍ବର୍ଦ୍ଦର କରିହା ଆବଶ୍ୟକ । ସେହିପରି ସି.ଟି. ପ୍ରାର୍ଥୀ ଏବଂ କରିଥିବାର ବୈଧ ପ୍ରମାଣପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଣପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ସେହିପରି ସି.ଟି. ପ୍ରାର୍ଥୀ ଏବଂ
Å.	କରଥିବାର ବେଧ ପ୍ରମାଗଥନ୍ତ ଏକ ପାସୀସଙ୍କ ପ୍ରମାରଙ୍କରୁ ଅଶତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ଯେ କୌଣସି କର୍ମନିୟୋକନ ସଂସ୍ଥାରେ ନିଜ ନାମ ପଞ୍ଚିକରଣ କରିଥିବାର ବୈଧ ପ୍ରମାଣ
	ଅଣତାଲମପ୍ରାପ୍ତ ପ୍ରାଧାନାତନ ହେ କୋବାସ କମ୍ମାତରୋକ କରିବା ଅବଶ୍ୟକ । ପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଶ ପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ ।
	ପତ୍ର ଏକଂ ଆକାସଙ୍କ ପ୍ରମାଣ ପଡ଼୍ର ଏହିଲା କାର୍ଯ୍ୟ ପାର୍କାନ୍ୟ ପାର୍ଥୀ ସଥା - ପୂର୍ବତନ ସାମରିକ କର୍ମଚାରୀ (Ex- ସଂରକ୍ଷଣ ବ୍ୟବସ୍ଥା : ଓ.ଆର.ଭି. ଆକ୍ଟ ସଂଗେ ସଂଗେ ଅନ୍ୟ ପ୍ରାର୍ଥୀ ଯଥା - ପୂର୍ବତନ ସାମରିକ କର୍ମଚାରୀ (Ex-
و ۽	ସଂରକ୍ଷଣ ବ୍ୟବସ୍ଥା : ଓ.ଥାରା.ଖା. ଥାଏ, ଅପରେ ଅପରେ ସାହା ହୁନ୍ଦି । ଅଳିନ କରିଥିବା ବ୍ୟକ୍ତି (Eminent Servicemen) , ଭିନ୍ନକ୍ଷମ (Handicapped) ଏବଂ କ୍ରୀଡ଼ା କ୍ଷେତ୍ରରେ ସ୍ୱାତନ୍ତ୍ର୍ୟ ଅର୍ଜନ କରିଥିବା ବ୍ୟକ୍ତି (Eminent
	Servicemen) , ଭାନ୍ନକ୍ଷମ (Handicapped) ଏଏ କ୍ରାଡ଼ା ଦେଇକ୍ରିକ । Sports personel) ଙ୍କ ନିମନ୍ତେ ସରକାରଙ୍କ ଦ୍ୱାରା ସଂକଳିତ ସଂରକ୍ଷଣ ନିୟମ ଲାଗୁ କରାଯିବ । ମହିଳା ପ୍ରାର୍ଥ୍ୟନୀଙ୍କ
	Sports personel) of hypothese additional and a character of the second second and the second second second and the second
,	ପାଇଁ ସଂପୃକ୍ତ ବର୍ଗର ୩୩.୧/୩ ପ୍ରତିଶତ ସଂରକ୍ଷଣ ଲାଗୁହେବ । ଉର୍ଦ୍ଦୁ ତାଲିମପ୍ରାପ୍ତ ସି.ଟି. ତ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ସଂପୃକ୍ତ ଶିକ୍ଷା କିଲ୍ଲା ପାଇଁ ଆବେଦନ ପତ୍ର ଦାଖଲ କରିବେ । ସେମାନଙ୍କୁ
୭.	ଉଦ୍ଧି ତାଲିମପ୍ରାପ୍ତ ସ.ଟ. ଦ୍ରାଥୀ / ପ୍ରାଥୀନ୍ୟମାନନ ସଂସୃକ୍ତ ରାକ୍ଷା କଳ୍ଲା ପାଇ ପାର୍ବ ସ୍ୱ ୩ ପ୍ରଥି ସାର୍ଗ୍ୟା କରିବା କରି ବା ଜନ୍ମ
	ଉଦ୍ଦୁ ତାଲାମପ୍ରାସ୍ତ ଏ.୫. ଟ୍ରାସୀ ନ ପ୍ରାସନାନ କାର୍ଗ ବହୁ ବ୍ୟୁକ୍ରି କାର୍ଯ୍ୟ କରି । ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲାର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକତା ଅନୁଯାୟୀ ଉର୍ଦ୍ଦୁ ମାତୃଭାଷା
	ପଡ଼ାଇବା ପାଇଁ ନିୟୋଜନ କରାଯିବ ।
́Г.	ତାଲିମ ପ୍ରାପ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୪୦୦୦/– ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆୟିବ । ତାଲିମ ପ୍ରାପ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୪୦୦୦/– ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆୟିବ ।
Ċ.	ଆଲାମ ପ୍ରାସ୍ତ ଭାଇ ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୩୫୦୦/- ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆଯିବ । ଅଣ ତାଲିମପ୍ରାପ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୩୫୦୦/- ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆଯିବ ।
. 60'	ିଟ ଦୁନ୍ଦ ନୁଦୁଖାସ ଫୁର୍ଗ ଅନୁସାରେ ଆନେହନ କରାଯାଇ ପାରିବ । ଦରିଖାସ୍ତ ସହ ମାଟ୍ରକ ଠାରୁ ଆବେଦ୍ୟନ କରିଥିବା
	ସ୍ଥର୍ବ ପାଇଁ ଶିଷାସର ସୋଗ୍ୟରାର ମମାଶପୂର୍ଡ ଏବଂ ମାକି ତାଲିକାରେ ଅବକଳ ନକଲି (ଆଟେୱେଡ଼ କସ)
· . ; .	୍ର୍ଗିରିସ୍ଥେର୍ଠ ସଂସ୍ଥା ସଞ୍ଚିକ୍ରଣ ସମାଣପତ୍ତ, ଜାତିଗତ ଏବଂ ଆବାସକ ପ୍ରମାଣପତ୍ର, ଭନ୍ନକ୍ଷମ ହୋଇଥିଲେ ଡାଡ
- 13 - 13 - 13 - 13 - 13 - 13 - 13 - 13	ଅତିନ୍ଦ୍ର ସମାଣମନ୍ଦ୍ର, ମାର୍ଥ୍ୟଙ୍କର ୨ କିତା ବର୍ତ୍ତମାନର ସହିମୋହର ପାସପୋଟ ଆକାର ଫଟୋ ଏବଂ କେବଳଂ ଗୋତାବ
· 例外 :	ଅଙ୍କଳାଳ ପ୍ରମାତାପତ୍ର, ପ୍ରାରେବଦନ କରିଛନ୍ତି ବୋଲି ସତ୍ୟପାଠ (Affidavit) ଇତ୍ୟାଦିର ସଂଯୋଗ ନଥିଲେ ଆବେଦନ ପତ୍ରଟିକୁ ଶିକ୍ଷାଜିଲ୍ଲାରେ ଆବେଦନ କରିଛନ୍ତି ବୋଲି ସତ୍ୟପାଠ (Affidavit) ଇତ୍ୟାଦିର ସଂଯୋଗ ନଥିଲେ ଆବେଦନ ପତ୍ରଟିକୁ

ଖାରକ କରିଦିଆଯିବ ।

ଭଦ୍ରକ ଜିଲ୍ଲାର ଶିକ୍ଷା ଜିଲ୍ଲାୱାରି ଖାଲିଥିବା

	:	ଶିକ୍ଷା	ଶିକ୍ଷା ସହାୟକ ପଦବୀ ସଂଖ୍ୟା			
ରାଙ୍ଗସ୍ପ ଜିଲ୍ଲା	ଶିକ୍ଷା ଜିଲ୍ଲା	ତାଲିମପ୍ରାସ୍ତ 'ବିଜ୍ଞାନ ସ୍ୱାର୍ତକ	ତାଳିମପ୍ରସ୍ତ କଳା ସ୍ୱାତକ	ତାଲିମପ୍ରାସ୍ତ + ୨ ବିଜ୍ଞାନ (ସି.ଟି)	ତାଲିମପ୍ରାସ୍ତ + ୨ କଳା (ସି.ଟି)	ମେଟ
	ଭଦ୍ରକ-୧	୧୫୭	४९	९४୫	୧୩ <i>୬</i>	<u> </u>
ଭଦ୍ରକ	ଭଦ୍ରକ-୨		80	९ ୮୩	୧୭୩	899
-	ମୋଟ	୩୧୩	66	୩୨୮	୩୦ ୯	90.89

ଶିକ୍ଷାଜିଲ୍ଲା ଭ୍ରଦକ - ୧ ପାଇଁ ଜାଗୁଳାଇ ପ୍ରୋକେକ୍ଟ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ ଓ ଶିକ୍ଷାଜିଲ୍ଲା ଭଦ୍ରକ - ୨ ପାଇଁ କିଲ୍ଲାୟୁଲ ଭଦ୍ରକରେ ତା ୨୪/୦୧/୨୦୧ ବିଶ୍ୱ ଠାରୁ ତା ୧୦/୦୨/୨୦୧୧ରିଖ ପର୍ଯ୍ୟତ (ସରକାରୀ ଛୁଟିଦିନ ବ୍ୟତୀତ) ପୂର୍ବାହୁ ୧୦ଘଟିକା ସମୟଠାରୁ ଅପରାହ୍ନ ୫ଘଟିକା ପର୍ଯ୍ୟତ ଆବେଦନ ପତ୍ର ଗ୍ରହଣ କରାଯିବ ।

ଏହି ନିର୍ଘିଣ ତାରିଖ ଓ ସମୟ ପରେ କୌଶସି ଆବେଦନପତ୍ର ଗ୍ରହଣ କରାଯିବ ନାହିଁ । ସା /- ଜିଲ୍ଲାପାଳ ତଥା ଜିଲ୍ଲାପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

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District Project Co-ordinator S. S. A., BHADRAK ଜିଲ୍ଲା ପରିଷଦ, ଭଦ୍ରକ

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୍ୱଶିକ୍ଷା ସହାୟକ ପଦପାଇଁ ଆବେଦନ ପତ୍ର ଯେଉଁ ଶିକ୍ଷା କିଲ୍ଲାରେ ନିଯୁକ୍ତି ଚାହୁଁଛତି ତାର ନାମ । ୨-ଯେଉଁ ପଦବାରେ ନିୟୁକ୍ତି ଚାହୁଁଛତି ତାର ନାମ । ୩-ପ୍ରାର୍ଥୀଙ୍କର ସଂପୂର୍ଷ ନାମ ୪ -ପିତା କିୟା ସ୍ୱାମୀଙ୍କର ନାମ ୪ -ବର୍ତ୍ତମାନର ଠିକଣା, ୫-ପ୍ଲାୟୀ ଠିକଣା ୬-କନ୍କତାରିଖ (ପ୍ରମାଶପତ୍ରର ଅବିକଳ ନକଲ ସଂଯୁକ୍ତ କରିବେ) ୭ -ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନୀ କେଉଁ ବର୍ଗର ଅଟତି । ୮ -ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା, ରବାର୍ଶ ହୋଇଥିବା ପରୀକ୍ଷାମନଙ୍କର ନାମ, ଶିକ୍ଷାନୁଞ୍ଜାନର ନାମ, ବୋର୍ଡ଼ କିୟା ବିଶ୍ୱବିଦ୍ୟାଳୟର ନାମ, ଉରୀର୍ଷ ବର୍ଷ, କେତେ ନୟର ପାଢଥିଲେ, ନନ୍ଦର, (ଯୁକ୍ତ ଦୁଇ /ସ୍ୱାଭକ / ପ୍ରଶିକ୍ଷଣ (CT /BEd/Spl.B.Ed)) ପରୀକ୍ଷାର ପ୍ରମାଶପତ୍ର ଓ ମାର୍କସିବର ଅବିକଳ ନକଲ (Spl. Education) ରେ Diploma ଏବଂ Spl. B.Ed ପ୍ରାର୍ଥୀମାନେ RCI Registration ର ପ୍ରମାଣପତ୍ର ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ । ୯ - କର୍ମନିୟୋକନ କେନ୍ଦ୍ରର ନାମ ଏବଂ ରେକିଞ୍ଜେସନ ସଂଖ୍ୟା ଓ ତାରିଖ (ପ୍ରମାଣ ପତ୍ରର ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) । ୧୦ - ଜାତିଗତ ପ୍ରମାଣପତ୍ର (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୧-ଅକର୍ମଶ୍ୟ ପ୍ରମାଣ ପତ୍ର' (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ), ୧୨-ଆବାସିକ ପ୍ରମାଣପତ୍ର (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୩-ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) ସଂଯୋଗ କରିବେ । ୧୪-ଅଣତାଲିମ ପ୍ରାସ୍ଥ ପ୍ରାର୍ଥୀ ନିଜ ଖର୍ଚ୍ଚରେ ୫ବର୍ଷ ମଧ୍ୟରେ ତାଲିମ ପ୍ରାସ୍ତ ହେବେ ବୋଲି Under Taking ସଂଯୋଗ କରିବେ । ୧୫-ବୁଇକିତା ବର୍ତମାନର ସହି ମୋହର ପାସପୋର୍ଟ ଆକାର ଫଟେ । ଦାଖଳ କରିବେ ।

ତାରିଖ -

ସ୍ଥାନ -

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ଆବେଦନକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ପ୍ରାର୍ଥୀଙ୍କ ନାମ

ନିମ୍ନୋକ୍ତ ସଂଲଗ୍ନମାନ (Enclosures) ହସ୍ତଗତ ହୋଇଛି ।

କ) ମାଟ୍ରିକ ସାର୍ଟିଫିକେଟ, ଯୁକ୍ତ ଦୁଇ ସାର୍ଟିଫିକେଟ, ତାଲିମ(ସିଟି) ସାର୍ଟିଫିକେଟ, ସ୍ନାରକ, (ବି.ଇଡ଼ି. / ସେସାଲ ବି.ଇଡ଼ି) ସାର୍ଟିଫିକେଟ (ଖ) ଯୁତ ଦୁଇ ମାର୍କସିଟ, ତାଲିମ(ସିଟି) ମାର୍କସିଟ ଓ ସ୍ନାରକ / (ବି.ଇଡ଼ି / ସେସାଲ ବି.ଇଡ଼ି.) ମାର୍କସିଟ / RCI Registration ର ପ୍ରମାଣପତ୍ର (ଗ) ଜାତିଗତ ପ୍ରମାଣପତ୍ର (Caste Certificate) (ଘ) ଆବାସିକ ପ୍ରମାଣପତ୍ର (Residential Certificate) (ଡ) ଗୋଟିଏ ଶିକ୍ଷା କିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) (ଚ) କର୍ମନିୟୋଜନ କେନ୍ଦ୍ରର ରେଜିଷ୍ଟ୍ରେସନ ପ୍ରମାଣ ପତ୍ର (ଛ) ଅଣତାଲିମ ପ୍ରାସ୍ତ ପ୍ରାର୍ଥୀ ନିକ ଖର୍ଚ୍ଚ ୫ ବର୍ଷ ମଧ୍ୟରେ ତାଲିମ ପ୍ରାସ୍ତ ହେବେ ବୋଲି Under Taking (ଜ) ଅକର୍ମିଣ୍ୟ ପ୍ରମାଣପତ୍ରର ଅବିକଳ ନକଲ (ଝ) ଦୁଇକିତା ବର୍ତ୍ତମାନର ସହି ମୋହର ପାସ୍ପୋର୍ଟ ଆକାର ଫଟୋ ।

ପାସ୍ତି ସ୍ୱୀକାର

ପ୍ରାର୍ଥି ସ୍ୱୀକାରକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ନାମ -

କମିକ ସଂଖ୍ୟା

ଠିକଶା

ପଦବୀ -

ସ୍ୱା /- କିଲ୍ଲାପାଳ ତଥା କିଲ୍ଲାପରିଷବର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

Attested

rolect S. A., BHADRAK

କିଲ୍ଲା ପରିଷଦ, ଭଦ୍ରକ

COUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA PRANGYAPITHA: SAMANTAPUR: BHUBANESWAR-13 No. CHSE(0), dt. (5)\$-e∂ From: Dr J.K.Mahapatra, Secretary. To Addis Secretary to Government, Govt. of Orissa, School & Mass Education Department, Bhubaneswar, Sub: - Clarification regarding equivalence of the H.S. Vogational Examinations conducted by the CHSE Ref: - Letter No. 2562 /SME dt: 04.02 2011 II-SME(B)-41/09(Pt.II) Sir, with reference to the letter on the subjected cited above, I an directed to inform you that as per the proceedings of the Academic Committee of the Council held on 11.01.2010 and duly approved by the general Body of the Council in its meeting held on 13,01,2010; the followings are the criteria for deciding equivalence to different streams of H.S. Examinations. H.S. Vocational Examination having subjects as mentioned Equivalent to Higher below as Basic Foundation Secondary Examination ; Course. History, Pol. Science and Economics Arts Stream Accounting, Cost Management etc., Commerce Stream Physics, Chemistry, Mathematics or Biopogy. Science Stream This is for your kind information and necessary action

213/15

Public Information Officer. C. H. & Orissa Rhunancewar,

Yours faithfully, 2.11 Secretary!

