

[O. H. C.-97-A]

KUNAL KUMAR SWAIN
K.SWAIN, J.R.KHUNTIA,

In the High Court of Orissa
ORDER SHEET

M/s Mahendra Kumar
Sahoo,

WA No. 1326/2024
BLAPL/W. P. (C) No. _____ of 20 _____



A. Sahoo

BANAJINI MISHRA

Petitioner (R-4,5,6)

Versus
STATE OF ODISHA

Opposite-Party

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
 FC202116 SCANNED			<p>PRESENTED ON 20/05/2024</p> <p>Register and Put up for Orders</p> <p></p> <p>Registrar (Judicial)</p>



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.A. No.1326 of 2024

Banajini Mishra

.... **Appellant**

Mr.K.Swain, Advocate

-versus-

State of Odisha and others

.... **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

ORDER

03.07.2024

Order No.

01. 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.
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 alongwith W.A. No.1157 of 2024 and connected Writ Appeals.


(Chakradhri Sharan Singh)
Chief Justice


(Savitri Ratho)
Judge

Bichi

D-WA-18631/24
IN THE HIGH COURT OF ORISSA

Case No. WA 1826/24

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
		<p style="text-align: right;"><i>S. Romade</i> <i>MH</i> <u>26.4.24</u></p> <p>Defect-4(a), 5(d)</p> <p><i>Ph</i> <u>26.4.24</u></p> <p>Defect-4(a) is removed vide Court Fee Defect-5(d) is removed vide S&ME Copy.</p> <p>No Defect.</p> <p><i>Ph</i> <u>20.5.24</u></p>

IN THE HIGH COURT OF ORISSA

Case No. INA-1326/2024

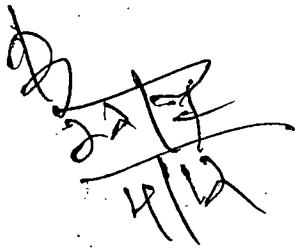
OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
		<p>For fresh Admission</p> <p>(i) DA No- 2272/2024 is at flag 'A' for appropriate orders.</p> <p>INRO-18706/2013 sent to list on 20.6.24 for Reg in WA- 1157/2024.</p> <p>D.B</p> <p>Memorandum filed 2.7.24</p> <p><u>Regn WA-1211/2024</u></p> <p><i>[Signature]</i></p>
01.	3.7.24	<p><u>For fresh admission</u></p> <p>IA no- 5165/24</p> <p>(i) IA no- 2272/24 is at flag 'A' for 'B' respectively for appropriate order.</p> <p>(ii) Receipt showing service of copy on learned counsel not filed.</p>

IN THE HIGH COURT OF ORISSA

Case No. UOA - 1326/24

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
		<p>wp(c) - 18706/15 is attached to UOA - 1211/24</p> <p>Refin UOA - 1157/24</p> <p><u>Adj to 24/7/24</u></p> <p><u>Banashree Sankar</u> 22/7/24</p> <p></p>

D.B



ORISSA HIGH COURT
FILING ACKNOWLEDGEMENT SLIP

CNR	ODHC010312022024
Filing No	D- WA/0018631/2024
Date and Time	24/04/2024-11:21:17
Case No	WA/1326/2024
Registration Date and Time	20/05/2024
Misc Case/IA	2272/2024
Petitioner Name	BANAJINI MISHRA
Petitioner Advocate Name	KUNAL KUMAR SWAIN
Respondents Name	STATE OF ODISHA
Respondents Advocate	
Amount	
Police Station	
FIR	



Monday 20th of May 2024 11:22:29 AM



ORISSA HIGH COURT
FILING ACKNOWLEDGEMENT SLIP

CNR	ODHC010312022024
Filing No	D- WA/0018631/2024
Date and Time	24/04/2024-15:32:20
Case No	-----
Registration Date and Time	-----
Misc Case/IA	2272/2024
Petitioner Name	BANAJINI MISHRA
Petitioner Advocate Name	KUNAL KUMAR SWAIN
Respondents Name	STATE OF ODISHA
Respondents Advocate	
Amount	
Police Station	
FIR	-



Wednesday 24th of April 2024 03:35:09 PM

D-W-A -18631/24

Ph. No.9337797399

1. AHO/AS/ABLAPL/BLAPL/CMPA/CMPAT/CMAPL/CMPMC/CRMC/CR
REF/CRREV/CAV/CV/CVREF/CVREV/CVRVW/CONTC/DREF/ED/
FA/FAO/GA/JCRA/JURMC/JCRREV/MA/MREF/OCRMC/OS/
RVWPET/ SA/SJC/SM/TA/TMC/WA/WP(C)

Case Type W.A. No. 1326 of 2024, Date of Regn. 24/04/2024

2. If 'State' is a Party. Name of the Deptt : (Pet./Res.) (Put ☒ Mark)

If Public Undertakings (Specify Name) : (Pet./Res.) (Put ☒ Mark)

3. (a) Number of Category with sub category under which the matter falls

3	1	0	7	0	1
---	---	---	---	---	---

IF OTHERS, Specify the subject _____

- (b) Which is applicable? (Put ☒ Mark)

(Single Bench / Division Bench / Three Judge Bench / Five Judge Bench)

4. Article of the Constitution / Act (Central / State) (Put ☒ Mark)

226 and 227

5. Section/ Sub-Section involved : _____

6. Rules involved: _____

7. Whether any other matter is pending in this court on the same point of law : If so give the number of matter: **No**

8. Whether any other matter is pending against the impugned order / Judgement ? If so, give the number of matter : **No**

9. Whether the matter is covered by any judgement of the Supreme Court, this Court of any other Court, if so give details of the Judgement? **No**

10. Point of law involved in the matter _____

CUTTACK

DATE: 24.04.2024

ADVOCATE FOR THE PETITIONER

IN THE HIGH COURT OF ORISSA : CUTTACK

W.A. NO. 1328 OF 2024

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

Banajini Mishra

.....

Appellant

Vrs.

State of Odisha and others

.....

Respondents

I N D E X

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Cuttack

Date: 21/4/2024

By the Appellant through

Kunal Kumar Swain
Advocate

(KUNAL KUMAR SWAIN)

ENROLL. NO. O-421/1984

PH. NO. 9238608207

Appendix:I

A
IN THE HIGH COURT OF ORISSA : CUTTACK

W.A. NO. 1328 OF 2024

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

Banajini Mishra

.....

Appellant

Vrs.

State of Odisha and others

.....

Respondents

SYNOPSIS

That the appellant (Banajini Mishra), who was opposite party No.5 in W.P.(C) No.18706 of 2015 has filed the aforesaid writ appeal challenging inter alia the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 quashing the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No.3 of 2014 and directed for recasting of the merit list by excluding the Vocational / Upasastri candidates (opposite party Nos.4, 5 and 6) i.e. the present appellant and proforma respondent Nos.7 and 8 by issuing appropriate order of engagement in favour of the present respondent Nos.4, 5 and 6 either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

Cuttack

By the Appellant through,

Date: 21/4/2024

Advocate

(KUNAL KUMAR SWAIN)
ENROLL. NO.O-421/1984
PH. NO. 9238608207

Appendix:II

B
IN THE HIGH COURT OF ORISSA : CUTTACK

W.A. NO. 1326 OF 2024

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

Banajini Mishra

.....

Appellant

Vrs.

State of Odisha and others

.....

Respondents

LIST OF DATES AND EVENTS

- 22.01.2011 : Copy of the advertisement dated 22.01.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak is at **ANNEXURE:1.** (Pages 24 to 27)
- 10.01.2011 : Copy of the resolution No.587 dated 10.01.2011 issued by the Government of Odisha in School and Mass Education Department, Bhubaneswar is at **ANNEXURE:2.** (Pages 28 to 32)
- : Copies of +2 Vocational Certificate with Mark Sheet together with C.T. Certificate and Mark Sheet of the appellant are at **ANNEXURE:3 series.** (Pages 33 to 36)
- 10.03.2011 : Copy of the notice No.1081 dated 10.03.2011 issued by the District Project Coordinator, SSA, Bhadrak is at **ANNEXURE:4.** (Page - 37)
- 30.04.2011 : Copy of the engagement order No.5366 dated 30.04.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in favour of the appellant is at **ANNEXURE:5.** (Page - 38)

C

- 24.11.2011 : Copy of the show cause notice dated 24.11.2011 issued by the District Project Coordinator, SSA, Bhadrak is at **ANNEXURE:6.** (Page -37)
- 21.08.2015 : Copy of the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak is at **ANNEXURE:7.** (Pages 40 to 51)
- 22.08.2014 : Copy of the order No.2316 dated 22.08.2014 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak wherein the name of the appellant finds place at Sl. No.12 is at **ANNEXURE:8.** (Pages 52 to 56)
- 03.05.2018 : Copy of the order No.2314 dated 03.05.2018 issued by the Collector-cum-Chairman, Sarva Sikshya Abhiyan, Bhadrak wherein the name of the appellant finds place at Sl. No.108 is at **ANNEXURE:9.** (Pages 57 to 62)
- : Copy of the writ petition bearing W.P.(C) No.18706 of 2015 filed by the present respondent Nos.4 to 6 is at **ANNEXURE:10.** (Pages 63 to 172)
- 28.03.2014 : Copy of the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 is at **ANNEXURE:11.** (Pages 173 to 194)
- 15.02.2011 : Copy of the order dated 15.02.2011 issued by the Council of Higher Secondary Education, Odisha, Bhubaneswar is at **ANNEXURE:12.** (Page - 195)
- 19.12.2011 : Copy of the office order No.25070 dated 19.12.2011 Government of Odisha in School and Mass Education Department, Bhubaneswar is at **ANNEXURE:13.** (Pages 196 to 199)

D

20.11.2015 : Copy of the proceeding of the meeting of the Examination Committee held on 20.11.2015 is at ANNEXURE:14. (Pages 199 to 206)

Cuttack
Date: 21/4/2024

By the Appellant through,
Advocate
(KUNAL KUMAR SWAIN)
ENROLL. NO.O-421/1984
PH. NO. 9238608207



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IN THE HIGH COURT OF ORISSA: CUTTACK

W.A. NO. 1326 OF 2024

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

Code No. 310701

IN THE MATTER OF:

An appeal under Clause-10 of the
Letter Patent's Act read with Chapter-
VIII, Rule-2 of the Orissa High Court
Rules, 1948;

A n d

IN THE MATTER OF:

Presented on 20/5/2024


Registrar (Judicial)

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

A n d

IN THE MATTER OF:

Banajini Mishra, aged about 40 years,
wife of Jitendra Kumar Padhi, At:
Chakabental, P.O.: Keshpur, Via:
Gujidarada, Dist.: Bhadrak, at present
working as Level-V-A Assistant
Teacher in K.C.-Co-Education High
School, Uttar Bahini in the district of
Bhadrak.

(Opposite Party No.5 in W.P.(C)
No.18706 of 2015)

.... APPELLANT

Banajini Mishra

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LIMITATION

Date of Judgement/Awards 28-3-24
 Date of Valid Presentation 24-4-24
 Total Period Occupied 27 day
 Limitation 30 day
 Certified Copy Period 10 day
 Delay in Filing day

- In Time Yes Expired on
2. Period of delay nil
3. Court Fee Rs. 12/-
4. Authentication fee due on the Rs. 2.25 not paid
5. (a) Copy of Trial Court Judgement cc copy dt 28-3-24
 Rs. Decree Rs.
- (b) Appellate Court Judgement Rs.
 Decree Rs.
6. (a) Copy of Trial Court Judgement/Order not
 (b) Appellate Court/Revisional Order Judgement not
- (c) Second Copy of Petition not
- (d) Receipt showing copy on A.C. not
- (e) Vakalatnama properly stamped Yes
 Executed and accepted Am. cler.
- (f) (a) Cause Title Am. cler.
 (b) Provision of Law Am. cler.
7. Code Am. cler.
8. Single Judge/Division Bench Case Am. cler.
9. Other Defects. Am. cler.

STAMP REPORTER

DR
26.4.24

Versus

1. State of Odisha represented through its Commissioner-cum-Secretary, School and Mass Education Department, At: Secretariate Building, Bhubaneswar, Dist.: Khordha.
2. Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, At/P.O./Dist.: Bhadrak.
3. District Project Coordinator, SSA, Bhadrak, At/P.O./Dist.: Bhadrak.
(Opposite Party Nos.1, 2 and 3 in W.P.(C) No.18706 of 2015)
4. Surekha Samal, aged about 33 years, daughter of Biswanath Samal, At: Bimbalbar, P.O.: Patuli, Dist.: Bhadrak.
5. Kalpana Panigrahi, aged about 35 years, daughter of Gourahari Panigrahi, At: Haripur, P.O.: Sahar, - Via: Sabaranga, Dist.: Bhadrak.
6. Jyotsnarani Giri, aged about 40 years, daughter of Kamalakanta Giri, At: Gopalpur, P.O.: Ganijanga, Dist.: Bhadrak.
(Petitioner Nos.1, 2 and 3 in W.P.(C) No.18706 of 2015)

.... **RESPONDENTS**

7. Tapaswini Jena, aged about 37 years, daughter Narayan Charan Jena, At:

Banajani Mathura

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Padi, P.O.: Adia, Dist.: Bhadrak, at present working as Level-V-A Assistant Teacher under Bont Block in the district of Bhadrak.

8. Pratima Manjari Kar, aged about 41 years, wife of Rajib Kumar Dash, At/P.O.: Mamohadapur, Via: Simulia, Dist.: Balasore, at present working as Level-V-A Assistant Teacher under Bhadrak Block in the district of Bhadrak.
9. Council of Higher Secondary Education, Odisha, represented through its Secretary, At: Prajnapitha, Samantapur, Bhubaneswar, Dist.: Khordha.

(Opposite Party Nos.4, 6 and 7 in W.P.(C) No.18706 of 2015)

.... **PROFORMA RESPONDENTS**

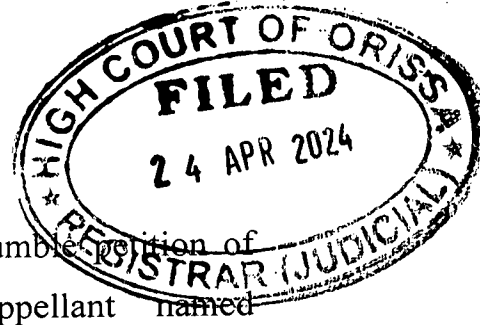
The subject matter out of which the present Writ Appeal arises was before this Hon'ble Court in W.P.(C) No.18706 of 2015 disposed of on 28.03.2024 as per the instruction of the appellant.

To

The Hon'ble the Chief Justice of Orissa High Court and His Lordship's companion Judges of the said Hon'ble Court;

Banajani Mishra

AK



The humble petition of
the appellant named
above;

MOST RESPECTFULLY SHEWETH:

1. That the appellant (Banajini Mishra), who was opposite party No.5 in W.P.(C) No.18706 of 2015 has filed the aforesaid writ appeal challenging inter alia the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 quashing the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No.3 of 2014 and directed for recasting of the merit list by excluding the Vocational / Upasastri candidates (opposite party Nos.4, 5 and 6) i.e. the present appellant and proforma respondent Nos.7 and 8 by issuing appropriate order of engagement in favour of the present respondent Nos.4, 5 and 6 either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

2. That the brief facts leading to filing of this Writ Appeal are as follows:

3. That pursuant to the advertisement dated 22.01.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak, the appellant applied for the post of Sikshaya Sahayak in respect of Bhadrak district. A copy of the advertisement dated 22.01.2011 issued by the

Banajini Mishra

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Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak is filed herewith as ANNEXURE:1. The said advertisement dated 22.01.2011 was issued on the basis of resolution No.587 dated 10.01.2011 of the Government of Odisha in School and Mass Education Department. A copy of the resolution No.587 dated 10.01.2011 issued by the Government of Odisha in School and Mass Education Department, Bhubaneswar is filed herewith as ANNEXURE:2. As per Clause-6.1 of the said resolution dated 10.01.2011 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 years 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). Clause-4.3 of the said resolution dated 10.01.2011 further provides that the 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.

Barajani Mithra

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4. That since the appellant has passed +2 Vocational Examination from Council of Higher Secondary Education, Odisha, Bhubaneswar, she applied for the post of Sikshya Sahayak pursuant to the advertisement dated 22.01.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak read with the resolution No.587 dated 10.01.2011 issued by the Government of Odisha in School and Mass Education Department, Bhubaneswar as her qualification was +2 Vocational and C.T. Copies of +2 Vocational Certificate with Mark Sheet together with C.T. Certificate and Mark Sheet of the appellant are filed herewith as ANNEXURE:3 series.

5. That it is pertinent to mention here that initially the candidates who have passed +2 Vocational Examination, their candidatures were not entertained and therefore a batch of writ petitions were filed before this Hon'ble Court and this Hon'ble Court in one of the writ petition bearing W.P.(C) No.6452 of 2011 relying upon the letter dated 09.04.2011 as well as letter dated 17.03.2011 issued by the Government of Odisha in School and Mass Education Department wherein +2 Vocational Course has been treated as equivalent to +2 Course in Arts / Science/Commerce, directed that the cases of the candidates who have completed +2 Vocational Course with C.T. training shall be considered by the Collector-cum-Chief Executive Officer, Zilla Parishad as per the instruction given by the School and Mass Education Department and the

Benajani Mathura

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provisional list of selected candidates already published shall be revised accordingly after considering the cases of the petitioners and other candidates situated similarly. For better appreciation of facts the order dated 18.03.2011 passed in W.P.(C) No.6452 of 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 +2 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 +2 Arts / Science / Commerce in the District of Bhadrak though the C.H.S.E. has treated the same to be equivalent to +2.

Mr.K.K.Rath, learned counsel appearing for the School and Mass Education Department submits that he has obtained instruction that the +2 Vocational Course will be treated as equivalent to +2 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 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

Banajini Mishra

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 Collectors-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 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 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.

Barajini Mishra

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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.”

6. That pursuant to the aforesaid order dated 18.03.2011 passed by this Hon'ble Court in W.P.(C) No.6452 of 2011, the candidature of the appellant was considered and she was selected for the post of Sikshya Sahayak by revising the merit list. It may be stated here that after the select list was revised, the appellant and similarly situated candidates were called upon for Certificate Verification vide notice No.1081 dated 10.03.2011 issued by the District Project Coordinator, SSA, Bhadrak. A copy of the notice No.1081 dated 10.03.2011 issued by the District Project Coordinator, SSA, Bhadrak is filed herewith as ANNEXURE:4. At the time of Certificate Verification contrary to the advertisement dated 22.01.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak read with the resolution No.587 dated 10.01.2011 issued by the Government of Odisha in School and Mass Education Department, Bhubaneswar, the appellant and similarly situated candidates were forced to sign an undertaking although they were not permitted to read the contents of the said undertaking. Being pressurized by the authorities the appellant and other candidates simply signed the undertaking.

Barajenz Mishra

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7. That in the meantime some of candidates namely; Ramakanta Sahoo and Sk.Zulfuhar Ali filed writ petition bearing W.P.(C) No.7478 of 2011 in this Hon'ble Court questioning the selection of the present appellant and other similarly situated candidates. This Hon'ble Court vide order dated 24.03.2011 disposed of the said writ petition bearing W.P.(C) No.7478 of 2011 directing the opposite party No.4, District Project Coordinator, SSA, Bhadrak to consider and dispose of the representation of the petitioners of that case under Annexure:7 within a period of three months from the date of receipt of a certified copy of the order in accordance with law. For better appreciation of facts the order dated 24.03.2011 passed by this Hon'ble Court in W.P.(C) No.7478 of 2011 is quoted herein below:

“ **W.P.(C) No.7478 of 2011** ”

02. 24.03.2011 Heard.

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 Coordinator, 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 Coordinator, SSA, Bhadrak to consider and dispose of the representation of the petitioners under Annexure:7 within a period of three months from

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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.”

8. That the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak vide his office order No.5366 dated 30.04.2011 issued engagement order in favour of the appellant as Sikshya Sahayak wherein it has been mentioned that the said engagement order is subject to the order of this Hon'ble Court in W.P.(C) No.7478 of 2011 and subsequent order of the Government in School and Mass Education Department. A copy of the engagement order No.5366 dated 30.04.2011 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in favour of the appellant is filed herewith as **ANNEXURE:5.** Pursuant to the said order of engagement dated 30.04.2011, the appellant joined the said post on 30.05.2011 and continued to discharge her duties peacefully to the best satisfaction of all concerned.

9. That after the appellant was allowed to join as Sikshya Sahayak a show cause notice dated 24.11.2011 was issued by the District Project Coordinator, SSA, Bhadrak. A copy of the show cause notice dated 24.11.2011 issued by the District Project Coordinator, SSA, Bhadrak is filed herewith as **ANNEXURE:6** The appellant challenged the said show cause notice dated 24.11.2011 by filing W.P.(C)

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No.32025 of 2011 in this Hon'ble Court. In the said writ petition bearing W.P.(C) No.32025 of 2011, this Hon'ble Court passed an interim order on 22.12.2011 staying the show cause notice dated 24.11.2011. For better appreciation of facts the interim order dated 22.12.2011 passed by this Hon'ble Court in W.P.(C) No.32025 of 2011 is quoted herein below:

“ W.P.(C) No.32025 of 2011
Misc. Case No.20102 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.S.Naidu, J.”