ANDX ocrotary, CHSE(O), BBSR. The Project Director, DRDA, Bhadrak. Sub:- Clarification related to Vocational and Upasastri Examination. Sir, With reference to your letter No. 514 dt.6.2.08 I am directed to inform you that the Vocational Examination is equivalent to +2 Arts and Commorce stream of the Council and the Upasastri Examination which is conducted by Sri Jagannath Sanskrit Vishwavidyalaya Puri, is also equivalent with Council, Empletion. appear Socondly a candidate can -ports +2 Arts/SC/Comm/Voc Exam. after, 2 years dyration of the Matriculation examination. if for you infermation. This Yours faithfully, 19 Secrotary

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DISTRICT PROJECT OFFICE, SARVA SIKSHYA ABHIYAN, BHADRAK

Order No. 2318 /Date. 03-05-18 In pursuance of Resolution No. 15107/SME/ dated.01.08.2011 of the Govt. in School & Mass Education Department, Odisha, the following Trained Junior Teachers under Bonth Block who have completed six years of continuous satisfactory engagement as Sikshya Sahayaks and Junior Teachers taken together are hereby appointed as Regular Primary School Teachers (Level-V) in schools mentioned against their names. The scale of pay and other allowances shall be at par with the Primary School Teachers of Elementary Cadre (Level-V) under School & Mass Education Department, Odisha with effect from the date(s) mentioned against their names.

SI. No.	Name of the Junior Teacher	Father's/ Husband's name	Name of the School	Date of appointment as Regular Teacher (Level-V)
1	GAYADHAR DASH	F- DHARANIDHAR DASH	TALAPADA PRO.PS	02.07.15
2	AMAR CHARAN SWAIN	F- MOHAN CHARAN SWAIN	NIRANJAN UP(ME) SCHOOL, SRIBANTAPUR	22.03.17
3	BALARAM SETHI	F- HAREKRUSHNA SETHI	NEHERU NODAL UCHHAVIDYAPITHA, GANIJANGA	22.03.17
4	BISWANATH BARIK	F- KAILASH CHANDRA BARIK	TARAGO NODAL U.P. SCHOOL	22.03.17
5	BISWANATH JENA	F- BHAGABAN JENA	CHAKARAPADI II NODAL UPS	22.03.17
6	DEBIDUTTA DEO	F - KRUSHNA CHANDRA DEO	BERHMPUR PRO.U.P.SCHOOL	22.03.17
7	GOPAL CHARAN SAHOO	F-NABA SAHOO	SAHUPADA PRO.UPS	22.03.17
8	HARAPRIYA PARIDA	H- RAMESH CHANDRA DHAL	BASANTIA UPMES	22.03.17
9	HIMANSHU SHEKHAR BARIK	F- RAMA CHANDRA BARIK	BALIPUR PRO. U.P. SCHOOL	22.03.17
10	JAYANTI MOHANTY	H- ARTA BANDHU JENA	DHANIOJHA PRO.UPS	22.03.17
11	JITENDRA KUMAR JENA	F- BABAJI CHARAN JENA	BANAPINJARA PRO.UPS	22.03.17
.12	KANHU CHARAN NAYAK	F- ABHIMANYU NAYAK	JUDHISTHIR NODAL UPS, RAJANAGAR MANGALPUR	22.03.17
13	KAUSALYA SETHY	F- GARUDA SETHY	PANAPADI PRO.PS	22.03.17
14	KULAPRAVA SUAR	F- BISWANATH SUAR	PODAPATANA UGMES	22.03.17
15	MANASI LATA SAHOO	F- MANORANJAN SAHOQ	ADIA NODAL UPS	22.03.17
16	NARAYAN SAHOO	F- BUDHADEV SAHOO	KATINA PRO.PS	22.03.17
17	NIRAD NIRBISANK SANKHUA	F- PURNA CHANDRA SANKHUA	APANDA UP(ME) SCHOOL	22.03.17
18	NIRANJAN PATI	F- BHABAGRAHI PÁTI	SATYA NARAYAN NODAL U.P. SCHOOL; DANDO	22.03.17
19	NIRANJAN ROUT	F- KRUSHNA CHANDRA ROUT	NEHERU NODAL UCHHAVIDYAPITHA, GANIJANGA	22.03.17
20	NIRUPAMA DASH	H- KAILASH CHANDRA PANIGRAHI	CHAKARAPADHI NODAL UPS	22.03.17

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21 PA	ARESH CHARAN PARIDA	F- JAIRAM PARIDA	G.P. M.E SCHOOL, ERENDEI	22.03.17
22 PF	RAVAT KUMAR NAYAK	F- KHETRABASI NAYAK	APTIRA UGME SCHOOL	22.03.17
23 PF	RIYARANJAN BEHERA	F- FAKIR MOHAN BEHERA	BARAMUNDA PRO.PS	22.03.17
24 PL	JSPANJALI PATI	F- BHABAGRAHI PATI	DANDO JENASAHI PRO.PS	22.03.17
25 R/	ACHITA SAHU	H- BHASKAR CHANDRA SAHU	CHARITIRA KAJIPOKHARI PRO. UPS	22.03.17
26 R/	AMAKANTA PARIDA	F- BAIKUNTHA PARIDA	KANDABA NODAL UPS	22.03.17
27 R	ASHMITA RANA	H- PRAKASH CH, BISWAL	ŢIĶĪRA UGMES	22.03.17
28 S/	ANJAY KUMAR DAS	F- GOPAL CHANDRA DAS	K.C. NODAL UPS, TRIKONA	22.03.17
	HASHIKANTA NAYAK	F- LAXMAN KUMAR NAYAK	SANDADO NODAL UPS	22.03.17
	OUMYARANJAN JENA	F- BHASKAR CHANDRA JENA	SANDADO NODAL UPS	22.03.17
	RIDHAR PANDA	F- JAYAKRUSHNA PANDA	GOPALPUR UGMES	22.03.17
	UDHANSU SEKHAR SETHY	F- LAXMIDHAR SETHY	SILANDI NODAL UPS	22.03.17
	UDHIR KUMAR BARIK	E- RAMA CHANDRA BARIK	PODAPATANA UGMES	22.03.17
	URESH CHANDRA SETHY	F- BANSHIDHAR SETHY	SAHADAGADIA PRO.PS	22.03.17
	APAS KUMAR ROUT	F- SASHI BHUSAN ROUT	PADHANAPADA ADIVASISAHI PRO.PS	22,03.17
<u> </u> .	AGATJEEBAN JENA	F- PRADEEP KUMAR JENA	SENDHATIRA NODAL UPS	30.03.17
		H-RAJIB LOCHAN MOHAPATRA	BEGANA PRO.UPS	04.04.17
	SUKANTI KISKU		RAINTIRA NCUAL UPS	04.04.17
	SUGANTA KUMAR JENA	F- MAHENDRA JENA	SATYA NARAYAN NODAL U.P. SCHOOL, DANDO	04.04.17
	ANASUYA JENA	F KIRTAN BIHARI JENA	MANGULI UP(ME)S	05,04.17
	ANNAPURNA DAS	F- MADANMOHAN DAS	PAHADPUR P.S	05.04.17
	BHAGYASHREE GHADAI	F- GANESH PRASAD GHADA!	KANTIA NODAL UPS	05.04.17
	BIKRAM KESHARI PAL	F- SATRUGHANA PAL	KUSUN NAGAR UGMES	05.04.17
	DEVAPRIYA JENA	F- KIRTAN BIHARI JENA	GADACHANDI UGME SCHOOL, TILLO	31.01.18
<u> </u>	GOUTAM DEHURI	F- SASADEV DEHURI	ANDHIA NODAL UPS	05.04.17
	HRUSIKESHA DEHUR!	F- KRUSHNA CHANDRA DEHURI	CHHAYALSINGH HARIHAT PRO.PS	05.04.17
	MAHAMAYA JENA	F- KIRTAN BIHARI JENA	ICHHAPUR PRY. SCHOOL	05.04.17
	PADMABATI SETHY	F- DAMODAR SETHY	HASINPUR PS	05.04.17
	PRAJNA PRAVA JENA	F- HALADHAR JENA	RAGHUNATHPUR PS	05,04.17
	PRAKASH CHANDRA JENA	F- SURENDRA JENA	NAHOO PRIMARY SCHOOL	05.04.17
	SUKUMAR DAS	F- SUDARSAN DAS	OLAM NODAL UPS	05.04.17
	SUMATILATA JENA	F- PITABAS JENA	ALAUTI NODAL UPS	05.04.17
	TAPASWINI PEDA	F- KIRTAN CHANDRA PEDA	CHARITIRA KAJIPOKHARI PRO. UPS	05.04.17

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54	URMILA PEDA	F- DOLAGOBINDA PEDA	CHARITIRA KAJIPOKHARI PRO. UPS	05.04.17
55	YOGADIPTA NAYAK	H- SAROJ KUMAR PRADHAN	NEHERU NODAL UCHHAVIDYAPITHA, GANIJANGA	05.04.17
56	PREETIRASHMI BISWAL	F- GIRIDHARI BISWAL	BANKATIRA UGMĘS	13.04.17
57	MINAKSHI CHATTAR	H- JAGABANDHU GADSARA	RAMA CHANDRA NODAL U.P. SCHOOL, SANABARCHIKAYAN	16.04.17
58	KATHIKA SWAIN	F- KISHORE KUMAR SWAIN	SATYA NARAYAN NODAL U.P. SCHOOL, DANDO	30.04.17
59	TAPASWINI SAHU	H- SAGAR CHANDRA BISWAL	ERENDEI J.B. SCHOOL	30.04.17
50	NIRANJAN MAJHI	F- GOURANGA CHARAN MAJHI	MANOHARPUR PRO.UPS	01.05.17
31	AKSHAYA KUMAR SETHY	F- DAITARI CHARAN SETHY	BASANTIA UPMES	02.05.17
62	ANITA BHUYAN	F- BRAHMANANDA BHUYAN	PURUSANDHA NODAL UPS	02.05.17
63	BIKASH KUMAR SETHI	F-BRUNDABAN SETHI	TODANGA NODAL UPS	02.05.17
54	BISHNUSANTI RATNAMAYEE BARIK	F- BISHNUPADA BARIK	JOGENDRA PS, ADALAPANKA	02.05.17
55	DIPTIMAYEE ROUT	F- GOLAK BIHARI ROUT	PADAKANA PRY. SCHOOL	02.05.17
56	GAYADHAR SAMAL	F-PURUSOTTAM SAMAL	BANTALA NOUAL UPS	02.05.17
7	GAYATRI JENA	H- KAMALAKANTA JENA	KADABARANGA NODAL HIGH SCHOOL	02.05.17
8	GITANJALI SAHOO	F-RABINDRA KUMAR SAHOO	TRISALIA PRO. UPS	02.05.17
69	KANAK LATA NAYAK	F- GOLAK NAYAK	TELANATI NODAL UPS	02.05.17
70	KUMUDINI BARIK	F- GOPINATH BARIK	KANDABA NODAL UPS	02.05.17
71	MADHUSMIIA DAS	H KAMALAKANTA DAS	IARAPUR URDU PS	02.05.17
72	MADHUSMITA ROUT	H- BALARAM BHUYAN	TILLO PRIMARY SCHOOL	02.05.17
3	MAMATA ROUT	H- BIJAYA KUMAR BEHURIA	S.B.N.K NODAL UP(ME) SCHOOL, KUNDALA	02.05.17
1.5	MANASI NAYAK	F- NILAMANI NAYAK	TARAGO NODAL U.P. SCHOOL	02.05.17
5	MITANJALI DHAL	F- PURUSOTTAM DHAL	HALADIPAHANI ADIVASISAHI PRO.PS	02.05.17
6	PRAJNYA PARAMITA JENA	F-HAREKRUSHNA JENA	SIALIA NODAL UPS	02.05.17
7	PRAKASH RANJAN PARIDA	F- BHAGIRATHI PARIDA	NÉHERU NODAL UCHHAVIDYAPITHA, GANIJANGA	02,05.17
8	PRAVATI BEHERA	H- ASHOK KUMAR DAS	RAINTIRA NODAL LIPS	02.05.17
79	RANJEETABALA JENA	F- HRUSHIKESH JENA	ANDHIA NODAL UPS	02.05.17
80	SUBHASMITA JENA	F- UPENDRA NATH JENA	RAMACHANDRAPUR PS	02.05.17
31	SUJATA JENA	H- RATNAKAR JENA	KANDAPOKHARI PRO PS, SILANDI	02.05.17
2	SUNANDA SAHOO	H- SATYABRAT SAHU	SILANDI NODAL UPS	02.05.17
3	SWARNAPRAVA NAYAK	F- RAMADEV NAYAK	KANDAPOKHARI PRO.PS, SILANDI	02.05.17
4	TAPASWINI JENA	F- NARAYAN CHANDRA JENA	TARAGO NODAL U.P. SCHOOL	02.05.17
5	TILOTTAMA MALIK	F- PITABASH MALIK	TIKARAPADA PRO.PS	02.05.17
6	USHARANI JENA	H- SUDHIR KUMAR MOHAPATRA	MUGAGADIA UGMES	02.05.17

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87	HARAPRIYA DEHURI	F- KARTIK CH. DEHURI	NAHOO PRIMARY SCHOOL	01.06.17
88	JIPI DEHURI	F- NANDAKISHORE DEHURI	BARAGADHIA PROJECT PS	01.06.17
89	SUCHITRA KISKU	H- RAMA HEMBRAM	KENDUAPADA UPMES	01.06.17
90	SURENDRA PRASAD NAYAK	F- GANESH PRASAD NAYAK	BUDHI JAGULAI NODAL UPS, BIRIDIHI	05.07.17
91	SOUMENDRA KUMAR SAHOO	F- RAGHUNATH SAHOO	R.N.BARAPADA NODAL UPS	06.07.17
92	LILIMA PRIYADARSINI MALLICK	F- RAMESH CHANDRA MALLICK	SK AJO UPMES	20.07.17
93	PANKAJ KUMAR DAS	F- SURENDRANATH DAS	FURUSOTTAMPUR PRO.PS	21.07.17
94	MANAS KUMAR DAS	F- GAYADHAR DAS	BANTALA NODAL UPS	25.08.17
95	SARAT CHANDRA DAS	F- MANORANJAN DAS	CHARIGAON UGMES	26.08.17
96	AKSHAY KUMAR SAHU	F- SUDARSHAN SAHU	SINDHUKESWAR NODAL HIGH SCHOOL	29.08.17
97	ALIVA PANDA	F- ARJUN CHARAN PANDA	TILLO NODAL HIGH SCHOOL	29.08.17
98	DEBABRAT DAS	F- ANANDA CH. DAS	DHANAGHAR PRO.PS	24.11.17
99	BASANTILATA TUDU	F- CHHUTUKU TUDU	KANTIA NODAL UPS	19.12.17
100	ARCHANA BEHERA	F- GANGADHAR BEHERA	SIALIA NODAL UPS	22.12.17
101	SHYAMASUNDAR GIRI	F-LATE SANKARSAN GIRI	ALAMANGA PRO.UPS	23.12.17
102	MRUTYUNJAYA BHOL	F-GANESH PR. BHOL	TELANATI NODAL UPS	03.03.18
103	SANTOSH KUMAR MALLICK	F- PURUSOTTAM MALLICK	SENDHATIRA NODAL UPS	07:03.18
104	SNEHALATA KAR	H- BALARAM DASH	JOGENDRA PS / DALAFANKA	07.03.18
105	SUDEEP KUMAR KHATUA	F- RABI NARAYAN KHATUA	APANDA BARAKC VA PS	12,03.18
106	DAMODAR SOREN	F- SURENDRA SOREN	BARAMUNDA PRO.PS	17.03.18

Collector-cum-Chairman, Đ) SSA, Bhadrak

Memo No. 2319 /Date. 03-05-18 Copy to persons concerned for information and necessary action.