10. That finally the said writ petition i.e. W.P.(C) No.32025 of 2011 was disposed of by this Hon'ble Court on 05.05.2015 along with batch of cases with a direction to the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak to take a decision by

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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. Pursuant to the aforesaid order dated 05.05.2015 passed by this Hon'ble Court in W.P.(C) No.32025 of 2011 and batch of cases, the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak after hearing the parties vide order dated 21.08.2015 refused to interfere with the recruitment of the appellant and similarly situated Sikshya Sahayaks made in the year 2011 as by then they had already completed 4 to 5 years of service. A copy of the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak is filed herewith as ANNEXURE:7.

11. That the appellant on completion of three years of service as Sikshya Sahayak became junior Teacher with effect from 30.05.2014 by virtue of order No.2316 dated 22.08.2014 of the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak. A copy of the order No.2316 dated 22.08.2014 issued by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak wherein the name of the appellant finds place at Sl. No.12 is filed herewith as ANNEXURE:8.

12. That the appellant while continuing as such and on completion of six years of satisfactory service both in the capacity of Sikshya Sahayak and Junior Teacher became regular Primary School Teacher

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(Level-V) with effect from 30.05.2017 by virtue of order No.2314 dated 03.05.2018 issued by the Collector-cum-Chairman, Sarva Sikshya Abhiyan, Bhadrak. A copy of the order No.2314 dated 03.05.2018 issued by the Collector-cum-Chairman, Sarva Sikshya Abhiyan, Bhadrak wherein the name of the appellant finds place at Sl. No.108 is filed herewith as **ANNEXURE:9.**

13. That the present respondent Nos.4 to 6 who were not selected as Sikshya Sahayaks filed writ petition bearing W.P.(C) No.18706 of 2015 in this Hon'ble Court challenging the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak on various grounds. A copy of the writ petition bearing W.P.(C) No.18706 of 2015 filed by the present respondent Nos.4 to 6 is filed herewith as **ANNEXURE:10.**

14. That the Hon'ble Single Judge upon hearing the parties vide judgment and order dated 28.03.2024 disposed of W.P.(C) No.18706 of 2015 by quashing the order of the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak dated 21.08.2015 under Annexure:12 to the writ petition and directed the opposite party Nos.2 and 3 of that case i.e. the present respondent Nos.2 and 3 to recast the merit list by excluding the Vocational / Upasastri candidates (opposite party Nos.4, 5 and 6) i.e. the present respondent Nos.4, 5 and 6 and by issuing appropriate

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order of engagement in favour of the respondent Nos.4, 5 and 6 either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than for months. A copy of the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 is filed herewith as **ANNEXURE:11.**

15. That it is pertinent to mention here that for the first time by virtue of order dated 15.02.2011 the Council of Higher Secondary Education, Odisha, Bhubaneswar declared +2 Vocational Course conducted by the Council of Higher Secondary Education, Odisha is equivalent to +2 Arts / Science / Commerce stream. A copy of the order dated 15.02.2011 issued by the Council of Higher Secondary Education, Odisha, Bhubaneswar is filed herewith as **ANNEXURE:12.**

16. That it is pertinent to mention here that in the meantime the Government of Odisha in School and Mass Education Department, Bhubaneswar vide office order No.25070 dated 19.12.2011 clarified the position that the candidate after passing +2 Arts / Science / Commerce Course cannot take admission again in Vocational Stream of Higher Secondary Course. A copy of the office order No.25070 dated 19.12.2011 Government of Odisha in School and Mass Education Department, Bhubaneswar is filed herewith as **ANNEXURE:13.**

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17. That it is pertinent to mention here that by virtue of Government resolution No.2947 dated 20.11.2015 it was decided that the certificates awarded to the candidates in Vocational stream be cancelled and withdrawn and the first certificate obtained from the Council be treated as genuine and the Certificate issued later in any stream be rejected / cancelled. A copy of the proceeding of the meeting of the Examination Committee held on 20.11.2015 is filed herewith as **ANNEXURE:14.**

Being aggrieved by the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015, the appellant has preferred this appeal on the following amongst other grounds;

G R O U N D S

A. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as all the selected candidates who were engaged as Sikshya Sahayaks having passed +2 Vocational Examination were not made parties to the said writ petition. Therefore, it is highly illegal on the part of the Hon'ble Single Judge to exclude the name of the opposite party Nos.4, 5 and 6 of W.P.(C) No.18706 of 2015 i.e. the present appellant and proforma

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respondent Nos.7 and 8 respectively, from the purview of the selection while casting the merit list. Law is well settled by the Hon'ble Apex Court that in selection matter all the selected candidates should be impleaded as parties as they are necessary parties to the proceeding. Therefore, the writ petition filed by the respondent Nos.4 to 6 also suffers from non-joinder of necessary parties but the Hon'ble Single Judge entertained the same and excluded the candidature of the present appellant and proforma respondent Nos.7 and 8 although other selected candidates having +2 Vocational qualification were not made parties to the said writ petition. Therefore, on this ground alone the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

B. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as the Hon'ble Single Judge has erroneously come to a conclusion that the appellant and proforma respondent Nos.7 and 8 have committed fraud and therefore since fraud vitiates everything, they are not entitled to get any relief. In this context, it is humbly submitted that admittedly the present appellant has not produced any duplicate School Leaving Certificate for admission in +2 Vocational Course. Therefore, how can it be said that the appellant has committed fraud particularly when she has not produced the duplicate School Leaving Certificate

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while taking admission in +2 Vocational Course. So far as the undertaking is concerned that undertaking was given by the appellant in compelling circumstances. Therefore, simply because the appellant has signed the undertaking that does not mean that she has committed fraud. Therefore, in this view of the matter the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

C. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as for the first time by virtue of order dated 15.02.2011 under Annexure:12 the Council of Higher Secondary Education, Odisha, Bhubaneswar declared +2 Vocational Course conducted by the Council of Higher Secondary Education, Odisha is equivalent to +2 Arts / Science / Commerce stream. Since the appellant has passed +2 Vocational Course in 2006 the letter / circular dated 15.02.2011 issued by the Council of Higher Secondary Education, Odisha will operate prospectively as at the relevant time +2 Arts / Science / Commerce was not equivalent to +2 Vocational stream. But this aspect was not considered by the Hon'ble Single Judge while deciding the matter. Therefore, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

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D. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as by virtue of resolution No.2947 dated 20.11.2015 under Annexure:14 for the first time it was decided that the certificates awarded to the candidates in Vocational stream be cancelled and withdrawn and the first certificate obtained from the Council be treated as genuine and the Certificate issued later in any stream be rejected / cancelled. Therefore, when for the first time such a decision was taken by the Council of Higher Secondary Education, Odisha and the appellant having already passed +2 Vocational Course much prior to that how could it be said that she has committed fraud by passing +2 Vocational Course after passing +2 Course in general stream. Therefore, in this view of the matter the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

E. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as in view of the judgment rendered by this Hon'ble Court in the case of **Dr. (Smt.) Pranaya Ballari Mohanty Vs. Utkal University and others** reported in **2014 (II) OLR 226** wherein it has been categorically held that when a person has not committed any forgery or misrepresented, for wrong communication or wrong issuance of certificate or

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mark sheet he/she cannot be punished by taking a plea that he/she has committed fraud and after long lapse of time the authorities cannot unsettle the settled position by arbitrary and unreasonable exercise of power and alter the position because of their fault. But this aspect was also not considered by the Hon'ble Single Judge while deciding the matter and the Hon'ble Single Judge simply swayed by the fact that the appellant has committed fraud and therefore everything is vitiated. Therefore, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

F. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as in the meantime the appellant on completion of three years of service became Junior Teacher with effect from 30.05.2014 by virtue of order No.2316 dated 22.08.2014 of the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak and on completion of six years of satisfactory service both in the capacity of Sikshya Sahayak and Junior Teacher she became regular Primary School Teacher (Level-V) with effect from 30.05.2017 by virtue of order No.2314 dated 03.05.2018 issued by the Collector-cum-Chairman, Sarva Sikshya Abhiyan, Bhadrak. Therefore, at this juncture when the appellant has become over aged if her services are terminated it would be difficult on her part to maintain her

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livelihood. The Hon'ble Apex Court in the case of *Tridip Kumar Dingal and others Vs. State of West Bengal and others* reported in (2009) 2 SCC (L&S) 119 and batch of cases has categorically held that even in case of illegal appointment, if the person concerned has rendered services for a considerable length of time, his/her services cannot be dispensed with. Therefore, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

G. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 is liable to be set aside as for the first time the Government of Odisha in School and Mass Education Department, Bhubaneswar vide office order No.25070 dated 19.12.2011 under Annexure:13 clarified the position that the candidate after passing +2 Arts / Science / Commerce Course cannot take admission again in Vocational Stream of Higher Secondary Course. Since the appellant has passed +2 Vocational Course prior to issuance of the Government order dated 19.12.2011 her Vocational Course cannot be said to be invalid in any manner. Therefore, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge is liable to be set aside.

H. For that the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge

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in W.P.(C) No.18706 of 2015 under Annexure:11 being otherwise illegal is liable to be set aside.

P R A Y E R

Under the above circumstances, it is humbly prayed that the Writ Appeal may be admitted, records may be called for and after hearing the parties, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 may be set aside and the appellant may be allowed to continue as Level-V-A Assistant Teacher in K.C. Co-Education High School, Uttar Bahini in the district of Bhadrak with all consequential benefits or in the alternative;

And any other order / orders or direction / directions may be issued so as to give complete relief to the appellant;

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

Cuttack

By the Appellant through

Date: 21.4.2024


Advocate

CERTIFICATES

Certified that the appeal involves good grounds and having prepared the memorandum of appeal, I undertake to support those grounds at the time of hearing of the appeal.

Banajit Niz Mishra



Due to non-availability of cartridge papers, this memorandum of appeal has been prepared on thick

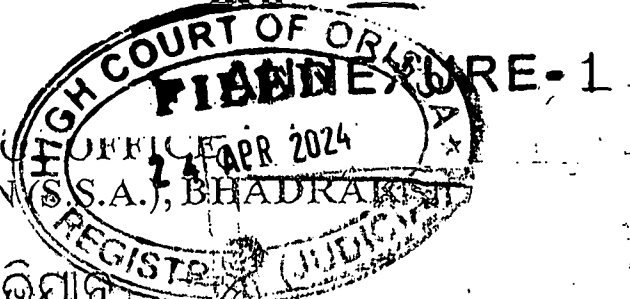
white papers. and undertake to file English translation copies of only Annexures as and when required by Hon'ble Court.