Copy forwarded to the Headmasters concerned for information and

necessary action.

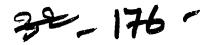
District Project Co-ordinator, SSA, Bhadrak

Memo No. 2.320 /Date 0.3-05-18 Copy forwarded to the Block Education Officer, Bonth/ D.E.O.,Bhadrak

for information and necessary action.

District Project Co-ordinator, SSA, Bhadrak





Memo No. <u>2321</u> /Date. <u>03-05-18</u> Copy submitted to the State Project Director, OPEPA, Bhhubaneswar/

Director, Elementary Education Odisha, Bhubaneswar/ Addl. Secretary to Govt., S & M.E.Deptt., Odisha, Bhubaneswar for fayour of kind information and necessary action.

District Project Co-ordinator, SSA, Bhadrak

Attested

Advota

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IN \THE HIGH COURT OF ORISSA: CUTTACK.

1 3 OCT 2015

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W.P. (C) NO. 18706 / 2015

CODE NO. 310701

In the matter of

An application under Article 226 & 227 of the Constitution of India; A n d

In the matter of:

Presented in Court 283110/15 B.O. An application challenging the illegal and arbitrary order dtd.21.8.2015 of the Opp. Party No.2 in connection with the matters of appointment as Sikshya Sahayak. A n d

Petitioner

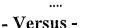
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In the matter of :

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 Surekha Samal, aged about 25 years, D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli, Dist. Bhadrak.

- Kalpana Panigrahi, aged about 27 years, D/o. Gourahari Panigrahi, At. Haripur, P.O. Sahar Via-Sabaranga, Block/Dist. Bhadrak.
- Jyotsnarani Giri, aged about 32 years, D/o. Kamalakanta Giri, At. Gopalpur, P.O. Ganijanga Dist. Bhadrak.



 State of Orissa, represented through it's Commissioner-cum-Secretary, School and Mass Education Department, Orissa, At-Secretariat Building, Bhubaneswar, P.O. Bhubaneswar. District. Khurda.

- 2. Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, At/P.O/Dist. Bhadrak.
- 3. District Project Coordinator of Bhadrak S.S.A. Bhadrak, At/P O/Dist. Bhadrak.

Tapaswini Jena, aged about 29 years, D/o. Narayan Ch. Jena, At- Padi, P.O. Adia, Dist. Bhadrak. At present working as Sikshya Sahayak, Under Bhadrak District.

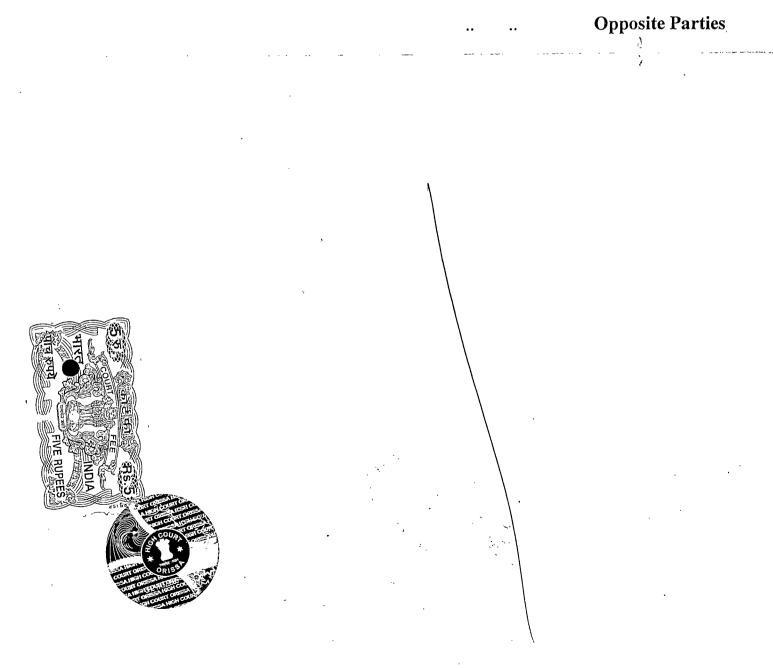




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- 5. Banajini Mishra, aged about 29 years, W/o. Jitendra Kumar Padhi, Vill- Chakabental, P.O. Keshpur, Via-Gujidarda, Dist. Bhadrak. At present working as Sikshya Sahayak, Under Bhadrak District.
- 6. Pratima Manjari Kar, aged about 33 years, W/o. Rajib Kumar Dash, At/P.O.- Mamohadapur, Via-Similia, Dist. Balasore. At present working as Sikshya Sahayak, Under Bhadrak District.
- Council of Higher Secondary Education, Orissa Represented, through its Secretary, At- Prajnapitha, Samantapur, Bhubaneswar-13 Dist- Khorda.



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IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18706 of 2015

Application under Articles 226 & 227 of Constitution of India.

AFR Surekha Samal & Ors.

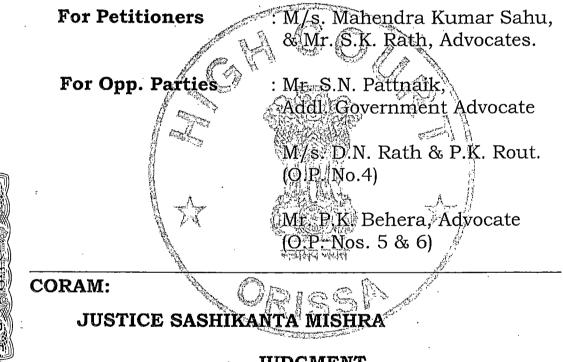
Petitioners

- Versus -

State of Orissa & others

Opp. Parties

Advocate(s) appeared in this case:-



JUDGMENT 28th March, 2024

SASHIKANTA MISHRA, J.



The order dated 21.08.2015 passed by the Collector-cum- Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No. 03/2014 pursuant to direction of

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this Court in W.P.(C) No. 5077 of 2014 and batch is under challenge in the present writ application.

FACTS

2.An advertisement was issued by the Collector, Bhadrak on 08.12.2011 inviting applications from eligible candidates for engagement as Sikshya Sahayaks. The educational qualification required was, the candidate must have passed +2 examination in Science/Arts/Commerce or its equivalent examination declared by appropriate authority and C.T. training. Pursuant to such advertisement, the petitioners submitted their applications. A merit list was prepared for all categories of candidates. Petitioner No.1 was placed at serial No. 11 of the merit list, Petitioner No.2 at serial No.4 of UR merit list and petitioner No.3 at serial No. 1 of SEBC female list. In the initial provisional merit list of different categories, vocational course qualified candidates were not included, for which some of them approached this Court in W.P.(C) No. 6438 of 2011 and 6458 of 2011. By order dated 18.03.2011, a coordinate Bench of this Court disposed of the writ applications directing that the cases of



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the candidates (petitioners therein), who have completed +2 Vocational course with C.T. training shall be considered by the Collector-cum-CEO, Zilla Parishad and the provisional list of selected candidates already published shall be revised accordingly. Pursuant to such order, a fresh merit list was prepared including the candidates with Vocational qualification. At this stage some of the candidates similarly submitted grievance before the situated as the petitioners authorities (opposite party Nos. 2 and 3) that the Vocational candidates and Upasastri candidates had obtained those certificates by suppressing the fact of their passing +2 Arts/Commerce/Science examination earlier, which amounts Further, fraud. to somestionafide candidates having Vocational qualification approached this Court in W.P.(C) No. 7478 of 2011, which was disposed of by order dated 24.03.2011 directing the District Project Coordinator, SSA, Bhadrak to consider and dispose of the representation submitted by those petitioners within three weeks. Accordingly, opposite party Nos. 2 and 3 conducted enquiry

into the allegations regarding submission of fake certificates but without completing the same, published a second merit





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list including their names with the remark that enquiry is pending against the Vocational and Upasastri candidates. Being aggrieved, some similarly situated persons including the petitioners approached this Court in W.P.(C) No. 18256 of 2011, which was disposed of by order dated 15.07.2011 with direction to the authorities to complete the enquiry and thereafter consider the representation of the petitioners in the light of the enquiry report. It was however, made clear that the authorities shall not appoint the candidates against whom the enquirv isspending till it is complete. Notwithstanding such order, the opposite party Nos. 2 and 3 asked the Vocational/ Upasastri candidates to furnish an they had that passed not +2 Vocational/



asked the Vocational/ Upasastri candidates to furnish an undertaking that they had not passed +2 Arts/Commerce/Science before obtaining Vocational/ Upasastri certificates. The concerned candidates submitted individual undertakings that they had not passed any other +2 course examination other than Vocational/ Upasastri examination and if such undertaking is found to be incorrect they shall be disengaged from the post of Sikshya Sahayak. As such, opposite party Nos. 2 and 3 issued conditional engagement orders in favour of those candidates making it

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subject to the order of this Court in W.P.(C) No. 7478 of 2011 with further stipulation that if any irregularity is detected in future, the engagement would be terminated. The enquiry proceeded thereafter and on its completion it was established that all those candidates had passed +2 examination earlier but had suppressed such fact to further prosecute Vocational/ Upasastri courses in contravention of the CHSE Act and Regulations and Sanskrit University Regulations. Accordingly, all six candidates including the private opposite party Nos. 4, 5 and 6 were issued with second show cause notices for disengagement. Said private opposite parties approached this Court in W.P.(C) No.32024 of 2011, in which an interim order of protection was granted. At this stage, the pctitioners and similarly placed candidates, who had been deprived of appointment because of the inclusion of the Vocational/Upasastri candidates filed independent writ applications challenging the engagement of the so called fake candidates. Several such writ applications having been filed, all were clubbed together and finally disposed of by a common order passed by this Court on 05.05.2014 in W.P.(C) No. 5077 of 2014 and batch. After taking note of the



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relevant facts, a coordinate Bench of this Court, inter alia,

held as follows:

"In view of the above, the Collector-cum-C.E.O. S.S.A. Bhadrak is directed to take a decision by taking into consideration the show cause reply along with the enquiry report after supplying copy of the enquiry report to the petitioners and affording reasonable opportunity of hearing to them.

It is needless to mention that if the petitioners have committed fraud by submitting the +2 Vocational course certificates contrary to the C.H.S.E. Act and the Regulations then they shall be disengaged and consequently the merit list shall be recast. The entire exercise shall be completed within a period of three months from the date of receipt of the certified copy of this order.

However this Court has not expressed any opinion on the merit of the case." [Emphasis added]

Pursuant to such order, the petitioners and the Vocational/ Upasastri candidates including the private opposite parties appeared before the Collector and participated in the hearing. After considering the contentions raised by the parties, the Collector vide order dated 21.08.2015, copy of which is enclosed as Annexure-12, refused to interfere in the matter by holding that even though there is evidence of suppression of facts by the Vocational/ Upasastri candidates but the examination conducting authority had not cancelled or withdrawn the certificates issued in their favour. Furthermore, those persons had put in around four to five

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years of service. Assailing the order of the Collector, the

petitioners have approached this Court seeking the following

relief:

"Under the above facts and circumstances of the case, it is humbly prayed that this Hon'ble High Court be pleased to allow the writ application by granting following reliefs-

A. An appropriate writ/writs be issued quashing the impugned order under Annexure-12 and in consequence thereof the conditional engagement orders be declared illegal and arbitrary.



B. An appropriate writ / writs be issued to recast the merit list by excluding, the fake Vocational and Upasastri candidates, those have obtained engagement by suppressing the material facts as described above and thereafter necessary direction be made to engage the petitioners as Sikshya Sahayak with all benefits at par with others notionally.

(C) Or in alternative, any other writ(s), direction(s), order(s) be issued as this Hon'ble court may deem fit and proper"

3. Counter affidavit has been filed by the opposite party Nos. 2 and 3 seeking to justify the impugned order. It was reiterated that the certificates issued by the Council of Higher Secondary Education, Odisha or Shri Jagannath Sanskrit University, Puri in favour of the Vocational/Upasastri candidates had not been cancelled and that the selection committee cannot ignore the certificates

nor has authority to cancel the same.



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4. Counter affidavit has also been filed on behalf of private opposite party No.4. It is stated that the certificate issuing authority not having cancelled the certificate issued in her favour, the opposite party No.3 cannot declare the same as illegal and void. Moreover, the restriction regarding appearing of candidate in Vocational examination after passing +2 examination came in the year 2011 whereas she had obtained such qualification in the year 2008. In any case, having already issued a certificate it would not be permissible for the authority to cancel/withdraw the certificate as the law of estoppel would apply.





5. In the rejoinder filed by the petitioners it has been stated that the candidates in question are guilty of wilful suppression of fact, which was accepted by the Collector and therefore, it was not proper for him to not interfere in the matter. It was clearly proved that the private opposite parties had submitted false undertakings, which amounts to fraud.

6. Heard Mr. M.K. Sahoo, learned counsel for the petitioners; Mr. S.N. Pattnaik, learned Addl. Government

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Advocate for the State and Mr. D.N. Rath, learned counsel appearing for the private opposite party No.4.

Mr. Sahoo forcefully argues that having accepted 7. Vocational/Upasastri candidates had suppressed that material facts and had submitted false undertakings only for the purpose of getting engagement as Sikshya Sahayak, it was not open to the Collector to not interfere in the matter. Referring to the reasoning adopted by the Collector for his disinclination to interfere in the matter, Mr. Sahoo would argue that wilful suppression of facts and submission of false undertakings amounts to playing fraud on the authorities, which can never be countenanced in law. As such, the स्वयुद्धव स्थल engagement orders issued in favour of these candidates are egal appointments that null and void. It is for bonafide candidates like the petitioners were deprived of their legitimate right of being engaged as Sikshya Sahayaks at the relevant time.

8. Mr. S.N. Pattnaik, learned Addl. Government Advocate would argue that the Collector only found that the candidates had submitted false undertakings but the



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concerned authorities had not cancelled/withdrawn the certificates issued in their favour. Whether the certificates were required to be cancelled/withdrawn is a matter to be decided by the certificate issuing authority but not the authority conducting selection of candidates for Sikshya Sahayaks. According to Mr. Pattnaik therefore, the Collector on equitable considerations rightly refused to interfere in the matter as the candidates in question have in the meantime rendered five to six years of service.





9. Mr. D.N. Rath, learned counsel for opposite party No.4 submits that there was no restriction at the relevant time for a candidate to obtain Vocational course after having passed +2 examination. Such restriction came only in the year 2011. Mr. Rath further submits that even assuming that the candidates (private opposite parties) had submitted any wrong undertaking, the same cannot nullify their certificates as long as the same have not been withdrawn/cancelled by the appropriate authority.

10. The basic facts of the case as narrated in the writ application are not disputed. The enquiry was conducted by



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the Collector in pursuance of direction of this Court in W.P.(C) No.18256 of 2011. Further, the Collector was directed to consider the matter by hearing all the concerned parties and on consideration of the enquiry report. The enquiry report as such, has not been brought on record by any of the parties but attention of this Court has been drawn to the undertakings given by the private opposite parties, copies of which are enclosed as Annexure-4 series. In each of these undertakings the executants have solemnly affirmed that they have not passed 2 examination before appearing at the Vocational/ Upasastri examination. This undertaking was found to be false as would be evident from a perusal of the impugned order passed by the Collector. In this regard, the finding of the Collector is as follow

> "(i) The students obtaining the Vocational certificates after completing +2 ARTS/Science/Commerce or concurrently having two courses and obtaining certificates. But their certificates have not been withdrawn or cancelled by the competent authorities."

The Collector further held as follows:

"It is a fact that, the successful candidates have given an undertaking that they have not passed the +2 ARTS/Science/Commerce stream prior to the Vocational Course. <u>But subsequent arguments and</u> production of documents show that this is not correct



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<u>and there is suppression of facts.</u> But this is not enough to disqualify the successful candidates and declare their recruitment as void.

(emphasis supplied)

It is therefore, clear that the Collector had accepted the factual position that the private opposite parties had suppressed the fact of passing +2 examination prior to the Vocational course. At this stage, it would apposite to consider whether it was permissible under the relevant Rules/Regulations for the private opposite parties to have acquired Vocational qualification after completing +2 course.



11. Mr. Rath, learned counsel appearing for the private opposite party No 4 has referred to the CHSE Regulations to argue that the prohibition came in the year 2011, whereas the private opposite parties had acquired such qualification prior to that. Mr. Sahoo, learned counsel for the petitioner on the other hand with reference to the Odisha Higher Secondary Education Act, 1982 submits that a Higher Secondary course covering a period of two years can be obtained immediately following the High School Certificate course. This also includes Vocational course. This implies, both Higher Secondary course (+2)/Vocational course can





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only be acquired after High School Certificate course, and therefore, are of the same level. In such view of the matter, Vocational course, which itself is a Higher Secondary course cannot be obtained after passing the +2 examination, which is also a Higher Secondary course. In this regard it would be profitable to refer to Section 2(i) and 2(j) of the Orissa Higher Secondary Education Act, 1982, which are quoted hereinbelow:



"2(i) – "Higher' Secondary Course" means course "immediately" following the High School Certificate Course and covering a period of two academic years which is provided for either in a College or a Higher Secondary School and includes Arts, Science, Commerce and Vocational Courses".

2(J)- "Higher Secondary Education" means such general and Vocational Education forming in itself a complete purposive whole, which immediately follows Secondary Education as has been defined in the Orissa Secondary Education Act 1952 and immediately "precedes" a stage of education controlled by any university."

12. Further, Regulation, 107 of the Odisha Higher Secondary Education Regulation, 1982 provides that only a registered student is allowed to appear in one of the examinations for not less than completion of two academic years after passing HSC Examination. Regulation 109 provides that no student shall be admitted to an institution



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beyond six weeks from the date of publication of the HSC result.

13. In the case of Somasnata Rath vs. State of Odisha and others¹ a coordinate Bench of this Court had the occasion to deal with a similar matter with reference to the Regulations of Shree Jagannath Sanskrit Viswa Vidyalaya and held that candidate -after—qualifying--+2 Arts/Science/Commerce cannot take admission into Upasastri course and that Upasastri course is equivalent to +2 Arts. Another Coordinate Bench, in the case of Basudev Guru & Ors. vs. State of Odisha & Ors.² held that as the petitioners therein had acquired 2 Vocational course after न्स्य स्पन passing the +2 Arts course cannot use such qualification to be no dispute with regard their benefit. Thus, there se to the legal position that under the Regulations of the CHSE, +2 course is equivalent to Vocational/ Upasastri course and therefore, a candidate having passed in one cannot acquire the qualification in the other. Both are mutually exclusive. Of course a candidate, who fails in the +2 examination can

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¹W.P.(C) No. 7031 of 2016, decided on 12.05.2016

² W.P.(C) No. 16810 of 2016, decided on 21.02.2024



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acquire Vocational qualification but a pass candidate cannot. Thus, the certificates issued to the Vocational/ Upasastri candidates including the private opposite parties in the present writ application being contrary to law have no legal force and cannot therefore enure to their benefit. It is well settled that a certificate obtained in contravention of the Regulations/ Rules can have no legal sanctity.

It has been argued at length that the private opposite 14. parties could manage to obtain the Vocational certificates by suppressing the fact of their passing +2 examination and by obtaining duplicate transfer certificates from the institutions where they had appeared for the High School Certificate स्तुलुक्षेय राग्रस examination. This Court need not enter into this controversy or render any factual finding thereon as it has already been held that irrespective of the manner in which the private opposite parties managed to obtain the Vocational/ Upasastri certificates, the same can have no legal sanctity.

15. Added to the above is the question of submission of false undertaking, which according to the petitioners is an act of fraud. What amounts to fraud is no longer a matter of



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debate. A deliberate misrepresentation/ suppression of facts resorted to for obtaining any benefit amounts to fraud. The oft-quoted observation of the Supreme Court in the case of

S.P. Chengalvaraya Naidu v. Jagannath³, are noteworthy.

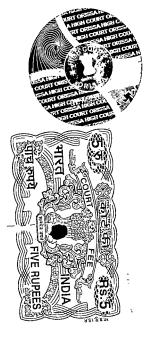
"6. The facts of the present case leave no manner of doubt that Jagannath obtained the preliminary decree by playing fraud on the court. A fraud is an act of deliberate deception with the design of securing something by taking unfair advantage of another. It is a deception in order to gain by another's loss. It is a cheating intended to get an advantage. Jagannath was working as a clerk with Chunilal Sowcar. He purchased the property in the court auction on behalf of Chunilal Soucar. He had, on his own volition, executed the registered release deed (Ex. B-15) in favour of Chunilal Sourcar regarding the property in dispute. He knew that the appellants had paid the total decretal amount to his master Chunilal Sowcar. Without disclosing all these facts, he filed the suit for the partition of the property on the ground that he had purchased the property on his own behalf and not on behalf of Chunilal Soucar Non-production and even non-mentioning of the release deed at the trial is tantamount to playing fraud on the court. We do not agree with the observations of the High Court that the appellants-defendants could have easily produced the certified registered copy of Ex. B-15 and nonsuited the plaintiff. A litigant, who approaches the court, is bound to produce all the documents executed by him which are relevant to the litigation. If he withholds a vital document in order to gain advantage on the other side then he would be guilty of playing fraud on the court as well as on the opposite party." [Emphasis added]

16. The ratio of **S.P. Chengalvaraya Naidu** (supra) has been relied upon in several decisions. Further, the maxim

"fraus et jus nunquan cohabitant"- fraud and justice never

³ (1994) 1 SCC 1

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dwell together - cannot be lost sight of. If a person guilty of committing fraud is granted the benefit of such act, it would tantamount to perpetuating the illegality.

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17. Coming to the impugned order, this Court observes that the Collector has accepted that the candidates in question had suppressed material facts and had submitted false undertakings but then by adopting a strange reasoning laced with highly misplaced sympathy for the wrongdoers, the Collector withdrew his hands off the matter. As a quasijudicial authority it was incumbent upon the Collector to exercise the lawful authority conferred upon him to set right the wrong. Sadly the Collector chose to reward the wrong doers apparently on equitable considerations.



18. It is well settled that once a fraud is proved, it will deprive the person of all advantages or benefits obtained thereby. This Court has already held that the Vocational/ Upasastri certificates obtained by the private opposite parties can have no force of law and therefore, notwithstanding the fact that they have not been withdrawn/cancelled by the

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concerned authority, the same cannot be taken into consideration.

19. In the case of Ram Preeti Yaday v. U.P. Board of High School and Intermediate Education⁴, the Supreme Court held that non-cancellation/withdrawal of the certificates by the concerned authority will not raise any equity in favour of the certificate holders in this case and therefore, no relief can be granted to them in equitable grounds. This Court further finds that the Collector has gone on to refer to the human nature to justify the production of one of the two certificates possessed by the private opposite parties in order to take the benefit of employment. The स्तावेख जगसे Collector held as follows



"Every Govt. Servant/Employee/Job Holder of this country is considered to be a privileged person. If one gets a Govt. Job/Service and thereby secures his daily bread it is like enjoying the early dawn after coming out of the perpetual groom. When he/she comes so nearer to get a Govt. job/service, it is very natural that he/she has not smart enough to declare the true facts"

20. Having himself held that the concerned candidates were guilty of suppression of facts, the Collector still

⁴ (2003) 8 SCC 311

proceeded to applaud them as 'smart enough' for doing so. This Court refrains from saying anything more in this aspect. It would suffice to say that such absurd reasoning cannot ever be countenanced in law.

21. Thus, from a conspectus of the analysis of facts and law and the discussion made hereinbefore, this Court finds that the private opposite parties having suppressed material facts before the appropriate authority at the relevant time could not have been selected for appointment and actually appointed. In the process, the fate of the bonafide candidates like the petitioners was sealed. This Court therefore, has no hesitation in holding that the impugned order cannot be sustained in the eye of law.



22. In the result, the writ petition is allowed. The impugned order under Annexure-12 is hereby quashed. The opposite party Nos. 2 and 3 are directed to recast the merit list by excluding the Vocational/ Upasastri candidates (opposite party Nos. 4, 5 and 6) and by issuing appropriate order of engagement in favour of the petitioners either as



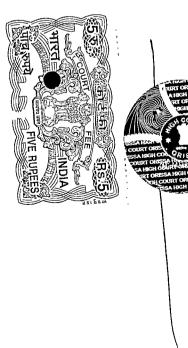
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Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

Sdr-S. Mishra, J

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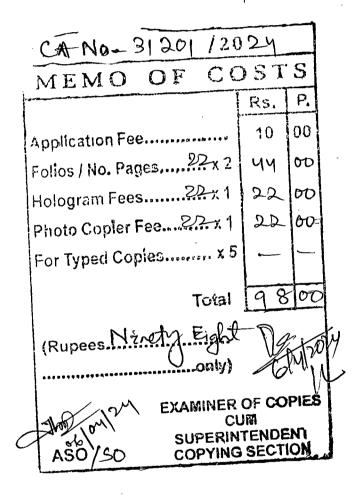
Orissa High Court, Cuttack. The 28th March, 2024/A.K. Rana, P.A.



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Date of Application = 0.5. Date of Notification = C.0. Date of Supply :-04.21 Date of Ready :-06. Date of Delivery ob. 66







SARVA SHIKSHA ABHIYAN (S.S.A.), BHADRAK

Date - 22.111

ସର୍<u>ବ</u> ଶିକ୍ଷା ଅଭିଯାନ

Motice M_{θ} , $2 \frac{1}{93}$ and $1 \frac{1}{9}$

ଭବ୍ରକ ରାକସ୍ କିଲ୍ଲାର ଶିକ୍ଷା କିଲ୍ଲାଗୁଡିକର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକ ଶିକ୍ଷା ସହାୟକ ନିୟୋକନ ପାଇଁ ଭଦ୍ରକ କିଲ୍ଲା ପରିଷଦ ତରଫରୁ ଦରଖାଞ ଆହାନ କରାଯାଉଅଛି । ଇନ୍ଥୁକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ /ପ୍ରର୍ଥୀନାମାନେ ସେକୌଣସି ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିପାରିବେ । ଏଥିପାଇଁ ଆବେଦନ ପତ୍ର ସହିତ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନୀ କେବୁଲ ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ସଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଛଡି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାଞ୍ଚ ସମୟରେ ସଦି ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା କିଲ୍ଲା ବ୍ୟତୀତ ଅନ୍ୟ ଶିକ୍ଷା କିଲ୍ଲାରେ ଆବେଦନ କରିଥିବା ପ୍ରମାଶିତ ହେଏ, ତେବେ ପ୍ରାର୍ଥୀଙ୍କର ଆବେଦନ ପତ୍ର ବିଷରକୁ ନିଆନଯାଇ ନାକଚ କରି ଦିଆଯିବ । ସାର୍ଟିପିକେଟ ଜାଲ ବୋଲି ପ୍ରମାଶିତ ହେଲେ ଆଇନ ଅନୁଯାୟୀ କାର୍ଯ୍ୟାନୁଷାନ ଗ୍ରହଣ କରାଯିବ ଏବଂ ନିଯୁକ୍ତି ରଦ୍ଧ କରାଯିବ । ଇନ୍ଥକ ଯୋଗ୍ୟ ପାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀନାନେ ସାଧା କାଗକରେ ନିମ୍ନ ପ୍ରଦତ୍ତ ଦରଖାଞ୍ଚ ଫର୍ମ ଅନୁସାରେ ଆବେଦନ ପତ୍ର ସର୍ବଶିକ୍ଷା ଅଭିଯାନ କାର୍ଯ୍ୟାଳ୍ୟ,ଭଦ୍ରକ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ ଜାଗୁଳାଇ ପ୍ରୋକେକ୍ଟ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ, ଭଦ୍ରକ ଶିକ୍ଷାଚ୍ଚିଲ୍ଲା – ୧ ପାଇଁ ଏବଂ କିଲ୍ଲାସ୍କୁଲ, ଉଦ୍ରକ ଶିକ୍ଷାକିଲ୍ଲା-୨ ପାଇଁ ଆସନ୍ତା ତା ୧୦.୦୨.୨୦୧୧ ରିଖ ସୁଦ୍ଧା ରେକିଷ୍ଣୀ ତାର୍କରେ କିୟା ବ୍ୟକ୍ତିଗତ ଭାବେ ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ତୃଟିପୂର୍ଷ ବା ବିଳୟରେ ପ୍ରାସ୍ତ ଦରଖାଞ ଗୁଡିକ ବିଷରକୁ ନିଆଯିବନାହିଁ । ଆବେଦନ ପତ୍ର ଜିଲ୍ଲା ପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ ତଥା କିଲ୍ଲାପାଳଙ୍କୁ ସଂବୋଧିତ କରିବା ଆବଶ୍ୟକ ।

୧. ଏହି ଶିକ୍ଷା ସହାୟକ ନିୟୋଜନ ପାଇଁ ଶିକ୍ଷା କିଲ୍ଲାୱାରୀ ବିଭିନ୍ନ ଶ୍ରେଣୀର (Catagory) ପଦବୀ ସଂଖ୍ୟା अଙ୍କ ବିଭିନ୍ନ କର୍ଗ୍ତିଆଇଁ ସଂରକ୍ଷଣ ଥିବା ପଦବା ସଂଖ୍ୟା ଏଥିସହିତ ସଂଲଟ୍ତ କରାଗଲା । ଏହାର ୧ ୫ ୦% ଭାଗ ଯୋଗ୍ୟ ବିବେଚିତ ପ୍ରାର୍ଥୀଙ୍କୁ ଡାଲିକାଭୁକ୍ତ କରାଯିବ ଯାହା ବର୍ଷକ ପାଇଁ ବୈଧ ରହିବ । ଏହି ଯୋଗ୍ୟ ବିବେଚିତ ଅସ୍ଥାୟୀ ଏବଂ ଚୂଡାନ୍ତ ପ୍ରାର୍ଥୀ ତାଲିକା (Provisional & Final Select List) ଶିକ୍ଷା ଜିଲ୍ଲା, ଜିଲ୍ଲା ପରିଷଦ ଏବଂ ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ ମାନଙ୍କର ନୋଟିସ୍ ବୋର୍ଡରେ ସର୍ବସାଧାରଣଙ୍କ ଅବଗତି ନିମନ୍ତେ ପ୍ରକାଶିତ ହେବ । ଶିକ୍ଷା ସହାୟକମାନେ ଜିଲ୍ଲା ପରିଷଦ ଦ୍ୱାରା ନିୟୋଜିତ ହେତେ । ୨. <u>ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା :</u> ନିମ୍ନଲିଖିତ ଯୋଗ୍ୟତାଥାଇ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ଯେକୌଣସି ରୋଟିଏ ପଦକ୍ଟ ପାଇଁ ଆବଶ୍ୟକ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଆବେଦନ କରିପାରିବେ ।

- (କ) ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିମ୍ପା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାସ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- (ଖ) ଯୁକ୍ତ ଦୁଇ (+2) କଳା / ବାଣିଙ୍କ୍ୟ କିମ୍ଦା ଉପଯୁକ୍ତ କର୍ଭୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡିଆ ମାତୃଭାଷାରେ ସ୍ୱସ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାସ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- (ଗ) ଯୁକ୍ତ ଦୂଇ (+2) ବିଜ୍ଞାନ / କଳା / ବାଶିଙ୍ଖ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of India (RCI) ଦ୍ୱାର, ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ଧ ଶିକ୍ଷାରେ ୨ ବର୍ଷିୟା ଡିପ୍ଲୋମା ତାଲିମ (2 Year Diploma in Education-Sepcial Education)