Place : Cuttack

Date : 21/4/2024

Kunel Kumar Saha
Advocate

Banajeni Mishra



DISTRICT PROJECT OFFICE
SARVA SHIKSHA ABHIYAN (S.S.A.), BHADRAKANTH

ସର୍ବ ଶିକ୍ଷା ଅଭିଯାନ

Notice No. 243

ସର୍ବିକ୍ଷା ପଦ୍ଧତି ସମ୍ବନ୍ଧରେ

ଶିକ୍ଷା ସହାୟକ / ସହାୟକା ନିଯୋଜନ ବିଜ୍ଞାପନ

Date: 22.4.24

ଉତ୍କଳ ରାଜସ୍ୱ ଜିଲ୍ଲାର ଶିକ୍ଷା ଜିଲ୍ଲାଗୁଡ଼ିକର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକ ଶିକ୍ଷା ସହାୟକ ନିଯୋଜନ ପାଇଁ ଉତ୍କଳ ଜିଲ୍ଲା ପରିଷଦ ତରଫରୁ ଦରଖାସ୍ତ ଆହ୍ୱାନ କରାଯାଉଅଛି । ଇଚ୍ଛୁକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନାମାନେ ଯେକୌଣସି ଗୋଟିଏ ଶିକ୍ଷାଜିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିପାରିବେ । ଏଥିପାଇଁ ଆବେଦନ ପତ୍ର ସହିତ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନା କେବଳ ଗୋଟିଏ ଶିକ୍ଷାଜିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିଛନ୍ତି ବୋଲି ଏକ ସତ୍ୟପାଠ୍ୟ (Affidavit) ସଂଲଗ୍ନ କରିବେ । ଯାହା ସମୟରେ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନାମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା ଜିଲ୍ଲା ବ୍ୟତୀତ ଅନ୍ୟ ଶିକ୍ଷା ଜିଲ୍ଲାରେ ଆବେଦନ କରିଥିବା ପ୍ରମାଣିତ ହୁଏ, ତେବେ ପ୍ରାର୍ଥୀଙ୍କର ଆବେଦନ ପତ୍ର ବିଚାରକୁ ନିଆଯାଇ ନାକତ କରି ଦିଆଯିବ । ସାର୍ଟିଫିକେଟ ଜାଲ ବୋଲି ପ୍ରମାଣିତ ହେଲେ ଆଜନ ଅନୁଯାୟୀ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବ ଏବଂ ନିଯୁକ୍ତି ରଦ୍ଦ କରାଯିବ । ଇଚ୍ଛୁକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନାମାନେ ସାଧା କାରଜରେ ନିମ୍ନ ପ୍ରଦତ୍ତ ଦରଖାସ୍ତ ଫର୍ମ ଅନୁସାରେ ଆବେଦନ ପତ୍ର ସର୍ବଶିକ୍ଷା ଅଭିଯାନ କାର୍ଯ୍ୟାଳୟ, ଉତ୍କଳ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ ଜାଗୁଳାଇ ପ୍ରୋଜେକ୍ଟ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ, ଉତ୍କଳ ଶିକ୍ଷାଜିଲ୍ଲା - ୧ ପାଇଁ ଏବଂ ଜିଲ୍ଲାସ୍ତୁଲ, ଉତ୍କଳ ଶିକ୍ଷାଜିଲ୍ଲା-୨ ପାଇଁ ଆସନ୍ତା ତା ୧୦.୦୭.୨୦୧୧ ରିଷ୍ଟ ସୁଦ୍ଧା ରେଜିଷ୍ଟ୍ରୀ ତାଙ୍କରେ ଦିଆ ବ୍ୟକ୍ତିଗତ ଭାବେ ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ଡୂଟିପୂର୍ଣ୍ଣ ବା ବିଳମ୍ବରେ ପ୍ରାପ୍ତ ଦରଖାସ୍ତ ଗୁଡ଼ିକ ବିଚାରକୁ ନିଆଯିବନାହିଁ । ଆବେଦନ ପତ୍ର ଜିଲ୍ଲା ପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ ତଥା ଜିଲ୍ଲାପାଳଙ୍କୁ ସଂବୋଧିତ କରିବା ଆବଶ୍ୟକ ।

୧. ଏହି ଶିକ୍ଷା ସହାୟକ ନିଯୋଜନ ପାଇଁ ଶିକ୍ଷା ଜିଲ୍ଲାଭିତ୍ତିକ ବିଭିନ୍ନ ଶ୍ରେଣୀର (Category) ପଦବୀ ସଂଖ୍ୟା ନିମ୍ନଲିଖିତ ଅନୁଯାୟୀ ସଂଲଗ୍ନ ଏଥିସହିତ ସଂଲଗ୍ନ କରାଗଲା । ଏହାର ୧୫୦% ଭାଗ ଯୋଗ୍ୟ ବିଦେଶିତ ପ୍ରାର୍ଥୀଙ୍କୁ ଚାଲିକାଭୁକ୍ତ କରାଯିବ ଯାହା ବର୍ଷକ ପାଇଁ ବୈଧ ରହିବ । ଏହି ଯୋଗ୍ୟ ବିଦେଶିତ ଅସ୍ଥାୟୀ ଏବଂ ଚୂଡ଼ାତ ପ୍ରାର୍ଥୀ ତାଲିକା (Provisional & Final Select List) ଶିକ୍ଷା ଜିଲ୍ଲା, ଜିଲ୍ଲା ପରିଷଦ ଏବଂ ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ ମାନଙ୍କର ନୋଟିସ୍ ବୋର୍ଡରେ ସର୍ବସାଧାରଣଙ୍କ ଅବଗତ ନିମନ୍ତେ ପ୍ରକାଶିତ ହେବ । ଶିକ୍ଷା ସହାୟକମାନେ ଜିଲ୍ଲା ପରିଷଦ ଦ୍ୱାରା ନିଯୋଜିତ ହେବେ ।

୨. ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା :- ନିମ୍ନଲିଖିତ ଯୋଗ୍ୟତାଧାର ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀନାମାନେ ଯେକୌଣସି ଗୋଟିଏ ପଦବୀ ପାଇଁ ଆବଶ୍ୟକ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଆବେଦନ କରିପାରିବେ ।

- ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱାବଳୀ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାପ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- ଯୁକ୍ତ ଦୁଇ (+2) କଳା / ବାଣିଜ୍ୟ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱାବଳୀ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ ତାଲିମପ୍ରାପ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।
- ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ / କଳା / ବାଣିଜ୍ୟ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱାବଳୀ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାସ୍ ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of India (RCI) ଦ୍ୱାରା ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷାରେ ୨ ବର୍ଷିଆ ଡିପ୍ଲୋମା ତାଲିମ (2 Year Diploma in Education- Sepcial Education)

Special Education)

T. C. Mehera

Banajanti Mehera
Applicant

- (ଘ) ସ୍ନାତକରେ ବିଜ୍ଞାନ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାପ୍ତ (Recognised by NCTE)
- (ଙ) ସ୍ନାତକରେ କଳା କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ ବି.ଏଡ୍. ତାଲିମ ପ୍ରାପ୍ତ (Recognised by NCTE) ।
- (ଚ) ସ୍ନାତକରେ ବିଜ୍ଞାନ / କଳା କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଘୋଷିତ ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ଯୋଗ୍ୟତା ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତା ଥାଇ Rehabilitation Council of India (RCI) ଦ୍ୱାରା ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷା ପାଠ୍ୟକ୍ରମରେ ବି.ଏଡ୍. ତାଲିମ (1 Year B.Ed Special Education) ।

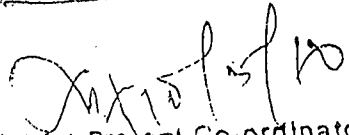
ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ, କଳା, ବାଣିଜ୍ୟ କିମ୍ବା ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ ଯୋଗ୍ୟତା ଥାଇ ଏବଂ ବିଜ୍ଞାନ ଓ କଳାରେ କିମ୍ବା ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ସ୍ନାତକ ପାସ୍ ସହିତ (ଓଡ଼ିଆ ମାତୃଭାଷା ଦଶମ ପର୍ଯ୍ୟନ୍ତ) ଯୋଗ୍ୟତାଥିବା ଅଣତାଲିମ ପ୍ରାପ୍ତ ତତ୍ତ୍ୱଲ୍ୟଭିତ୍ତିକ ଜାତି, ଜନଜାତି ଓ ଶାରିରୀକ ଅକ୍ଷମ ପ୍ରାର୍ଥୀମାନେ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଗୋଟିଏ ପଦପାଇଁ ଆବେଦନ କରିପାରିବେ । ଯଦି ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲା ଯୁନିଟରେ ଆବଶ୍ୟକ ସଂଖ୍ୟାକ ତତ୍ତ୍ୱଲ୍ୟଭିତ୍ତିକ ଜାତି, ଜନଜାତି ଏବଂ ଶାରିରୀକ ଅକ୍ଷମର ତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀ ନ ମିଳନ୍ତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ନିର୍ଦ୍ଦେଶ ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମାନଙ୍କ ବିଷୟକୁ ବିଚାରକୁ ନେଇ ନିୟୁକ୍ତି ଦିଆଯିବ ।

ସାଧାରଣ ବର୍ଗ ଏବଂ ଏସ୍.ଇ.ବି.ସି. ବର୍ଗର ଯୁକ୍ତ ଦୁଇ (+2) ବିଜ୍ଞାନ କିମ୍ବା ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ, ବିଜ୍ଞାନରେ ସ୍ନାତକ କିମ୍ବା ତତ୍ତ୍ୱଲ୍ୟ ପରୀକ୍ଷାରେ ପାସ୍ ସହିତ ଓଡ଼ିଆ 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 ଜିଲ୍ଲା ଯୁନିଟରେ ସେହି ପଦବୀ ପାଇଁ ଆବଶ୍ୟକ ସଂଖ୍ୟାକ ତାଲିମ ପ୍ରାପ୍ତ ବିଜ୍ଞାନ ପ୍ରାର୍ଥୀ ନ ମିଳନ୍ତି ଏବଂ ଭାରତ ସରକାରଙ୍କ ଠାରୁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସମ୍ପର୍କିତ ରିହାତିର ଆଦେଶ ପ୍ରାପ୍ତ ହେବା ପରେ ସେମାନଙ୍କ ବିଷୟକୁ ବିଚାରକୁ ନେଇ ନିୟୁକ୍ତି ଦିଆଯିବ ।