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ସ୍ନାତକରେ ବିଜ୍ଞାନ କିନ୍ୟା ଉପଯୁକ୍ତ କରୃପକ୍ଷଙ୍କ ଦ୍ୱାରୀ ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟତ ଓଡିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାସ୍ତ (Recognised by NCTE)

(ଙ) ସ୍ନାତକରେ କଳା କିୟା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପର୍ବୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ୍ ପର୍ଯ୍ୟତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାସ୍ତ (Recognised by NCTE) ।

(ଚ) ସ୍ନାତକରେ ବିଜ୍ଞାନ / କଳା କିନ୍ୟା ଉପଯୁକ୍ତ କର୍ଭୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ମାଟ୍ରିକ୍ ପର୍ଯ୍ୟନ୍ଧ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of India (RCI) ଦ୍ୱାରା ସ୍ୱୀକୃତି ପ୍ରାସ୍ତ ସ୍ୱତନ୍ତ ଶିକ୍ଷା ପାଠ୍ୟକ୍ରମରେ ବି.ଏଡ୍. ତାଲିମ (1 Year B.Ed Special Education) ।

ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞନ, କଳା, ବାଶିକ୍ୟ କିୟା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ ଷୋଶ୍ୟତା ଥାଇ ଏବଂ ବିଜ୍ଞାନ ଓ କଳାରେ କିୟା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ସ୍ନାତକ ପାସ୍ ସହିତ (ଓଡିଆ ମାତୃଭାଷା ଦଶମ ପର୍ଯ୍ୟନ୍ତ) ପୋଗ୍ୟତାଥିବା ଅଣତାଲିମ ପ୍ରାପ୍ତ ତଫସିଲଭୁକ୍ତ ଜାତି, ଜନକାତି ଓ ଶାରିରୀକ ଅଷମ ପ୍ରାର୍ଥୀମାନେ ପୋଗ୍ୟତା ଅନୁଯାୟୀ ଗୋଟିଏ ପଦପାଇଁ ଆବେଦନ କରିପାରିବେ । ଯଦି ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲା ୟୁନିଟରେ ଆବଶ୍ୟକ ସଂଖ୍ୟକ ତଫସିଲଭୁକ୍ତ ଜାତି, ଜନଜାତି ଏବଂ ଶାରିରୀକ ଅକ୍ଷମର ତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀ ନ ମିଳନ୍ତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ନିର୍ଦ୍ଧିଷ୍ ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମାନଙ୍କ ବିଷୟକୁ ବିଋରକୁ ନେଇ ନିଯୁକ୍ତି ଦିଆପିବ ।

ସାଧାରଣ ବର୍ଗ ଏବଂ ଏସ୍ଟ୍ ଇ.ବି.ସି. ବର୍ଗର ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିର୍ମ୍ଣା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ, ବିଜ୍ଞାନରେ ସ୍ନାତକ କିନ୍ୟା ତତୁଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡିଆ ମାତୃଭାଷା ଦଶମ ପର୍ଯ୍ୟନ୍ତ ଯୋଗ୍ୟତା ଥିବା ଅଣତାଲିମ ପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ତାଲିମପ୍ରାପ୍ତ ବିଜ୍ଞାନ (+2 Sc. C.T., TGT Sc.) ପଦବୀ ପାଇଁ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଗୋଟିଏ ପଦ ପାଇଁ ଆବେଦନ କରିପାରିବେ । ପଦି ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲା ୟୁନିଟରେ ସେହି ପଦବୀ ପାଇଁ ଆବଶ୍ୟକ ସଂଖ୍ୟକ ତାଲିମ ପ୍ରାପ୍ତ ବିଜ୍ଞାନ ପ୍ରାର୍ଥୀ ନମିଳନ୍ତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମାନଙ୍କ ବିଷୟକୁ ବିଷରକୁ ନେଇ ନିୟୁକ୍ତି ଦିଆଯିବ ।

ସମସ୍ତ ଅଶ ତାଲିମପ୍ରାସ୍ତ ପ୍ରାର୍ଥୀମାନେ ନିୟୋଜନ ହେବାର ପାଞ୍ଚ ବର୍ଷ ମଧ୍ୟରେ ନିଜ ଖର୍ଚ୍ଚରେ ତାଲିମପ୍ରାସ୍ତ ହେବେ ବୋଲି ଏକ Under taking ଦେବେ ।

- ୩. <u>ବୟସସୀମା :</u> ପ୍ରାର୍ଥୀମାନଙ୍କର ବୟସ ତା ୦୧.୧୨.୨୦୧୦ ରିଖ ସୁଦ୍ଧା ୪୨ ବର୍ଷରୁ ଅଧିକ ହୋଇନଥିବ କିୟା ୧୮ ବର୍ଷରୁ କମ୍ ହୋଇନଥିବା ଆବଶ୍ୟକ । ତଫସିଲଭୁକ୍ତ ଜାତି ଓ ଜନକାତି, ପୂର୍ବତନ ସାମରିକ କର୍ମୟରୀ ଏବଂ ମହିଳା ପ୍ରାର୍ଥୀ ଏବଂ ଏସ.ଇ.ବି.ସି. ପ୍ରାର୍ଥୀମାନଙ୍କ ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ବୟସସୀମା ୫ ବର୍ଷ କୋହଳ କରାଯିବ । ଶାରିରୀକ ଭିନନ୍ଷମ ପ୍ରାର୍ଥୀ ମାନଙ୍କ ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ସୀମା ୧୦ ବର୍ଷ କୋହଳ କରାଯିବ ।
- ୪. <u>ନିୟୋକନ :</u> ଶିକ୍ଷା ସହାର୍ଯ୍କମାନେ ବାର୍ଷିକ ରୁକ୍ତି ଅନୁଯାୟୀ ପ୍ରାଥମିକ / ଉଚ୍ଚ ପ୍ରାଥମିକ ତଥା ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟର ଉନ୍ନତି ଶ୍ରେଣୀମାନଙ୍କରେ ଆବଶ୍ୟକ ଅନୁଯାୟୀ ନି<mark>ୟୋଜିତ (ଏନଗେଜମେ</mark>ଛ) ହେବେ ।
- ୪.୧ ନିୟୋଜନ ପତ୍ର ପ୍ରଦାନ ପୂର୍ବରୁ ସଂପୃକ୍ତ ଜିଲ୍ଲା ପରିଷଦ ତରଫରୁ ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ, ଜିଲ୍ଲା ପରିଷଦ ତଥା କିଲ୍ଲାପାଳ ଓ ଶିକ୍ଷା ସହାୟକଙ୍କ ମଧ୍ୟରେ ଷାମ୍ପ କାଗଢ ମାଧ୍ୟମରେ ନିର୍ଦ୍ଧାରିତ ଫର୍ମରେ ଏକ ଚୁକ୍ତିନାମା ସ୍ୱାକ୍ଷରିତ କରାଯିବ । ଅଣତାଲିମ ପ୍ରାସ୍ତ ପ୍ରାର୍ଥୀମାନେ ନିଜ ଖର୍ଚ୍ଚରେ.ଟ୍ରେନିଙ୍ଗ ନେବେ ବୋଲି Undertaking ଦେବେ ।

୪.୨ ଶିକ୍ଷା ସହାୟକ । ସହୟିକାମାନଙ୍କୁ ସେମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା ଜିଲ୍ଲା ମଧ୍ୟରେ ନିୟୋଜନ କରାଯିବ ।

Attested ject C S. S. A., BHADRAK

(ଘ)

<u>କର୍ମନିୟୋଜନ ସଂସ୍ଥାରେ ପଞ୍ଜିକରଣ ଓ ଆବାସିକ ପ୍ରମାଣପତ</u> : **ୁଅ୍ୟୁ** ବି.ଇଡି. ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥିନୀ ବାଶୀବିହାର, ଜ୍ୟୋତିବିହାର ଓ ଭଞ୍ଜବିହାର (ଭୁବନେଶ୍ୱର, ସମ୍ପଲପୁର ଓ ବ୍ରହ୍ମପୁରରେ) ଥିବା ସ୍ୱତନ୍ଧ ଏମ୍ପୁୟମେଣ୍ଟ ଏକ୍ଟେଞ୍ଜରେ କିମ୍ବା ଭୁବନେଶ୍ୱରରେ ଥିବା ଷ୍ଟେଟ ଏମ୍ପୁୟମେଣ୍ଟ ଏକ୍ଟେଞ୍ଜରେ ନାମ ପଞ୍ଜିକରଣ କରିଥିବାର ବୈଧ ପ୍ରମାଣପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଣପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ସେହିପରି ସି.ଟି. ପ୍ରାର୍ଥୀ ଏବଂ ଅଣତାଲିମପ୍ରାସ୍ତ ପ୍ରାର୍ଥୀମାନେ ସେ କୌଣସି କର୍ମନିୟୋଜନ ସଂସ୍ଥାରେ ନିଜ ନାମ ପଞ୍ଜିକରଣ କରିଥିବାର ବୈଧ ପ୍ରମାଣ ପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଣ ପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ ।

ସଂରକ୍ଷଣ ବ୍ୟବସ୍ଥା : ଓ.ଆର.ଭି. ଆକ୍ଟ ସଂଗେ ସଂଗେ ଅନ୍ୟ ପ୍ରାର୍ଥୀ ଯଥା – ପୂର୍ବତନ ସାମରିକ କର୍ମଚାରୀ (Ex-Servicemen) , ଭିନ୍ନକ୍ଷମ (Handicapped) ଏବଂ କ୍ରୀଡ଼ା କ୍ଷେତ୍ରରେ ସ୍ୱାତନ୍ୟ୍ୟ ଅର୍କନ କରିଥିବା ବ୍ୟକ୍ତି (Eminent Sports personel) ଙ୍କ ନିମନ୍ତେ ସରକାରଙ୍କ ଦ୍ୱାରା ସଂକଳିତ ସଂରକ୍ଷଣ ନିୟମ ଲାଗୁ କରାଯିବ । ମହିଳା ପ୍ରାର୍ଥୀନୀଙ୍କ ପାଇଁ ସଂପୃକ୍ତ ବର୍ଗର ୩୩. ୧/୩ ପ୍ରତିଶତ ସଂରକ୍ଷଣ ଲାଗୁହେବ ।

ଉର୍ଦ୍ଦୁ ତାଲିମପ୍ରାସ୍ତ ସି.ଟି. ତ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନୀମାନେ ସଂପୃକ୍ତ ଶିକ୍ଷା କିଲ୍ଲା ପାଇଁ ଆବେଦନ ପତ୍ର ଦାଖଲ କରିବେ । ସେମାନଙ୍କୁ ସଂପୃକ୍ତ ଶିକ୍ଷା କିଲ୍ଲାର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକତା ଅନୁଯାୟୀ ଉର୍ଦ୍ଦୁ ମାତୃଭାଷା ପଢ଼ାଇବା ପାଇଁ ନିୟୋଜନ କରାଯିବ ।

ତାଲିମ ପ୍ରାସ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୪୦୦୦/– ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆକ୍ଷିବ ।

ଅଣ ତାଲିମପ୍ରାସ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୩୫୦୦/- ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆଯିବ ।

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ନିମ୍ନ ପ୍ରଦତ୍ତ ଦରଖାଷ୍ଡ ଫର୍ମି ଅନୁସାରେ ଆବେଦ୍ଦନ କରାଯାଇ ପାରିବ । ଦରଖାଷ୍ଡ ସହ ମାଟ୍ରିକ ଠାରୁ ଆବେଦନ କରିଥିବା ପଦବୀ ପାଇଁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତାର ପ୍ରମାଣପତ୍ର ଏବଂ ମାର୍କି ତାଲିକାରେ ଅବିକଳ ନକଲ (ଆଟେଷେଡ଼ କପି) କର୍ମନିୟୋଜନ ସଂସ୍ଥା ପଞ୍ଜିକରଣ ପ୍ରମାଣପତ୍ର, ଜାତିଗତ ଏବଂ ଆବାସିକ ପ୍ରମାଣପତ୍ର, ଭିନ୍ନକ୍ଷମ ହୋଇଥିଲେ ତାର ଅବିକଳ ପ୍ରମାଣପତ୍ର, ପ୍ରାର୍ଥୀଙ୍କର ୨ କିତା ବର୍ତ୍ତମାନର ସହିମୋହର ପାସପୋର୍ଟି ଆକାର ଫଟୋ ଏବଂ କେବଳ ଗୋଟିଏ ଶିକ୍ଷାଜିଲ୍ଲାରେ ଆବେଦନ କରିଛଡି ବୋଲି ସତ୍ୟପାଠ (Affidavit) ଇତ୍ୟାଦିର ସଂଯୋଗ ନଥିଲେ ଆବେଦନ ପତ୍ରଟିକୁ

ଖାରକ	କରିଦିଆଯିବ	l
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ଭଦ୍ରକ ଜିଲ୍ଲାର ଶିକ୍ଷା କିଲ୍ଲାଥ୍ୱାରି ଖାଲିଥିବା ଶିକ୍ଷା ମହାୟକ ପତବୀ ସଂଖ୍ୟା

1			ରାଯା	र्थाराखन यप	41 4 0 1		· · · · · · · · · · · · · · · · · · ·
璧· 	ରାଜସ୍ପ ଜିଲ୍ଲା	ଶିକ୍ଷ। ଜିଲ୍ଲା	ତାଲିମପ୍ରାସ ବିଜ୍ଞାନ ସ୍ୱାତକ	ତାଲିନପ୍ରାସ୍ତ କଳା ସ୍ୱାତକ	ତାଲିମପ୍ରାସ +୨ ବିଜ୍ଞାନ (ସି.ଟି)	ତାଲିମପ୍ରାସ୍ତ +୨ କଳା (ସି.ଟି)	ମୋଟ
		ଭଦ୍ରକ− ୧	୧୫୭	४९	୧୪୫	୧୩୬	<u> </u>
	ଭଦ୍କ	 ଭଦକ−୨	૯୫୬	80	१୮୩	୧୭୩	899
•		ମୋଟ	୩୧୩	66	୩୨୮	୩୦ ୯	६०४९

ଶିକ୍ଷାକିଲ୍ଲା ଭ୍ରଦକ - ୧ ପାଇଁ କାଗୁଳାଇ ପ୍ରୋକେକ୍ଟ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ ଓ ଶିକ୍ଷାକିଲ୍ଲା ଭଦ୍ରକ - ୨ ପାଇଁ କିଲ୍ଲାୟୁଲ ଭଦ୍ରକରେ ତା ୨୪/୦୧/୨୦୧୧ରିଖ ଠାରୁ ତା ୧୦/୦୨/୨୦୧୧ରିଖ ପର୍ଯ୍ୟତ୍ତ (ସରକାରୀ ଛୁଟିଦିନ ବ୍ୟତୀତ) ପୂର୍ବୀହୁ ୧୦ଘଟିକା ସମୟଠାରୁ ଅପରାହ୍ନ ୫ଘଟିକା ପର୍ଯ୍ୟତ ଆବେଦନ ପତ୍ର ଗ୍ରହଣ କରାଯିବ ।

ଏହି ନିର୍ଘଣ୍ଡ ତାରିଖ ଓ ସମୟ ପରେ କୌଣସି ଆବେଦନପତ୍ର ଗ୍ରହଣ କରାଯିବ ନାହିଁ । ସା /- କିଲାପାଳ ତର୍ଥା କିଲାପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

Attested

S. S. A., BHADRAK

ଜିଲା ପରିଷଦ, ଭଦ୍ରକ

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ାର୍କ୍ଷା ସହାୟକ ପଦପାଇଁ ଆବେଦନ ପତ୍ର

ଯେଉଁ ଶିକ୍ଷା କିଲ୍ଲାରେ ନିୟୁକ୍ତି ଚାହୁଁଛତି ତାର ନାମ । ୨-ଯେଉଁ ପଦବୀରେ ନିୟୁକ୍ତି ନାହୁଁଛ୍ଡି ତାର ନାମ । ୩-ପ୍ରାର୍ଥୀଙ୍କର ସଂପୂର୍ଷ ନାମ ୪-ପିତା କିୟା ସ୍ୱାମାଙ୍କର ନାମ ୪-ବର୍ଷମାନର ଠିକଣା, ୫-ସ୍ୱାୟୀ ଠିକଣା ୬-କନ୍ସତାରିଖ (ପ୍ରମାଶପଡ୍ରର ଅବିଦ୍ୟଳ ନକଲ ସଂଯୁକ୍ତ କରିବେ) ୭-ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନୀ କେଉଁ ବର୍ଗର ଅଟବି । ୮-ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା, ଉରୀର୍ଷ ହୋଇଥିବା ପରୀକ୍ଷାମାନଙ୍କର ନାମ, ଶିକ୍ଷାନୁଷାନର ନାମ, ବୋର୍ଡ଼ କିୟା ବିଶ୍ୱବିଦ୍ୟାଳୟର ନାମ, ଉରୀର୍ଷ ବର୍ଷ, କେତେ ନୟର ପାଇଥିଲେ, %ନୟର, (ଯୁକ୍ତ ବୁଇ /ସ୍ୱାରକ / ପ୍ରଶିକ୍ଷଣ (CT /BEd/Spl.B.Ed)) ପରୀକ୍ଷାର ପ୍ରମାଣପଡ୍ର ଓ ମାର୍କସିଟର ଅବିଦ୍ଧଳ ନକଲ (Spl. Education) ରେ Diploma ଏବଂ Spl. B.Ed ପ୍ରାର୍ଥୀମାନେ RCI Registration ର ପ୍ରମାଣପଡ୍ର ଅବିଦ୍ଧଳ ନକଲ ସଂଯୋଗ କରିବେ । ୯ - କର୍ମନିୟୋଳନ କେନ୍ଦ୍ରର ନାମ ଏବଂ ରେକିଷ୍ଟେସନ ସଂଖ୍ୟା ଓ ତାରିଖ (ପ୍ରମାଣ ପଡ଼ର ଅବିଦ୍ଧଳ ନକଲ ସଂଯୋଗ କରିବେ) । ୧୦ - କାତିଗତ ପ୍ରମାଣପଡ୍ର (ଅବିଦ୍ଧଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୧-ଅକର୍ମଶ୍ୟ ପ୍ରମାଣ ପଡ୍ରି (ଅବିଦ୍ଧଳ ନକଲ ସଂଯୋଗ କରିବେ), ୧୨-ଆବାସିକ୍ ପ୍ରମାଣପଡ୍ର (ଅବିଦ୍ଧଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୫-ଅଣ୍ଡାଲିମ ପାଟିଏ ଶିକ୍ଷାକିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) ସଂଯୋଗ କରିବେ । ୧୫-ଅଣ୍ଡାଲିମ ପ୍ରାସ୍ଥ ପ୍ରାର୍ଥୀ ନିକ ଖର୍ଚ୍ଚରେ ୫ବର୍ଷ ମଧ୍ୟରେ ତାଳିମ ପ୍ରାସ୍ତ ହେବେ ବୋଲି Under Taking ସଂଯୋଗ କରିବେ । ୧୫-ରୁଇକିତା ବର୍ତମାନର ସହି ମୋହର ପାସ୍ପୋର୍ଟ ଆକାର ଫଟୋ ଦାଖଲ କରିବେ । ତାରିଖ –

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ସ୍ଥାନ ~

ପାସ୍ଥି ସ୍ୱୀକାର

ପ୍ରାର୍ଥୀଙ୍କ ନାମ

ନିମ୍ନୋକ୍ତ ସଂଲଗ୍ନମାନ (Enclosures) ହସ୍ତଗତ ହୋଇଛି ।

କ) ମାନ୍ତିକ ସାର୍ଟିଫିକେଟ, ଯୁକ ଦୁଇ ସାର୍ଟିଫିକେଟ, ତାଲିମ(ସିଚି) ସାର୍ଟିଫିକେଟ, ସ୍ନାରକ, (ବି.ଇଡ଼ି. / ସ୍ଟେସାଲ ବି.ଇଡ଼ି) ସାର୍ଟିଫିକେଟ (ଖ) ଯୁତ ଦୁଇ ମାର୍କିସିଟ, ତାଲିମ(ସିଚି) ମାର୍କସିଟ ଓ ସ୍ନାରକ / (ବି.ଇଡ଼ି / ସ୍ଟେସାଲ ବି.ଇଡ଼ି.) ମାର୍କସିଟ / RCI Registration ର ପ୍ରମାଶପଡ୍ର (ଗ) ଜାଡିଗଡ ପ୍ରମାଣପତ୍ର (Caste Certificate) (ଘ) ଆବାସିକ ପ୍ରମାଣପତ୍ର (Residential Certificate) (ତ) ଗୋଟିଏ ଶିକ୍ଷା କିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) (ଚ) କର୍ମନିୟୋକନ କେନ୍ଦ୍ରର ରେକିଷ୍ଟେସନ ପ୍ରମାଣ ପତ୍ର (ଛ) ଅଣତାଲିମ ପ୍ରାସ ପ୍ରାର୍ଥୀ ନିଜ ଖର୍ଚ୍ଚ ୫ ବର୍ଷ ମଧ୍ୟରେ ତାଲିମ ପ୍ରାସ ହେବେ ବୋଲି Under Taking (ଜ) ଅକର୍ମଣ୍ୟ ପ୍ରମାଣପତ୍ରର ଅବିକଳ ନକଲ (ଝ) ଦୁଇକିତା ବର୍ତ୍ତମାନର ସହି ମୋହର ପାସ୍ପୋର୍ଟ ଆକାର ଫଟୋ ।

ଗ୍ରାସ୍ତି ସ୍ୱୀକାରକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

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ସ୍ୱା /- ଜିଲ୍ଲାପାଳ ତଥା କିଲ୍ଲାପରିଷବର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

True Copy Attested

Advocate

କିଲ୍ଲା ପରିଷଦ, ଭଦ୍ରକ

Attested

istrict Project Co-ofd S. A., BHADRAK

ANNEXURE

GOVERNMENT OF ODISHA DEPARTMENT OF SCHOOL AND MASS EDUCATION.

No. 25070 ___/SME dt. _________

From:

ł,

-17 Aparajita Sarangi, IAS Commissioner-cum-Secretary to Govt.

То

All Collector-cum-CEOs. Žilla Parishads.

Engagement of SS during 2011-12. Sub:

Madam/Sir,

Instruction for recruitment of Sikshya Sahayaks has been communicated vide this Deptt. Letter No. 23895 dtd.05.12.2011. Although a number of clarifications were issued previously, yet uniformity was not maintained in the selection process for which a good number of Court Cases were filed. In order to avoid such unpleasant situation, clarifications with illustrations in some key areas are given below. This will help in the process of selection and bring uniformity throughout the State.

and the second second second second second

candidates 1 Whether Sikshya Sashtri qualification shall B.Ed. vacancies?

having The Hon'ble High Court in order dt.10.05.11 in WPC No.7000/2011 Jitendra Kumar Panda & be considered against BA/B.Sc. Others Vrs. State and Others have passed order to the effect that candidates having B.A. degree from a University and thereafter, 'Sikshya Sastri' shall be considered as TG Arts. In view of this, the above category of candidates shall be considered. It may be noted that candidates having Sastri with Sikshya Sastri qualification are not eligible.

2. Whether candidates having upasashtri with CT qualification shall be considered as +2 CT Ł, candidates ?

المراجع والمناجع والمعصين الجرور المحافي وتراج Govt. of Odisha in erstwhile Education Deptt. Notification No.4399 dt.31.01.92 (copy enclosed) have decided that institutions imparting education up to Upsashtri level are equivalent to Higher Secondary Schools. On the basis of this equivalency, the candidates have undergone CT training. Therefore candidates having upshastri with CT qualification shall be considered as +2 Arts C.T. candidates.

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and a start of the

3.

Whether candidates having +2Vocational pass with CT qualification shall be considered for selection as Sikshya Sahayaks. If so they will be treated as Science or Arts candidates?

Whether candidates after passing selection? Course.

- 5. Whether candidates of other universities having . BA/B.Sc. qualification are eligible or not?
- 6. eligible or not?
- 7, Whether candidates passed Oriya examination (ME Standard) Institute of Open School) are eligible?
- 8. Procedure to be followed for filling up vacancies for sports man?

The Board of Secondary Education Odisha has not declared the Oriya Examination (ME) Standard conducted by NIOS (National conducted by NIOS as equivalent.

The General Administration Deptt. Resolution No. 24808 Gen dt.18.11.1985′ (copy enclosed) indicates the procedure to be followed for filling up vacancies of Sports Quota. The same may be strictly adhered to.

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205

The Council of Higher Secondary Education their Letter No.6657 CHSE dt.14.08.06 (cop) enclosed) have indicated that +2 Vocational Examination conducted by the CHSE is equivalent to the examination conducted by CHSE for +2 Arts, Commerce streams . Similarly the clarification issued by CHSE vide Letter No.5 dt.14.02.11 (copy enclosed) indicates the equivalency of subjects taught in vocational course with that of Arts, commerce & Science stream. Therefore candidates passed vocational course with CT prior to 13.01.10 shall be treated as +2 Arts CT. After 7 13.01.2010 candidates passed vocational course with basic foundation course subjects like History. Political Science. & Economics shall be treated as +2 Arts, Accounting cost management as +2 Commerce, Physics, Chemistry, Mathematics or Biology as +2 Science Candidates.

No, because as per rule-2(4) of CHSE Act & +2 Arts/Science/ Commerce Regulation 1982, the candidate after passing +2 course and then passed +2 Arts/Science/Commerce can not take admission Vocational stream are eligible for again in Vocational Stream of Higher Secondary

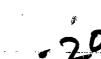
The BA/B.Sc. certificates which are equivalent to the certificates of Utkal University, Berhampur

University, Sambalpur University, Fakir Mohan'y

University and North Odisha University shall be considered.

Whether candidates having B.Ed. Candidates having B.Ed. qualification from other

qualifications from other institutions recognized by NCTE shall be institutions / outside Odisha are considered provided the candidates must satisfy other conditions of advertisement.



Whether Applications of Untrained Only the applications of untrained candidates who candidates shall be received? belong to SC,ST & PH category candidates shall be received. 10, Whether candidates having +3 Science/ Arts with BHE from Utkal - No.-University will be considered for BA/B.Sc. B.Ed. posts. 11. Whether candidates having qualification of Sikshya Bisarad -No. from Hindi Sikshya Sammilan Allahabad will be considered? ' 2 It may be clarified that at the time of receiving applications from the candidates the submission of Employment Registration Card may not be insisted upon. Yours faithfully, Commissioner-cum-Secretary to Govt. Memo No. 2507 / SME, Date 19-12-Copy along with copy of the enclosures forwarded to all DPCs for information and necessary action. Additional Secretar Memo No. X5070 /SME, Date Copy to State Project Director, OPEPA for information and necessary action. Additional Secreta True Copy Attested Advocate SSIBM/C:\Documents and Settings\user\Desktop\SSS 2012\Clarification of SS.doc

FORM OF VAKALATNAMA IN THE HIGH COURT OF ORISSA, CUTTACK W.P.(c) TEA.O/ CONTE/ W.A No. of 2024 Tapazwini Jena State of Onisia Lon Between:Petitioner / Appenant 6629 **Opp.** Parties/ Respondents Know all men by these presents, that by this VAKALATNAMA Tapaswini J era, Aged about 32 Produ tratale. - Present abonir á eachor ξ γ Tamanan adanga Pon adra Appellant/Respondent/Peritioner/Opp. Party in the aforesaid Revision/Appeal Case do hereby appoint and retain MR. DURGESH NARAYAN RATH, ENRL NO.O-1650/2000, PH-9861041020; MR.AMIT KUMAR SAA, ENRL NO.O-844/2008, PH-9438001396; MR.SOURAV DAS, ENRLNO.O-1178/2022, PH-8917452487; Advocate(s), to appear for me/us, in the above case and to conduct and prosecute (or defend) the same and all proceeding that may be taken in respect of any application connected with the same, or any

decree or order passed therein including all applications for return of documents or receipt of any moneys that may be payable to me/us in the said case and also in applications for review, and in appeals under Orissa High Court order and in applications for leave to appeal to Supreme Court. I/We authorize my/our Advocate (s) to admit any compromise lawfully in the said case.

Dated 14 /2024

Received from the executants(s) Satisfied and accepted as I hold No brief for the other side.

Adyocate Accepted as above

Accepted as above

Advotate Accepted as above Advocate Accepted as above

. Tapasaini Jena Signature of Executants

IN THE HIGH COURT OF ORISSA CONTACK

RTUFO

APR 2024

<u>I.A. No. 2258 of 2024</u> (Arising out of W.A. No. 211 of 2024) $\mathcal{D} = \mathcal{W} + \mathcal{A} + \mathcal{B} + \mathcal{A} + \mathcal{A} + \mathcal{B} + \mathcal{A} +$

> An application under Rule 27 A of Chapter VI read with Chapter XV of the Orissa High Court Rules.

AND

IN THE MATTER OF :

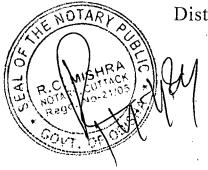
An application for stay of the judgment dated 28.03.2024 passed in W.P.(C) No. 18706 of 2015 under Annexure-3 to the writ appeal.

AND

IN THE MATTER OF:

Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S- Bont, Dist-Bhadrak.

..... Petitioner

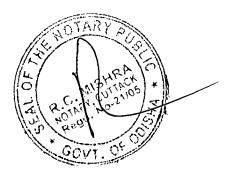


-VERSING GISTO AG UNITED

- State of Orissa, Apresented through its Commissioner-cum-Secretary, School, & Mass Education Department, At-Lok Seva Bhawan, Bhubaneswar, Dist-Khurdha, Odisha.
 - Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, At/P.O/P.S/Dist-Bhadrak.
 - District Project Coordinator of Bhadrak S.S.A., Bhadrak, At/P.O/Dist-Bhadrak.
 - Surekha Samal, aged about 33 years D/o-Biswanath Samal, At-Bimbalbar, P.O-Patuli, Dist-Bhadrak.
 - Kalpana Panigrahi, aged about 35 years, D/o-Gourahari Panigrahi, Át-Haripur, P.O-Sahar, Via-Sabaranga, Dist-Bhadrak.
 - Jyotsnarani Giri, aged about 40 years, D/o-Kamalakanta Giri, At-Gopalpur, P.O-Ganijanga, Dist-Bhadrak.

..... Opposite Parties







APR 2024

- Banajini Mishra, aged above 37 years, W/o-Jitendra Kumar Padhi, Vill-Chakabental, P.O-Keshpur, Via-Gujidarda, Dist-Bhadrak.
- Pratima Manjari Kar, aged about 41 years, W/o-Rajib Kumar Dash, At/P.O-Mamohadapur, Via-Simulia, Dist-Balasore.
- Council of Higher Secondary Education, Orissa, represented through its Secretary, At-Prajnapitha, Sambalpur, Bhubaneswar-13, Dist-Khordha.

..... Proforma Opp. Parties.

То

The Hon'ble, the Chief Justice of Orissa High Court and His Lordship's Companion Justices of the said Hon'ble Court.

The Humble petition of the Petitioner, named above.

MOST RESPECTFULLY SHEWETH:

1. That the appellant by means of this writ appeal has assailed the legality and propriety of the judgment dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No. 18706 of 2015 since the same has been passed affecting the right and Nivelihood of the appellant and in clear non-

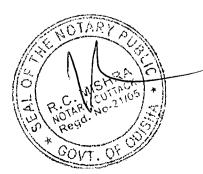
36



application of mind. It is also alleged by the appellant that the writ petitioners by misrepresentation of facts mislead this Hon'ble Court and accordingly the order dated 28.03.2024 has been passed by the Hon'ble Single Judge.