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

୩. ବୟସସୀମା : ପ୍ରାର୍ଥୀମାନଙ୍କର ବୟସ ତା ୦୧.୧୨.୨୦୧୦ ରିଖ ସୁଦ୍ଧା ୪୨ ବର୍ଷରୁ ଅଧିକ ହୋଇନଥିବ କିମ୍ବା ୧୮ ବର୍ଷରୁ କମ୍ ହୋଇନଥିବା ଆବଶ୍ୟକ । ତତ୍ତ୍ୱଲ୍ୟଭିତ୍ତିକ ଜାତି ଓ ଜନଜାତି, ପୂର୍ବତନ ସାମରିକ କର୍ମଚାରୀ ଏବଂ ମହିଳା ପ୍ରାର୍ଥୀ ଏବଂ ଏସ୍.ଇ.ବି.ସି. ପ୍ରାର୍ଥୀମାନଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ବୟସସୀମା ୫ ବର୍ଷ କୋହଳ କରାଯିବ । ଶାରିରୀକ ଭିନ୍ନକ୍ଷମ ପ୍ରାର୍ଥୀମାନଙ୍କ କ୍ଷେତ୍ରରେ ସର୍ବୋଚ୍ଚ ସୀମା ୧୦ ବର୍ଷ କୋହଳ କରାଯିବ ।
୪. ନିଯୋଜନ : ଶିକ୍ଷା ସହାୟକମାନେ ବାର୍ଷିକ ରୁକ୍ତି ଅନୁଯାୟୀ ପ୍ରାଥମିକ / ଉଚ୍ଚ ପ୍ରାଥମିକ ତଥା ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟର ଉନ୍ନତି ଶ୍ରେଣୀମାନଙ୍କରେ ଆବଶ୍ୟକ ଅନୁଯାୟୀ ନିଯୋଜିତ (ଏନଗେଜମେଣ୍ଟ) ହେବେ ।
- ୪.୧ ନିଯୋଜନ ପତ୍ର ପ୍ରଦାନ ପୂର୍ବରୁ ସଂପୃକ୍ତ ଜିଲ୍ଲା ପରିଷଦ ତରଫରୁ ମୁଖ୍ୟନିର୍ଦ୍ଦେଶୀ ଅଧିକାରୀ, ଜିଲ୍ଲା ପରିଷଦ ତଥା ଜିଲ୍ଲାପାଳ ଓ ଶିକ୍ଷା ସହାୟକଙ୍କ ମଧ୍ୟରେ ଷାଫ୍ କାର୍ଗତ ମାଧ୍ୟମରେ ନିର୍ଦ୍ଧାରିତ ଫର୍ମରେ ଏକ ରୁକ୍ତିନାମା ସ୍ୱାକ୍ଷରିତ କରାଯିବ । ଅଣତାଲିମ ପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ନିଜ ଖର୍ଚ୍ଚରେ ଟ୍ରେନିଙ୍ଗ ନେବେ ବୋଲି Undertaking ଦେବେ ।
- ୪.୨ ଶିକ୍ଷା ସହାୟକ / ସହ ଯିକାମାନଙ୍କୁ ସେମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା ଜିଲ୍ଲା ମଧ୍ୟରେ ନିଯୋଜନ କରାଯିବ ।

Noted


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

କର୍ମନିଯୋଜନ ସଂସ୍ଥାରେ ପଞ୍ଜିକରଣ ଓ ଆବାସିକ ପ୍ରମାଣପତ୍ର :

୧. ଲି.ଇଡି. ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥନୀ ବାଣାବିହାର, ଜ୍ୟୋତିବିହାର ଓ ଭଞ୍ଜବିହାର (ଭୁବନେଶ୍ୱର, ସମ୍ବଲପୁର ଓ ବ୍ରହ୍ମପୁରରେ) ଥିବା ସ୍ୱତନ୍ତ୍ର ଏମ୍ପ୍ଲୟମେଣ୍ଟ ଏକ୍ସଚେଞ୍ଜରେ କିମ୍ବା ଭୁବନେଶ୍ୱରରେ ଥିବା ସେଟ ଏମ୍ପ୍ଲୟମେଣ୍ଟ ଏକ୍ସଚେଞ୍ଜରେ ନାମ ପଞ୍ଜିକରଣ କରିଥିବାର ବୈଧ ପ୍ରମାଣପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଣପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ । ସେହିପରି ସି.ଟି. ପ୍ରାର୍ଥୀ ଏବଂ ଅଣତାଲିମପ୍ରାପ୍ତ ପ୍ରାର୍ଥୀମାନେ ଯେ କୌଣସି କର୍ମନିଯୋଜନ ସଂସ୍ଥାରେ ନିଜ ନାମ ପଞ୍ଜିକରଣ କରିଥିବାର ବୈଧ ପ୍ରମାଣ ପତ୍ର ଏବଂ ଆବାସିକ ପ୍ରମାଣ ପତ୍ର ଦାଖଲ କରିବା ଆବଶ୍ୟକ ।
୨. ସଂରକ୍ଷଣ ବ୍ୟବସ୍ଥା : ଓ.ଆର.ଜି. ଆକ୍ଟ ସଂଗେ ସଂଗେ ଅନ୍ୟ ପ୍ରାର୍ଥୀ ଯଥା - ପୂର୍ବତନ ସାମରିକ କର୍ମଚାରୀ (Ex-Servicemen) , ଭିନ୍ନକ୍ଷମ (Handicapped) ଏବଂ କ୍ରୀଡ଼ା କ୍ଷେତ୍ରରେ ସ୍ୱାତନ୍ତ୍ର୍ୟ ଅର୍ଜନ କରିଥିବା ବ୍ୟକ୍ତି (Eminent Sports person) ଙ୍କ ନିମନ୍ତେ ସରକାରଙ୍କ ଦ୍ୱାରା ସଂକଳିତ ସଂରକ୍ଷଣ ନିୟମ ଲାଗୁ କରାଯିବ । ମହିଳା ପ୍ରାର୍ଥୀମାନଙ୍କ ପାଇଁ ସଂପୃକ୍ତ ବର୍ଗର ୩୩.୧/୩ ପ୍ରତିଶତ ସଂରକ୍ଷଣ ଲାଗୁହେବ ।
୩. ଉର୍ଦ୍ଧ୍ୱ ତାଲିମପ୍ରାପ୍ତ ସି.ଟି. ପ୍ରାର୍ଥୀ / ପ୍ରାର୍ଥୀମାନେ ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲା ପାଇଁ ଆବେଦନ ପତ୍ର ଦାଖଲ କରିବେ । ସେମାନଙ୍କୁ ସଂପୃକ୍ତ ଶିକ୍ଷା ଜିଲ୍ଲାର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକତା ଅନୁଯାୟୀ ଉର୍ଦ୍ଧ୍ୱ ମାତୃଭାଷା ପଢ଼ାଇବା ପାଇଁ ନିଯୋଜନ କରାଯିବ ।
୪. ତାଲିମ ପ୍ରାପ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୪୦୦୦/- ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆଯିବ ।
୫. ଅଣ ତାଲିମପ୍ରାପ୍ତ ଶିକ୍ଷା ସହାୟକମାନଙ୍କୁ ମାସିକ ଟ. ୩୫୦୦/- ପାରିଶ୍ରମିକ ଆକାରରେ ଦିଆଯିବ ।
୬. ନିମ୍ନ ପ୍ରଦତ୍ତ ଦରଖାସ୍ତ ପର୍ଯ୍ୟନ୍ତ ଅନୁସାରେ ଆବେଦନ କରାଯାଇ ପାରିବ । ଦରଖାସ୍ତ ସହ ମାଟ୍ରିକ ଠାରୁ ଆବେଦନ କରିଥିବା ପଦବୀ ପାଇଁ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତାର ପ୍ରମାଣପତ୍ର ଏବଂ ମାର୍କ ତାଲିକାରେ ଅବିକଳ ନକଲ (ଆଟେଷ୍ଟେଡ୍ କପି) କର୍ମନିଯୋଜନ ସଂସ୍ଥା ପଞ୍ଜିକରଣ ପ୍ରମାଣପତ୍ର, ଜାତିଗତ ଏବଂ ଆବାସିକ ପ୍ରମାଣପତ୍ର, ଭିନ୍ନକ୍ଷମ ହୋଇଥିଲେ ତାର ଅବିକଳ ପ୍ରମାଣପତ୍ର, ପ୍ରାର୍ଥୀଙ୍କର ୨ କିତା ବର୍ତ୍ତମାନର ସହିମୋହର ପାସପୋର୍ଟ ଆକାର ପଟୋ ଏବଂ କେବଳ ଗୋଟିଏ ଶିକ୍ଷାଜିଲ୍ଲାରେ ଆବେଦନ କରିଛନ୍ତି ବୋଲି ସତ୍ୟପାଠ (Affidavit) ଇତ୍ୟାଦିର ସଂଯୋଗ ନଥିଲେ ଆବେଦନ ପତ୍ରଟିକୁ ଖାରଜ କରିଦିଆଯିବ ।

ଭଦ୍ରକ ଜିଲ୍ଲାର ଶିକ୍ଷା ଜିଲ୍ଲାଭାବି ଖାଲିଥିବା
ଶିକ୍ଷା ସହାୟକ ପଦବୀ ସଂଖ୍ୟା

ରାଜସ୍ୱ ଜିଲ୍ଲା	ଶିକ୍ଷା ଜିଲ୍ଲା	ତାଲିମପ୍ରାପ୍ତ ବିଜ୍ଞାନ ସ୍ନାତକ	ତାଲିମପ୍ରାପ୍ତ କଳା ସ୍ନାତକ	ତାଲିମପ୍ରାପ୍ତ +୨ ବିଜ୍ଞାନ (ସି.ଟି)	ତାଲିମପ୍ରାପ୍ତ +୨ କଳା (ସି.ଟି)	ମୋଟ
ଭଦ୍ରକ	ଭଦ୍ରକ-୧	୧୫୭	୪୧	୧୪୫	୧୩୬	୪୭୯
	ଭଦ୍ରକ-୨	୧୫୬	୫୦	୧୮୩	୧୭୩	୫୬୨
	ମୋଟ	୩୧୩	୯୧	୩୨୮	୩୦୯	୧୦୪୧

ଶିକ୍ଷାଜିଲ୍ଲା ଭଦ୍ରକ - ୧ ପାଇଁ ଜାଗାଲାଇ ପ୍ରୋଜେକ୍ଟ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଇ ଓ ଶିକ୍ଷାଜିଲ୍ଲା ଭଦ୍ରକ - ୨ ପାଇଁ ଜିଲ୍ଲାସ୍କୁଲ ଭଦ୍ରକରେ ତା ୨୪/୦୧/୨୦୧୧ରୁ ତା ୧୦/୦୨/୨୦୧୧ରୁ ପର୍ଯ୍ୟନ୍ତ (ସରକାରୀ ଛୁଟିଦିନ ବ୍ୟତୀତ) ପୂର୍ବାହ୍ନ ୧୦ଘଟିକା ସମୟଠାରୁ ଅପରାହ୍ନ ୫ଘଟିକା ପର୍ଯ୍ୟନ୍ତ ଆବେଦନ ପତ୍ର ଗ୍ରହଣ କରାଯିବ ।
ଏହି ନିର୍ଦ୍ଦେଶ ତାରିଖ ଓ ସମୟ ପରେ କୌଣସି ଆବେଦନପତ୍ର ଗ୍ରହଣ କରାଯିବ ନାହିଁ ।

ସ୍ୱା /- ଜିଲ୍ଲାପାଳ ତଥା ଜିଲ୍ଲାପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

ଜିଲ୍ଲା ପରିଷଦ, ଭଦ୍ରକ


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

ଶିକ୍ଷା ସହାୟକ ପଦପାଠ ଆବେଦନ ପତ୍ର

ଯେଉଁ ଶିକ୍ଷା ଜିଲ୍ଲାରେ ନିଯୁକ୍ତି ବାହୁଲ୍ୟତା ତାର ନାମ । ୨-ଯେଉଁ ପଦବୀରେ ନିଯୁକ୍ତି ବାହୁଲ୍ୟତା ତାର ନାମ । ୩-ପ୍ରାର୍ଥୀଙ୍କର ସଂପୂର୍ଣ୍ଣ ନାମ ୪-ପିତା କିମ୍ବା ସ୍ୱାମୀଙ୍କର ନାମ ୫-ବର୍ତ୍ତମାନର ଠିକଣା, ୫-ସ୍ଥାୟୀ ଠିକଣା ୬-ଜନ୍ମତାରିଖ (ପ୍ରମାଣପତ୍ରର ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) ୭-ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥୀନୀ କେଉଁ ବର୍ଗର ଅଟେ । ୮-ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା, ଉତ୍ତୀର୍ଣ୍ଣ ହୋଇଥିବା ପରୀକ୍ଷାମାନଙ୍କର ନାମ, ଶିକ୍ଷାନୁଷ୍ଠାନର ନାମ, ବୋର୍ଡ଼ କିମ୍ବା ବିଶ୍ୱବିଦ୍ୟାଳୟର ନାମ, ଉତ୍ତୀର୍ଣ୍ଣ ବର୍ଷ, କେତେ ନମ୍ବର ପାଠ୍ୟପୁସ୍ତକ, %ନମ୍ବର, (ଯୁକ୍ତ ଦୁଇ / ସ୍ନାତକ / ପ୍ରଶିକ୍ଷଣ (CT / BEd / Spl.B.Ed)) ପରୀକ୍ଷାର ପ୍ରମାଣପତ୍ର ଓ ମାର୍କସିଟର ଅବିକଳ ନକଲ (Spl. Education) ରେ Diploma ଏବଂ Spl. B.Ed ପ୍ରାର୍ଥୀମାନେ RCI Registration ର ପ୍ରମାଣପତ୍ର ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ । ୯ - କର୍ମନିଯୋଜନ କେନ୍ଦ୍ରର ନାମ ଏବଂ ରେଜିଷ୍ଟ୍ରେସନ ସଂଖ୍ୟା ଓ ତାରିଖ (ପ୍ରମାଣ ପତ୍ରର ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) । ୧୦ - ଜାତିଗତ ପ୍ରମାଣପତ୍ର (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୧-ଅକର୍ମଣ୍ୟ ପ୍ରମାଣ ପତ୍ର (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ), ୧୨-ଆବାସିକ ପ୍ରମାଣପତ୍ର (ଅବିକଳ ନକଲ ସଂଯୋଗ କରିବେ) ୧୩-ଗୋଟିଏ ଶିକ୍ଷାଜିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) ସଂଯୋଗ କରିବେ । ୧୪-ଅଣତାଲିମ ପ୍ରାସ୍ତ୍ର ପ୍ରାର୍ଥୀ ନିଜ ଖର୍ଚ୍ଚରେ ୫ବର୍ଷ ମଧ୍ୟରେ ତାଲିମ ପ୍ରାସ୍ତ୍ର ହେବେ ବୋଲି Under Taking ସଂଯୋଗ କରିବେ । ୧୫-ଦୁଇକିତା ବର୍ତ୍ତମାନର ସହି ମୋହର ପାସ୍ତ୍ରପୋର୍ଟ ଆକାର ଫଟୋ ଦାଖଲ କରିବେ ।

ତାରିଖ -

ସ୍ଥାନ -

ଆବେଦନକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ପ୍ରାସ୍ତ୍ର ସ୍ୱାକାର

ଜୁନିକ ସଂଖ୍ୟା

ଠିକଣା

ପ୍ରାର୍ଥୀଙ୍କ ନାମ

ନିମ୍ନୋକ୍ତ ସଂଲଗ୍ନମାନ (Enclosures) ହସ୍ତଗତ ହୋଇଛି ।

(କ) ମାତ୍ରିକ ସାର୍ଟିଫିକେଟ୍, ଯୁକ୍ତ ଦୁଇ ସାର୍ଟିଫିକେଟ୍, ତାଲିମ(ସିଟି) ସାର୍ଟିଫିକେଟ୍, ସ୍ନାତକ, (ବି.ଇଡି. / ସେସାଲ ବି.ଇଡି.) ସାର୍ଟିଫିକେଟ୍ (ଖ) ଯୁକ୍ତ ଦୁଇ ମାର୍କସିଟ୍, ତାଲିମ(ସିଟି) ମାର୍କସିଟ୍ ଓ ସ୍ନାତକ / (ବି.ଇଡି / ସେସାଲ ବି.ଇଡି.) ମାର୍କସିଟ୍ / RCI Registration ର ପ୍ରମାଣପତ୍ର (ଗ) ଜାତିଗତ-ପ୍ରମାଣପତ୍ର (Caste Certificate) (ଘ) ଆବାସିକ ପ୍ରମାଣପତ୍ର (Residential Certificate) (ଙ) ଗୋଟିଏ ଶିକ୍ଷା ଜିଲ୍ଲାରେ ଆବେଦନ କରିଥିବାର ସତ୍ୟପାଠ (Affidavit in Original) (ଚ) କର୍ମନିଯୋଜନ କେନ୍ଦ୍ରର ରେଜିଷ୍ଟ୍ରେସନ ପ୍ରମାଣ ପତ୍ର (ଛ) ଅଣତାଲିମ ପ୍ରାସ୍ତ୍ର ପ୍ରାର୍ଥୀ ନିଜ ଖର୍ଚ୍ଚ ୫ ବର୍ଷ ମଧ୍ୟରେ ତାଲିମ ପ୍ରାସ୍ତ୍ର ହେବେ ବୋଲି Under Taking (ଜ) ଅକର୍ମଣ୍ୟ ପ୍ରମାଣପତ୍ରର ଅବିକଳ ନକଲ (ଝ) ଦୁଇକିତା ବର୍ତ୍ତମାନର ସହି ମୋହର ପାସ୍ତ୍ରପୋର୍ଟ ଆକାର ଫଟୋ ।

ପ୍ରାସ୍ତ୍ର ସ୍ୱାକାରକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ନାମ -

ପଦବୀ -

Attested



District Project Co-ordinator
S. S. A. BHADRAK

ସ୍ୱା /- ଜିଲ୍ଲାପାଳ ତଥା ଜିଲ୍ଲାପରିଷଦର ମୁଖ୍ୟନିର୍ବାହୀ ଅଧିକାରୀ

ଜିଲ୍ଲା ପରିଷଦ, ଭଦ୍ରକ

True Copy Attested

Bharajitendra Mishra
Appellant

**GOVERNMENT OF ORISSA
DEPARTMENT OF SCHOOL AND MASS EDUCATION
RESOLUTION**

No. 587 /SME Dt. 10-1-11
II-SME(B)-41/2009.

Subject : Guidelines for engagement of Sikshya Sahayaks.

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 Court and the Hon'ble High Court in their order dtd.29.06.2010 in WP (C) Nos.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(Sikshya 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 there 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 :-

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

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.

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 Up-gradation 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.

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 Sikshya 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 Sikshya Sahayak, his / her application shall be rejected without assigning any reason thereof.

6. ELIGIBILITY

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

(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 in case 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 thereunder 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.

9.4 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

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

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

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

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

10. Decision taken in the matter of engagement of Sikshya Sahayak (SS) 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

Memo No. 588 /SME, Date 10-1-11 (b-1-2p1) Commissioner cum Secretary to Govt.

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.

Memo No. 589 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to Finance Department / P&C Department / Panchayati Raj Department / ST & SC Development for information and necessary action.

Memo No. 590 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to Director, Elementary Education / SPD, OPEPA / Addl. Director, Planning (OPEPA) / Director, TE & SCERT, Orissa for information and necessary action.

Memo No. 591 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to all Collectors-cum-Chief Executive Officers, Zilla Parishad / All DPC / All DI of Schools for information and necessary action.

Memo No. 592 /SME, Date 10-1-11 Addl. Secretary to Govt.

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.

"True Copy" Attested

Barajit Mishra

Appellant

ROLL NO. 901A8029
REGN.NO. 700027/1999

SERIAL NO. 246669

CER.SNO: 2006100121

COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA BHUBANESWAR



VOCATIONAL

HIGHER SECONDARY EXAMINATION CERTIFICATE

I Certify that **BANAJINI MISHRA**
Son/Daughter of Smt. **SANTI LATA MISHRA**
& Sri **SARAT CHANDRA MISHRA**
of **GOVT VOCATIONAL JR COLLEGE BASUDEVPUR**
has passed the Higher Secondary Examination in **VOCATIONAL**
held in the month of **XXXXXX** YEAR **2006** and was placed in the **FIRST** Division.