2. That in order to avoid repetition of facts, the facts stated in the writ appeal be treated as the facts of this misc. case petition.

3. That it is respectfully submitted that pursuant to the order passed by the Hon'ble Single Judge of this Hon'ble Court, the respondents 1 to 3 are going to take steps to oust the present appellant and appoint the respondents 4 to 6, pursuant to a selection made in the year 2011 after 13 years, without considering their merit position and by affecting the gradation list of entire district, and by this process the livelihood of the present appellant is seriously affected, therefore, for the ends of justice and proper adjudication of the case, the order dated 28.03.2024 passed in W.P.(C) No. 18706 of 2015 may be stayed, pending final decision of the writ appeal.



<u>PRAYER.</u>

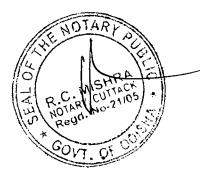
Under the above circumstance, it is therefore humbly prayed that this Hon'ble Court may be graciously pleased to pass an order pending final decision of the writ appeal, by staying judgment passed by the Hon'ble Single Judge of this Hon'ble Court on 28.03.2024 in W.P.(C) No. 18706 of 2015 under Annexure-3 to the writ appeal.

And for this act of kindness, as in duty bound, the petitioner shall ever pray.

By the petitioner through

СUTTACK DT. *1*4.04.2024

Advocate



IN THE HIGH COURT OF ORISSA: CUTTACK <u>I.A. No. 2256 of 2024</u> (Arising out of W.A. No. 21] of 2024)

£

IN THE MATTER OF :

Tapaswini Jena

..... Petitioner Vrs.

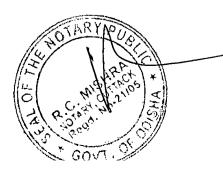
APR 2024

State of Odisha and others Opposite Parties

AFFIDAVIT

	1.	address	Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, At Present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O- Taraga, P.S- Bont, Dist- Bhadrak
	2.	Father's Name :	Narayan Ch. Jena
3	3.	Number of	: Nil
<i>ç</i>		proceeding pending in the High Court or would be instituted.	
	4.	Statements of facts	: As per the averments
			made in the I.A.

5. The facts stated above are true to the best of my knowledge and belief of the deponent.



1MDI

एक रुपया ONE RUPEE

DECLARATION

2 3 APR 2024

GISTRA

I, Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S- Bont, Dist-Bhadrak, do solemnly affirm and state that I am the petitioner in this I.A. and that the facts stated above are true to my own knowledge and are true to the best of my information, which I obtained from the personal sources.

I believe the information to be true for the following reasons : Basing upon official records and information. Solemnly declare at the above said this 14 th day of April, 2024.

Tapaswini Jena Identified by Ça **ADVOCATE** DEPONENT Solemnly before me by apagazini who is Identified before bv Shri me ₩ħom Ι personally know. This 4 th day of April, 2024 NOTARY PUB LATE DURGESH NARAYAN RATH Enr. No:O-1650/2000 Mob:-9861041020

IN THE HIGH COURT OF ORISSA, COTTACK

1211_OF2024 W.A.NO.

Tapaswini Pena

Appellant/Petitioner

rt oa

7 7 APR 2024

-VERSUS-

State of ONIKA Los Respondent/Opp. party

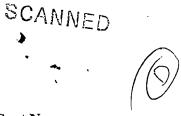
MEMO OF UNDERTAKING

That the petitioner undertakes to produce English Translation copy of the oriya Annexure/s as and when this Hon'ble court required.

By the Petitioner through

Advocate

CUTTACK DATE: 14/04/ 2024



COMPUTERISED FILING COUNTER ORISSA HIGH COURT,CUTTACK <u>ACKNOWLEDGEMENT SLIP</u>

Seat No : Branch No :

Date Of Receiving: 13/05/2024

Time : 03:02:37 PM

Receipt No : 63133/2024 Date C Filing No : D- WA 18419/2024 Case No : WA /0 Received From : Petitioner Filed By: ADVOCATE FOR PETITIONER Document(s) Filed : 1- Advocate welfare

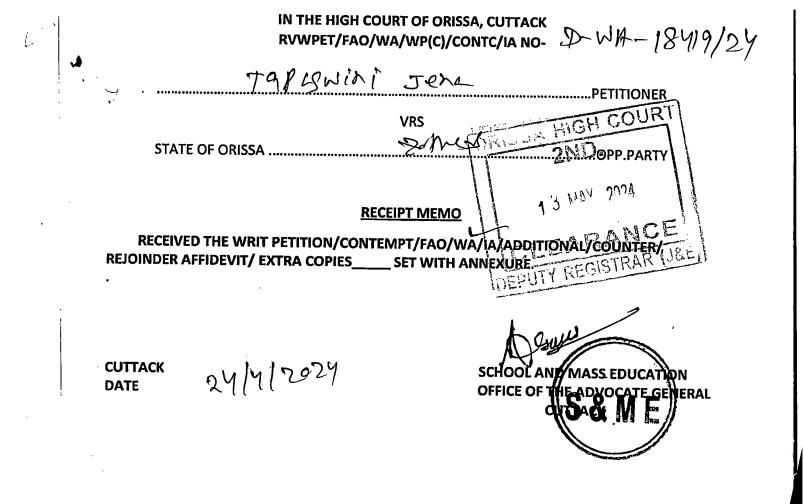
2- Authentication Fee --- Court Fee -Rs.3 (15717/2024)

3- RECEIPT (GOVT)

13-05-2024, 15:0

दो रुपये TWO RUPE IN THE HIGH COURT OF ORISS (NSA - MO-1211 2024 D. W.A. No. 18419 of 2024 Tapaswini Jena Petitioner -Versus-State of Oorsta 602.... Opp. Party **MEMO** As per defect pointed out by SR. A fee of Rs. 2.25/ and Hologram of Rs. 50/ is filed herewith for removal of defect. Cuttack Date: 05/24 Advocate for the Petitioner





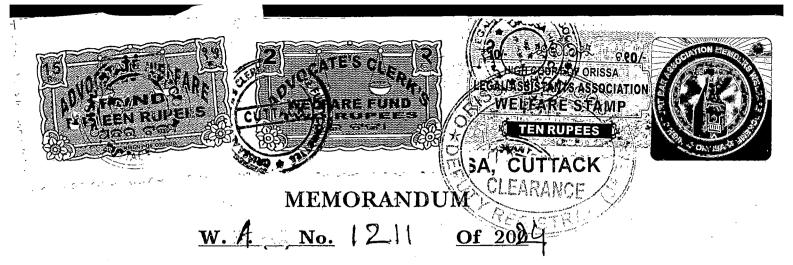
SCANNET

COMPUTERISED FILING COUNTER ORISSA HIGH COURT,CUTTACK <u>ACKNOWLEDGEMENT SLIP</u>

Seat No : Branch No : Receipt No : 64543/2024 Date Of Receiving : 15/05/2024 Filing No : D- WA 18419/2024 Case No : WA 1211/2024 Received From : Petitioner Filed By: M/S JAYANTI KUMAR RATH (SENIOR ADVOCATE) Document(s) Filed :

4- Appearance Memo

Time : 12:37:01 PM



Tapas wini Jena

-Vrsstate of orisa 400

... Opp. Parties

...PETITIONER.

То

The Deputy Registrar, High Court of Orissa, Cuttack.

Sir,

I have the honour to authorise SRI JAYANT KUMAR RATH, Senior Advocate to plead on behalf of the <u>*Appellant*</u> in the above mentioned case and request that the fact may kindly be noted.

Yours faithfully, AMIT RUMAR SAA Advocate 0, 844/08

Date: 14/05/2004



(Jayant Kumar Rath) SENIOR ADVOCATE Mob. 986 | 590550

Court No. C.F. **.** IN THE HIGH COURT OF ORISSA, CUTTACK **MENTION MEMO** : WA: No.1211 1215 1. NUMBER OF THE CASE 2. NAME OF THE PARTIES Tapasuoini Tena State of ONLA **PETITIONER/APPELLANT OPP. PARTY(IES)/RESPONDENT** 3. PARTY SEEKING POSITION PETITIONER/OPP. PARTY/ RESPONDENT/APPELLANT 4. NAME OF THE ADVOCATE SEEKING : SRI. DURGESH NARAYAN RATH & ASSOCIATES 5. NAME OF THE ADVOCATES APPEARING FOR THE OPP. PARTY PARTIES : **STATE** : Fresh Admieret 6. MENTION FOR 7. REASON FOR THE MENTION Order de Hoon'ble single berch it atto Marine brok onthe service it the Arodon is dos to be terminated pene its Ovder of 8. DATE ON WHICH POSTING IS SOUGHT : 16. 05. 2024 9. WHETHER ANY CAVEAT HAS BEEN FILED OR NOT 10. INDICATE WHETHER THE MATTER IS IN THE LIST BEFORE ANY OTHER BENCH **CUTTACK** 105/2024 DATE: SIGNATURE OF THE ADVOCATE

.

SCANNED

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IN THE HIGH COURT OF ODISHA: CUTTACK (ORIGINAL JURISDICTION CASE)

> <u>I.A. No. 5757 of 2024</u> (Arising out of W.A. No. 1211 of 2024)

Tapaswini Jena

..... Vrs.

State of Orissa and others Opposite parties

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		I.A. Application	1-9
1.	Annexure-1/A	A copy of order dated 05.07.2024 passed in Misc. Case No. 23 of 2024 communicated on 10.07.2024	10-13

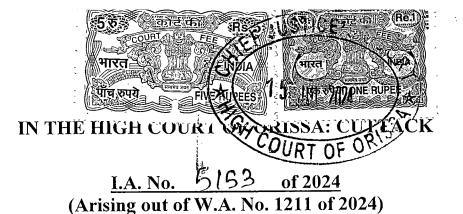
By the petitioner through

Cuttack

Albaa

Petitioner

Dt. **14.2024** ADVOCATE **SHRI DURGESH NARAYAN RATH** ENROLMENT No. O-1650/2000, MOB:-9861041020



IN THE MATTER OF:

2

An application under Rule 27 A of Chapter VI read with Chapter XV of the Orissa High Court Rules.

AND

IN THE MATTER OF:

An application for stay of the order dated 05.07.2024 passed in Misc. Case No. 23 of 2024, arising out of Judgment dated 28.03.2024 passed in W.P.(C) No. 18706 of 2015.

AND

IN THE MATTER OF:

Tapaswini Jena..... Petitioner.

Versus

State of Orissa and others. opposite parties

To

The Hon'ble the Chief Justice of Orissa High Court and His Lordship's Companion Justices of the said Hon'ble Court

> PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd.No-ON-04/1995

The Humble petition of the OURT OF ORIS

MOST RESPECTFULLY SHEWETH:

1. That the appellant by means of this writ appeal has assailed the legality and propriety of the judgment dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No. 18706 of 2015 since the same has been passed affecting the right and livelihood of the appellant and in clear nonapplication of mind. The appellant was the opposite party no.4 in the said writ petition. It is also alleged by the appellant that the writ petitioners by misrepresentation of facts mislead this Hon'ble Court and accordingly the order dated 28.03.2024 has been passed by the Hon'ble Single Judge.

2. That it is respectfully submitted that the Hon'ble Single Bench took up the matter on 28.03.2024 and after hearing learned counsel for the parties passed the judgment on 28.03.2024 by allowing the writ petition filed by the present respondents 4 to 6 by quashing the order passed by Collector and by directing the respondents 2 and 3

PHADIFIA KUMAR MOHANT Notary, Cuttack Town Regd.No-ON-04/1995

2

to re-cast the merit list by excluding the vocational Upasastri candidates (opposite party nos. 4, 5 and 6 COURT OF C of the writ petition) and by issuing appropriate order of engagement in favour of petitioners therein either as Sikshya Sahayaks or in any equivalent post without any further delay.

STICE

That it is respectfully submitted that the 3. writ appeal filed by the appellant was taken up on 20.05.2024 and on the said date, this observed that jointly Hon'ble Court as requested on behalf of the parties, list this with other 03.07.2024 along matter on connected matters and W.A. No.1326 of 2024. In the meanwhile, let the pleadings and other documents be exchanged amongst the parties.

it is respectfully submitted that 4. That thereafter the matter was taken up on 03.07.2024, on which date, this Hon'ble Court was pleased to issue notice to the respondents and observed that learned Addl. Government behalf of Advocate accepts notice on Respondents No.1 to 3 and learned counsel appearing for Respondent Nos. 4 to 6 accepts

> PRADIPTA KUMAR MUHANTY Notary, Cuttack Town Regd.No-ON-04/1995

Wes

notice on behalf of Respondents No.4, 5 and 6 let required number of copies of the memo of appeal be served upon the learned counsel for the above noted Respondents within a week. Accordingly, this Hon'ble Court adjourned the case to 24.07.2024.

5. That it is respectfully submitted that in compliance to the direction of this Hon'ble Court dated 03.07.2024, extra copies of the writ appeal was served on learned counsel appearing for the respondents on 05.07.2024.

6. That it is respectfully submitted that after the notice was made sufficient on the respondents and the respondents were aware of the pendency of the writ appeal before this Hon'ble Court, surprisingly an order was passed by the Respondent no.2, Collector & District Magistrate Bhadrak on 05.07.2024 in Misc. Case No. 23 of 2024 arising out of judgment dated 28.03.2024 passed by the Hon'ble High Court of Orissa in W.P.(C) No. 18706 of 2015, even though there is no provision of filing any misc. case before the

> PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd.No-ON-04/1995



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Respondent no.2 arising out of Judgment dated 28.03.2024 passed in W.P.(C) No. 18706 of OURT OF O 2015, by directing the Respondent No.3, the District Project Co-ordinator, Samagra Sikshya, Bhadrak to take immediate step as per law to implement the judgment dated 28.03.2024 of the Hon'ble High Court passed in W.P.(C) No. 18706 of 2015. A copy of the said order was communicated by the Respondent no. 3 on 10.07.2024 is annexed to the I.A. as Annexure-1/A.

7. That it is respectfully submitted that when the matter is pending before this Hon'ble Court and legality and propriety of the order of the Hon'ble Single Judge is to be decided in the Writ Appeal by the Hon'ble Division Bench and the respondents have already appeared in the said writ appeal and notices have already been issued on the said respondents fixing the date of hearing to 24.07.2024, the respondent no.2 should not have proceeded with the matter and directed for taking immediate step for implementation of the order of the Hon'ble Single Judge 28.03.2024 passed in dated

> PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Read.No. ON-04/1995

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W.P.(C) No. 18706 of 2015. Therefore, such a direction of the respondent no.2 amounts to interfering with the judicial proceeding pending before this Hon'ble Cout. Hence the order passed by the respondent no.2 under Annexure-1/A is liable to be stayed and the respondents 2 and 3 may be directed not to proceed further pending final decision of the writ appeal. Hence this I.A.

<u>PRAYER.</u>

Under the above circumstance, it is therefore humbly prayed that the Hon'ble Court may be graciously pleased to pass an order, pending final decision of the writ appeal, by directing the respondents, more particularly the respondent nos. 2 and 3 not to proceed further pursuant to the order passed by the respondent no.2 dated 05.07.2024 in Misc. Case No. 23 of 2024 arising out of judgment dated 28.03.2024 passed by the Hon'ble High Court of Orissa in W.P.(C) No. 18706 of 2015 under Annexure-1/A to the I.A.



PRADIPTA KUMAR MOHANTP Notary, Cuttack Town Regd. No. 00 04/1995

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And this Hon'ble Court be pleased to \overline{OURT} pass any further order/order or direction/ directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

And for this act of kindness, as in duty bound, the petitioner shall ever pray.

PRADIPTA KUMAR'MOH

Notary, Cuttack Town Read, No. ON-04/1995

By the petitioner through

Cuttack

DT. 14.7.2024

AWRO Advocate

15 JUL 2024

8 IN THE HIGH COURT OF ORISSA: CUT I SURF OF OR I.A. No. 5153 of 2024 (Arising out of W.A. No. 1211 of 2024)

Petitioner

IN THE MATTER OF :

Tapaswini Jena

Vrs.