SUBJECTS OF EXAMINATION

COMPULSORY	: ENGLISH HIE ORIYA GENERAL FOUNDATION COURSE
OPTIONALS	: BASIC FOUNDATION COURSE
TRADE	: REPAIR&MAINT. OF RADIO&TV



DATE
09/06/06

[Signature]
COMMISSIONER

[Signature]
HEAD OF THE
INSTITUTION

SECRETARY

(Seal) Govt. Voc. Jr. College

Banajini Mishra
12-06-14

SERIAL NO. 248351



COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA



ଉତ୍କଳ ଶିକ୍ଷା ପରିଷଦ, ଓଡ଼ିଶା

(VOCATIONAL)

MEMORANDUM OF MARKS HIGHER SECONDARY EXAMINATION

THIS IS TO CERTIFY THAT BANAJINI MISHRA

SON/DAUGHTER OF SARAT CHANDRA MISHRA/SANTI LATA MISHRA

OF GOVT. VOCATIONAL JR. COLLEGE BASUDEVPUR

HAS PASSED

THE ANNUAL EXAM 2006

AND IS PLACED IN

FIRST

DIVISION

THE SUBJECTS IN WHICH THE CANDIDATE WAS EXAMINED AND MARKS OBTAINED ARE AS UNDER:

ROLL NO. 901A8029		REGN. NO. 700027/99		STREAM VOCATIONAL	
SUBJECTS		MAX. MARKS		MARKS OBTAINED	
		PAP 1	PAP 2	PAP 1	PAP 2
ENGLISH		100		40	
MIL ORIYA		100		60	
GENERAL FOUNDATION COURSE		100		68	
BASIC FOUNDATION COURSE		100		87	
REPAIR&MAINT. OF RADIO&TV					
THEORY-1		100		63	
THEORY-2		100		64	
THEORY-3		100		69	
PRACTICAL-1		100		98	
PRACTICAL-2		100		98	
PRACTICAL-3		100		97	
GRAND TOTAL WITHOUT EXTRA OPTIONAL IN WORDS SEVEN FOUR FOUR		IN FIGURES 744		GRAND TOTAL WITH EXTRA OPTIONAL	
PASS MARKS		DIVISION			
- Theory		X 80 %	First		
- Practicals		X 85 %	Second		
- Aggregate		X 80 %	Third		
DATE OF PUBLICATION :		09-JUN-2006		CONTROLLER OF EXAMINATIONS	

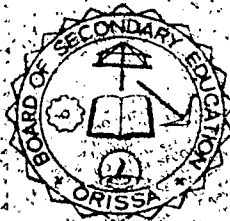
Banajini Mishra
12.8.14

ROLL NO. 02CR002

C08-001255

SERIAL NO. A 066150

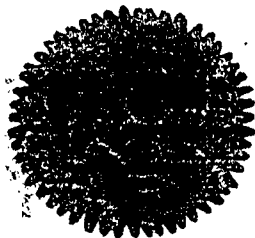
Board of Secondary Education, Orissa



SECONDARY TEACHERS' TRAINING CERTIFICATE EXAMINATION

I certify that BANASINI MISHRA

Son of SARAT CHANDRA MISHRA presented by the
Daughter of GOVT ST SCHOOL AGARPARA as Regular/Private
 Secondary Training School Candidate passed the Secondary Teachers' Training Certificate
 Examination held in the month of OCTOBER, 2008 19.....and was
 placed in the FIRST Division with distinction in 5.11.13



[Signature]
 Headmaster,

Secondary Training School

Agarpara, *[Signature]*
 Head of Institution

[Signature]
 Secretary

THE 25TH NOVEMBER, 2009 *[Signature]*

Banajini Mishra

15.09.2021

3
 28835
 95



BOARD OF SECONDARY EDUCATION, ORISSA
PROVISIONAL CERTIFICATE CUM MEMORANDUM OF MARKS
 SRL NO. CT0091166 ROLL NO. 02CR002

THIS IS TO CERTIFY THAT **BANAJINI MISHRA**
 SON / DAUGHTER OF **SARAT CHANDRA MISHRA**
 APPEARED THE TEACHERS' CERTIFICATE EXAMINATION 2009
 HELD IN OCTOBER, 2008
 FROM GOVT ST SCHOOL AGARPARA

SUBJECTS OF EXAMINATION, MARKS OBTAINED AND RESULT

P-I ESM	P-II EPS	P-III CDT	P-IV HAW	P-V LPO/LPU	P-VI LPE	P-VII LPH	P-VIII		P-IX	
							CTO/CTU	MTU/MTU	CTE	MTE
55	47	36	56	36	27	22	29	28	23	27

P-X		P-XI		P-XII		THEORY TOTAL	P-XIII PRC			AGGRE GATE	RESULT	P-XIV PRW
CTM	MTM	CTG	MIG	CTS	MFS		S	D	R			
28	38	38	39	31	19	579	72	73	46	170	1ST	90

DISTINCTION IN 5.11.13

DATE OF PUBLICATION OF RESULT: 22TH FEB. 2009

DATE OF ISSUE

HEAD OF INSTITUTION

Secondary Teacher

AGARPARA

DEPUTY SECRETARY

Banajini Mishra

15.04.2020

Trained & Licensed

Banajini Mishra

Appellant

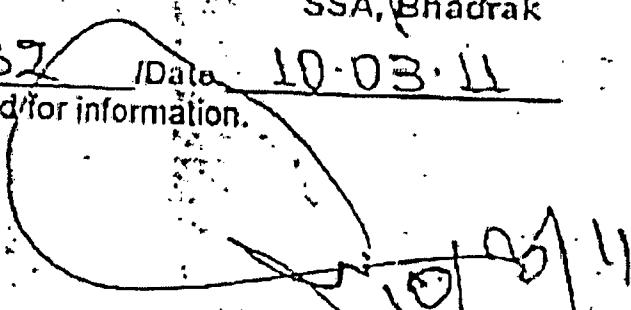
OFFICE OF THE DISTRICT PROJECT CO-ORDINATOR,
SARVA SIKSHA ABHIYAN, BHADRAK

Notice No. 1081 /Date. 10.03.11

It is hereby notified that the cases of applicants who have passed +2 Vocational Course from CHSE, Orissa or from equivalent Board/Council/University will be enlisted in the final Merit List after received of instructions from OPEPA/Govt. for which clarification has been sought for vide this Office Letter No.1070 dated.10.03.11. However the documents of Vocational applicants will be verified on 11.03.11 & on 15.03.11 at 10 AM In Jagulai Project Upper Primary School, Bagurai, Bhadrak. Till that date no final Merit List for selected +2 Arts/Commerce and +2 Science applicants will be published.


District Project Co-ordinator
SSA, Bhadrak

Memo No. 1082 /Date. 10.03.11
Copy to all concerned for information.


District Project Co-ordinator
SSA, Bhadrak

True Copy Attested

Banajit MISHRA
Appellant

**DISTRICT PROJECT OFFICE
SARVA SHIKSHYA ABHIYAN: BHADRAK**

Order No. 5366 / Dated. 30/04/11

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/- (Rupees four thousand only) subject to the following terms and conditions.

- Place of engagement Uttarababini Pk. SCHOOL under Bhadray Block.
1. The "SHIKSHA SAHAYAK" shall motivate the parents/guardians of the village in which Pk. /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 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 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.

By order of the Collector-cum-CEO, ZP, Bhadrak
District Project Co-ordinator
SSA, Bhadrak

Memo No. 5367 / Dated. 30/04/11

Copy to person concerned for information and necessary action. He/She is directed to report before the concerned H.M. of school with all original documents within a week positively failing which this order will stand cancelled.

District Project Co-ordinator
SSA, Bhadrak

Memo No. _____ / Dated. _____

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 concerned BRCC for further action at this end.

District Project Co-ordinator
SSA, Bhadrak

Memo No. _____ / Dated. _____

Copy forwarded to the B.R.C.C. concerned for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

Memo No. _____ / Dated. _____

Copy forwarded to the concerned Block Development Officer / District Inspector of schools, Bhadrak-I for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

True Copy Attested

Banajini Mishra
Appellant

By Regd. Post with A.D.

OFFICE OF THE DISTRICT PROJECT CO-ORDINATOR,
SARVA SHIKSHYA ABHIYAN: BHADRAK

Show Cause Notice No. 9593 / Date. 24/11/11

The findings of the enquiry taken up against one Sri/Smt/Kumari

Banajini Mishra S/O, W/O, D/O
Jatinendra Parhi At: Chaxabentala
P.O. Keshpur Via- _____ P.S. _____

Bhadrak (CR) Dist.- Bhadrak
Shikshya Sahayak of Uttarabakhini Pr. School under

Bhadrak Block in consonance with the order of the Hon'ble High Court in W.P. (C) No.18256 of 2011 read with the material facts submitted in Misc. Case No. 26 of 2011, reveal that he/she is ineligible for the post of Shikshya Sahayak under +2 category. It is also a fact that Sri/Smt/Kumari B. Mishra failed to submit material facts in support of his/her eligibility despite adequate opportunity was allowed to him/her.

In view of the above, Sri/Smt/Kumari Banajini Mishra Shikshya Sahayak of Uttarabakhini Pr. School under Bhadrak Block is hereby noticed to submit show-cause reply by 24.12.2011, why he/she will not be disengaged from the post of S.S. immediately.

District Project Co-ordinator
SSA, Bhadrak

To, Banajini Mishra
w/o - Jatinendra Parhi
At - Chaxabentala
PO - Keshpur, Dist - BDK

Memo No. 9594 / Date. 24/11/11

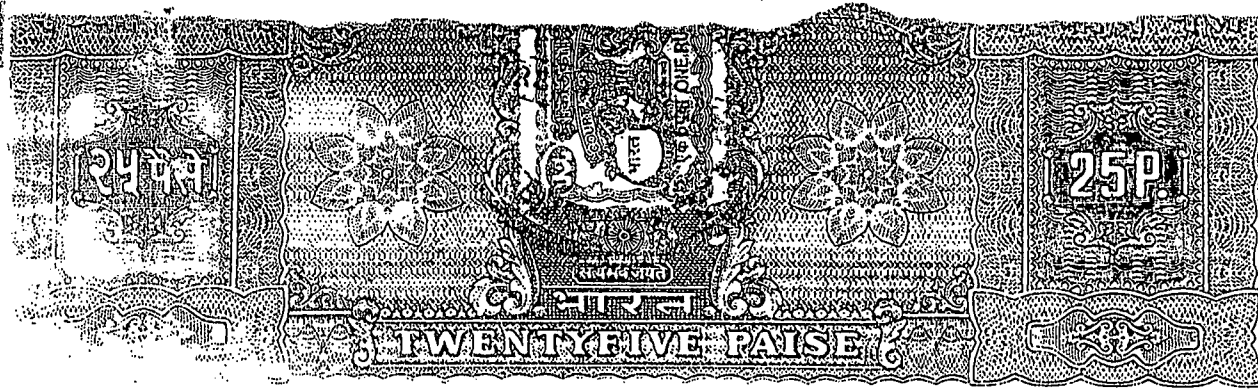
Copy in triplicate forwarded to the H.M., Uttarabakhini Pr.