State of Odisha and others Opposite Parties

AFFIDAVIT

1.	Naime address	and	:	Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present
				working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S-Bont, Dist-Bhadrak
2.	Father's Nar	ne	:	Narayan Ch. Jena
2	0			

3. Occupation Level-V (A) Teacher

4. Number of :

proceeding pending in the High Court or would be instituted (Caveat)

5. Statements of facts : As per the averments made in the I.A.

6. The facts stated above are true to the best of my knowledge and belief of the deponent.

PRADIPTA KUMAR MOHANTY Notary, Cuttack Town Regd.No-ON-04/1995

AND

DECLARATION

I, Tapaswini Jena, aged about 33 years, D/o-Narayan Ch. Jena, At-Padi, P.O-Adia, Dist-Bhadrak, at present working as Level-V (A) Teacher in Taraga Nodal U.P. School, At/P.O-Taraga, P.S- Bont, Dist-Bhadrak, do solemnly affirm and state that I am the petitioner in this I.A. and that the facts stated above are true to my own knowledge and are true to the best of my information, which I obtained from the personal sources.

I believe the information to be true for the following reasons : Basing upon official records and information. Solemnly declare at the above said this <u>14th</u> day of July, 2024.

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Identified by

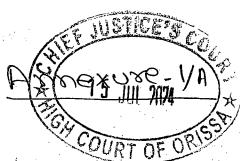
A.K. Saa -

ADVOCATE

DEPONENT

Tapaswini Jana

Solemnly affirm before me by , who is identified Tapaswini Jena before me by Shri A.K. Sag Adv whom I personally know. This 14th day of July, 2024. NOTARY PUBLIC, CUTTACK PRADIPTA KUMAR MOHANTY ADVOCATE Notary, Cuttack Town Regd.No-ON-04/1995



OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE: BHADRAK (Judicial Section) ***

Letter No. 4336 /Judl.

Dated 10/07-12024

Тο

The Superintendent, High Court of Orissa, Cuttack.

Sub:-

WP(C) No.18706/2015 filed by Surekha Samal & Others-vrs-State of Odisha & Others(Misc Case No.23/2024).

Sir.

I am directed to enclose herewith the Order No.01 dated 05.07.2024 of the Collector, Bhadrak in compliance to the Judgement dated. 28.03.2024 of the Hon'ble High Court of Orissa passed in WP(C) No.18706/2015 filed by Surekha Samal & Others-Vrs-State of Odisha & Others.

Yours faithfully,

Deputy Collector (Judi) Collectorate, Bhadrak

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Memo No. 4331, Judi

Dated 7/2024 Copy along with enclosure submitted to the Advocate General, Odisha, Cuttack for favour of kind information.

Memo No. Judi.

Deputy Collector (Judi) Collectorate, Bhadrak 7/2024 Dated !!

Copy along with enclosure submitted to the Under Secretary to Govt., School and Mass Education Department, Odisha for favour of information.

Memo No.4 udl.

Deputy_Collector (Judl) Dated 11/07 Collectorate, Bhadrak

Copy along with enclosure forwarded to District Project Coordinator, Samagra Shiksha, Bhadrak for information and necessary action.

Deputy Collector (Judi) Collectorate, Bhadrak

and 6.

Memo No.<u>U340</u>Judl. Dated <u>10/07...12024</u> Copy along with enclosure forwarded to all Petitioners and opposite Party No.4,5

11 -

۳/ رط،۲ Deputy Collector (Judi) Collectorate, Bhadrak

N THE COURT OF (COLLECTOR & DISTRICT	MAGISTRATE	BHADRAK

MISC CASE No. 23 of 2024

(Arising out of Judgment Dated 28.03.2024 passed by the Hon'ble High Courtof Orissa in WP(C) No.18706/2015)

In the matter of:-

Surekha Samal & othersPetitioner

-Vrs-

State of Odisha & others

.....Opposite Parties

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Perused Judgement Dated. 28.03.2024 wherein the Hon'ble High Court in WP(C) No. 18706 of 2015 titled as Surekha Samal & others -vrs- State of Odisha & others has judgement which is reproduced as under;

"Thus, from a conspectus of the analysis of facts and law and the discussion made hereinbefore, this Court finds that the private opposite parties having suppressed material facts before the appropriate authority at the relevant time could not have been selected for appointment and actually appointed. In the process, the fate of the bonafide candidates like the petitioners was sealed. This Court therefore, has no hesitation in holding that the impugned order cannot be sustained in the eye of law.

In the result, the writ petition is allowed. The impugned order under Annexure-12 is hereby quashed. The opposite party Nos. 2 and 3 are directed to recast the merit list by excluding the Vocational/ Upasastri candidates (opposite party Nos. 4, 5 and 6) and by issuing appropriate order of engagement in favour of the petitioner either as Sikshya Sahayaks or in any equivalent post without any four months. than later in any case. not further delav and

ORDER 05.07.2024

Order No 01.

This case is taken up today.

The petitioners and learned advocates for O.P No.4,5 &6 appears today and filed hazira. Heard them. Perused the Judgement Dated. 28.03.2024 of the Hon'ble High Court as well as documents annexed thereto and also gone through the report of DPC, SS, Bhadrak.

From the Judgement of Hon'ble High court, it is ascertained that, there is no need of hearing in this case as there is clear instruction to O.P No.02 & No.03

to recast the merit list by excluding the Vocational/ Upasastri candidates (opposite party Nos. 4, 5 and 6) and by issuing appropriate order of engagement in favour of the petitioner either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

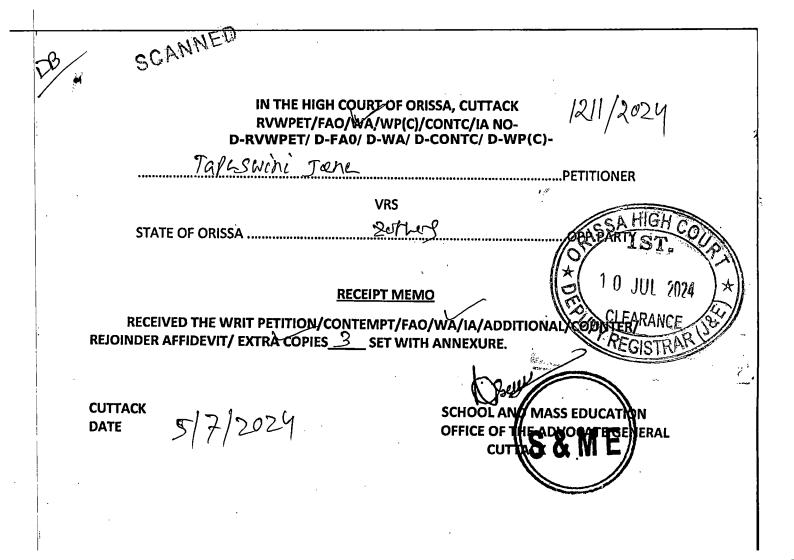
Hence, the District Project Co-ordinator, Samagra Sikshya, Bhadrak is hereby instructed to take immediate steps as per law to implement the Judgement Dated. 28.03.2024 of the Hon'ble High Court passed in W.P.(C) No. 18706 of 2015,

With the aforesaid observation, the misc case stands disposed of. Send a free copy of the order to the petitioner as well as opposite parties for information.

Intimate to the Superintendent of Hon'ble High Court, Orissa /Advocate General, Odisha. Cuttack/ DPC, SS, Bhadrak for information and necessary action.

Collector, Bhadrak

CRR-2015 SCANNED			Page 1 of 1
∞	OFFICE OF THE ADVOCATE GENER.	AL, ODISHA	
SLNO: 44807	8 Date:	16-Jul-24	тіме: 10:52
CASETYPE: WA	No: 1211	YEAR:	2024
PETITONER / APPELANT:	TAPASWINI JENA		ISSA HIGH COUL
RESPONDENT / OPP PARTY:	STATE		16 JUE 2024 *
PETITION & MEMO	IA IA	EXTRA	CIFADAMAE RUL
COUNTER	ADDL	SET:	REGISTRAR
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K CRR-2011 10010 of	10010 } ▶ ₩ ▶ ≈₽	x 9) 9 21 31 31	





COMPUTERISED FILING COUNTER ORISSA HIGH COURT,CUTTACK <u>ACKNOWLEDGEMENT SLIP</u>

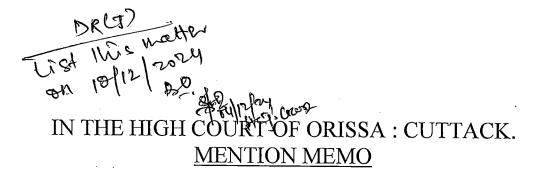
Scat No : 5 Branch No : WRIT APPEAL Receipt No : 88623/2024 Date Of Receiving : 23/07/2024 Filing No : D- WA 18419/2024 Case No : WA 1211/2024 Received From : Respondent Filed By: M/S MAHENDRA KUMAR SAHOO Document(s) Filed :

7- Vakalatnama ---- Court Fee -Rs.12 (21284/2024)

Time : 11:24:15 AM

of 1

₹10/-COURT OF ORISSA LEGAL STANES ASSOCI दो रुपये TWO RUPEES 23 JUL 2024 ĥŬK≗ IN THE STATE EDUCATION ÍSHA, BBSR. WA-No REGIST 12 -/2024 Tapaguini Jena Appellant/Petitioner/Applicant -Versus--Versus-State all odly the org of here For RS - 4,56 Know all men by these presents, that by this Vakalatnama. For RS - 4,56 #w@Suncyha Samal, agedablet 33 years. D/D-Bishbroath Samat. Bimbalban, par Patelis, Dref. Bhadnak Q. J.y. of S. ganam, Gint. aged oball yo. y. cang. D/0: [Lamaloudonta Grini, At - Cropole Pun: Po-Donijorogal Dist- Bodnard Pomignahi aged 3) Frotsmanni Com Kalpona Pamignahi aged Obelut 35 Yours D/D - Idairalauamta (Anni At - Oppaulun p.a. - Joni) Orga Drst Bhadrefit Petitioner/Appellant / Respondent/Opposite Party in the aforesaid Case/ Revision/Appeal case in the aforesaid case do hereby Retain MAHENDRA KUMAR SAHOO, En.Roll No- 894/1992 (9437227056) AUROBINDA SAHOO, EUNO-1345/2008, (9937467681) for me in the above case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or receipt of any monies that may be payable to me/us in the said case and also in applications for review in appeals, before the Orissa High Court order and in applications for leave to Appeal to the Hon'ble Supreme Court of India. I/we authorise my/our Advocate(s) to admit any compromise lawfully entered in the said case. 23/?//.../2024 Received from the executant(s) satisfied and Surrakha Sanjal Accepted as I hold no brief for the other side. Advocate Advocate Jyotsnarani Giri Accepted as above Accepted as above kalpang panigrahi Advocate Advocite Accepted as above Accepted as above Advocate ~; gnature of the Executants Accepted as above



1.	Number & Nature of the Case	W.A. No.1211/2024	
2.	Name of the Parties Tapaswini Jena	•••••	Appellant
	-Vrs State of Odisha & others	-	Respondents.
3.	Party asking posting	:	Respondents
4.	Name of the Advocate of the party seeking posting	:	M. K. Sahoo
5.	Name of the Advocate/Advocates appearing for the Opp. Parties	:	AGA
6.	Mention for	:	Fresh admission

7. Reason for the Mention

false undertaking) involved is squrely covered in writ appeals bearing W.A. No.412/2024 and 814/2024 being dismissed, enabling the bonafide respondant to have engagement, the aforesaid writ appeal may kindly be taken up, otherwise the respondent shall be highly prejudiced.

8. Date on which posting is sought

- 9. Whether any Caveat has been filed or not
- 10. Indicate whether the matter is in the list before any other Bench

Cuttack.

Date : 02.12.2024

NO:

.12.2024

Yes before this Hon, ble Court.

A TOTAY

In spite of the identical issue

(double certificates acquired by suppressing the material facts and got engagement giving

> Mahendra Kumar Sahoo Signature of Advocate.

Sont to lift on 04.12.2024,

:



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A.No.814 of 2024

-versus-

Dilip Kumar Pradhan

Appellant

Mr.S.P.Mishra, Sr. Advocate

State of Odisha & others

.... **Respondents** Mr.Biswabihari Mohanty, Advocate Mr.Saswat Das, AGA (for Respondents 1 to 5)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MS. JUSTICE SAVITRI RATHO

ORDER 31.07.2024

Order No. 02.

This matter is taken up through Hybrid mode.

2. In the present intra-court appeal, the appellant has put to challenge an order dated 21.02.2024 passed by a learned Single Judge in W.P. (C) No.18225 of 2023 where he was petitioner No.3.

3. A common order had been passed in W.P. (C) No.16810 of 2016 and W.P.(C) No.18225 of 2023 by the learned Single Judge dismissing the two writ petitions.

4. The controversy which was the subject matter of the two writ petitions related to the recruitment to the post of Live Stock Inspector, pursuant to an advertisement issued by the District Chief Veterinary Officer, Jagatsinghpur District. A candidate who had completed +2 was not entitled to get admission in the vocational course. The appellant was shortlisted during the recruitment process. Based on allegations received, the certificate of the vocational course on which the appellant had relied on for his selection, was



IN THE HIGH COURT OF ORISSA AT CUTTACK W.A.No.814 of 2024

-versus-

Dilip Kumar Pradhan

Appellant

Mr.S.P.Mishra, Sr. Advocate

State of Odisha & others

.... **Respondents** Mr.Biswabihari Mohanty, Advocate Mr.Saswat Das, AGA (for Respondents 1 to 5)

CORAM: HON'BLE THE CHIEF JUSTICE HON'BLE MS. JUSTICE SAVITRI RATHO

ORDER 31.07.2024

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4. The controversy which was the subject matter of the two writ petitions related to the recruitment to the post of Live Stock Inspector, pursuant to an advertisement issued by the District Chief Veterinary Officer, Jagatsinghpur District. A candidate who had completed +2 was not entitled to get admission in the vocational course. The appellant was shortlisted during the recruitment process. Based on allegations received, the certificate of the vocational course on which the appellant had relied on for his selection, was



found to have been fraudulently obtained as he had pursued the vocational course after passing +2 course and in order to get admission into the vocational course, he had obtained duplicate School Leaving Certificate (in short 'SLC') by taking a false plea that the original SLC had been lost.

5. The learned Single Judge dismissed the writ petitions holding that the qualification of vocational course could not be utilized by the petitioners for appointment as Live Stock Inspector as eligible Gomitra candidate, as in order to get admission in the vocational course, fraud had been committed on the school and the college.

6. The Division Bench of this Court by an order dated 22.04.2024 passed in W.A. No.412 of 2024 which had been filed by **Rajkishore Barik** and **Manoranjan Maity**, who were the petitioners No.4 and 5 in W.P. (C) No.18225 of 2023, dismissed the writ appeal by order dated 22.04.2024 and upheld the said order dated 21.02.2024 of the learned Single Judge.

7. In such view of the matter, we find no reason to take a different view that what has been taken in case of *Rajkishore Barik (supra)*.

8. The Writ Appeal is accordingly dismissed.

(Chakradhari Sharan Singh) Chief Justice

> (Savitri Ratho) Judge

Signature Not Verified Digitally Signed Signed by: BICHITRANANDA SAHOO Designation: Secretary Reason: Authentication Location: Offsa High Court Date: 02-Aug-2024 16:18:52

Page 2 of 2



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6. The Division Bench of this Court by an order dated 22.04.2024 passed in W.A. No.412 of 2024 which had been filed by Rajkishore Barik and Manoranjan Maity, who were the petitioners No.4 and 5 in W.P. (C) No.18225 of 2023, dismissed the writ appeal by order dated 22.04.2024 and upheld the said order dated 21.02.2024 of the learned Single Judge.

7. In such view of the matter, we find no reason to take a different view that what has been taken in case of *Rajkishore Barik (supra)*.

8. The Writ Appeal is accordingly dismissed.

(Chakradhari Sharan Singh) Chief Justice

> (Savitri Ratho) Judge

Signature Not Verified Signed by: BICHITRANANDA SAHOO Designation: Secretary Reason: Authentication Location: Orissa High Court Date: 02-Aug-2024 16:18:52

Page 2 of 2