School under Bhadrak Block through Regd. Post for service of one copy on Sri/Smt/Kumari Banajini Mishra return of the served copy with his/her dated signature and preservation of the third copy in the school for future reference.

District Project Co-ordinator
SSA, Bhadrak

True Copy Attested

Banajini Methola
Appellant



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
11.09.015	17.09.015	18.09.015	16.09.015	19.09.015

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

Misc. Case No. 03/2015 arising out of W.P. (C) No.5077 of 2014 and batch
of cases disposed of on common vide order dated.05.05.2015

Surekha SamalPetitioner

-Vrs-

State of Odisha & Others Opp. Parties.

ORDER

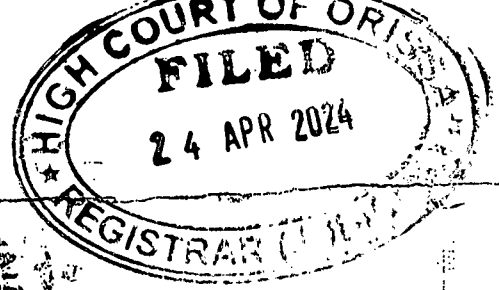
21.08.2015

With a view to complying with the order dated.05.05.2015 of the
Hon'ble High Court in W.P. (C) No.5077 of 2014 along with similar

cases clubbed together, this Misc. Case has been taken up at this level.

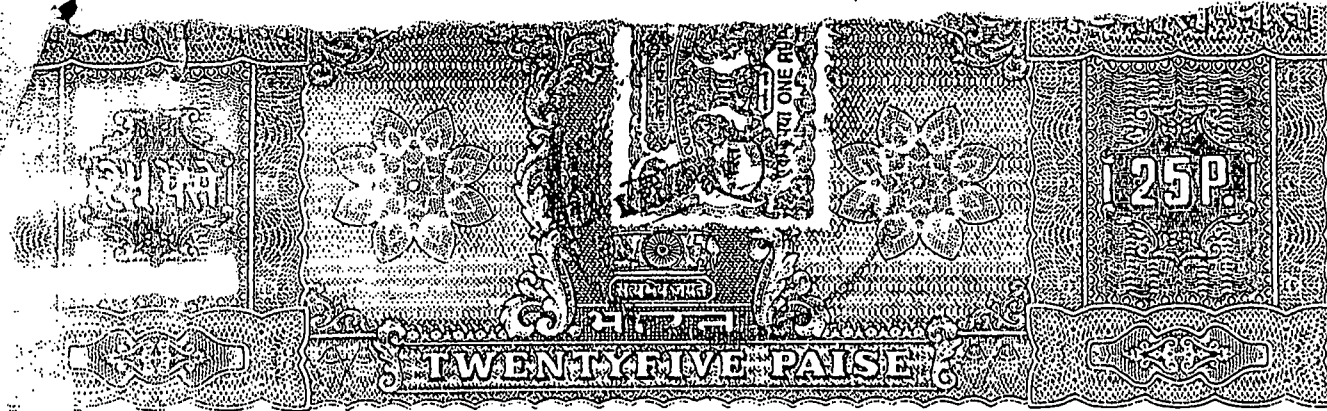
The Hon'ble High Court directed the Collector, Bhadrak to take a
decision by taking into consideration the show cause reply along with the
enquiry report, after supplying copy of the enquiry report to the
petitioners and affording reasonable opportunity of hearing to them. As
such adequate opportunity 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 Samal and others in W.P.(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 Sahayak despite 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 entitled to get engagement order for the post of Sikshya Sahayak by virtue of their Vocational/Upasastri certificates.

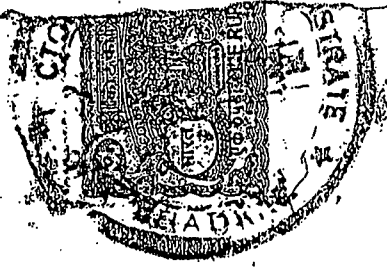
The learned advocate for Surekha Samal and others (petitioners in W.P.(C) No.5077 of 2014 & others) Mr. M.K.Sahoo submits that, the candidates having Vocational/Upasastri qualification have been engaged as Sikshya Sahayak pursuant to the advertisement No.243



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.

dated.22.01.2011 of the District Project Co-ordinator, SSA, Bhadrak suppressing the facts that they have passed earlier +2 Science/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 qualification 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 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



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 by misrepresentation of fact either to deceive or to gains an advantage 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 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



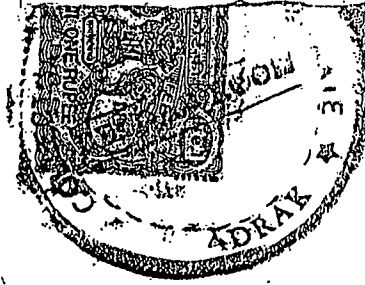
प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.

Regulations, 1982. As per regulation-107, 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 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

equivalent thereto and has been promoted to the second year class on the basis of the examinations conducted by that institution in the first year.

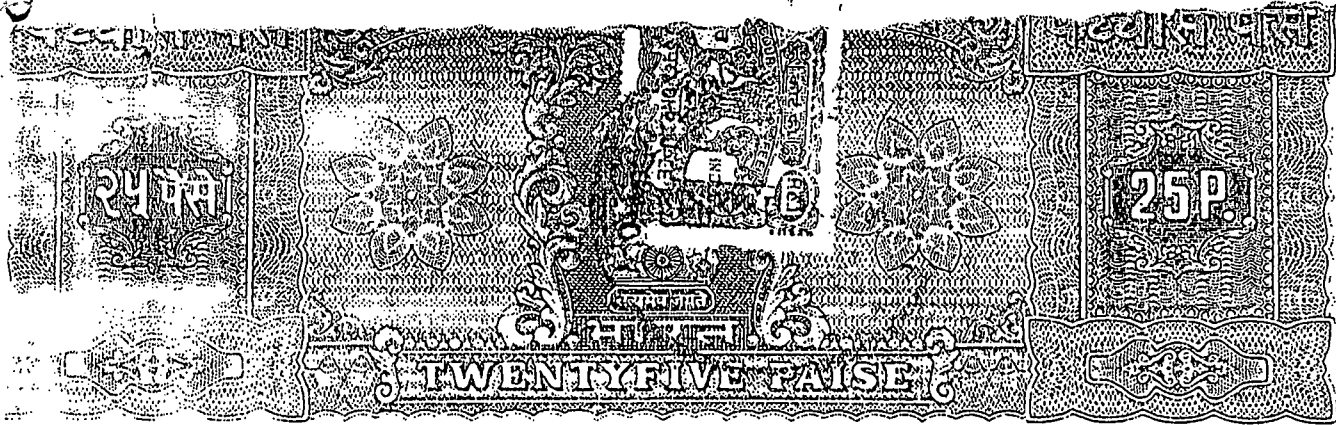
As per regulation-109(1), no students shall ordinarily be admitted into an institution six weeks after the date of reopening of the institution or from the date of publication of results of the annual High School Certificate Examination of the Board of Secondary Education, Orissa whichever is later, 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

COMPARED BY
H. M. J.



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.

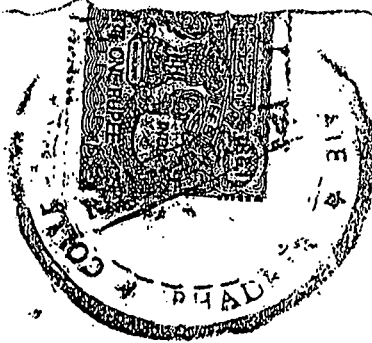
Further he submits that as per Section-2(i) and (j) of the said Act, it is clear that the course either general or vocational is to be treated Higher Secondary course/Higher Secondary education which is followed immediately from the stage of HSC. Therefore there cannot be two courses at the stage of 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 earlier 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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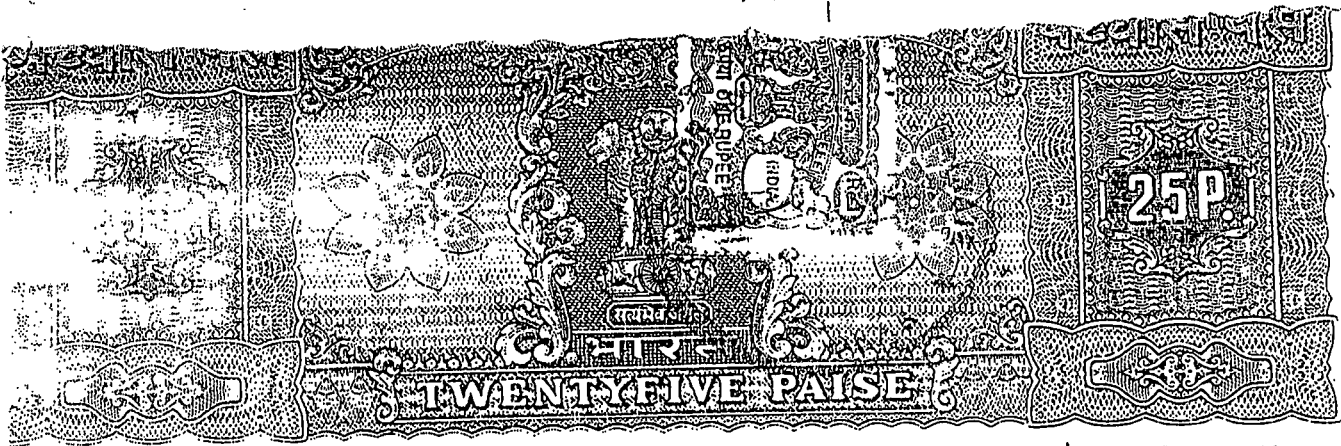
Sikshya Sahayak. Hence, their engagement should be terminated and FIR should be lodged against them and they are not allowed to receive their salary and they should be ousted from their Sikshya Sahayak posts and the deserving candidates like the petitioners in W.P. (C) No.5077/2014 and similar writ petitions 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.

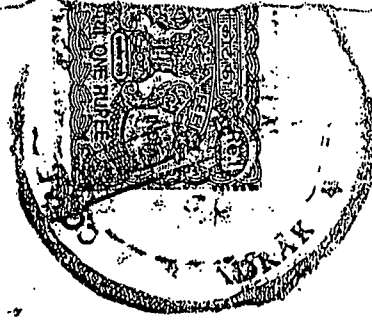
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May 2018



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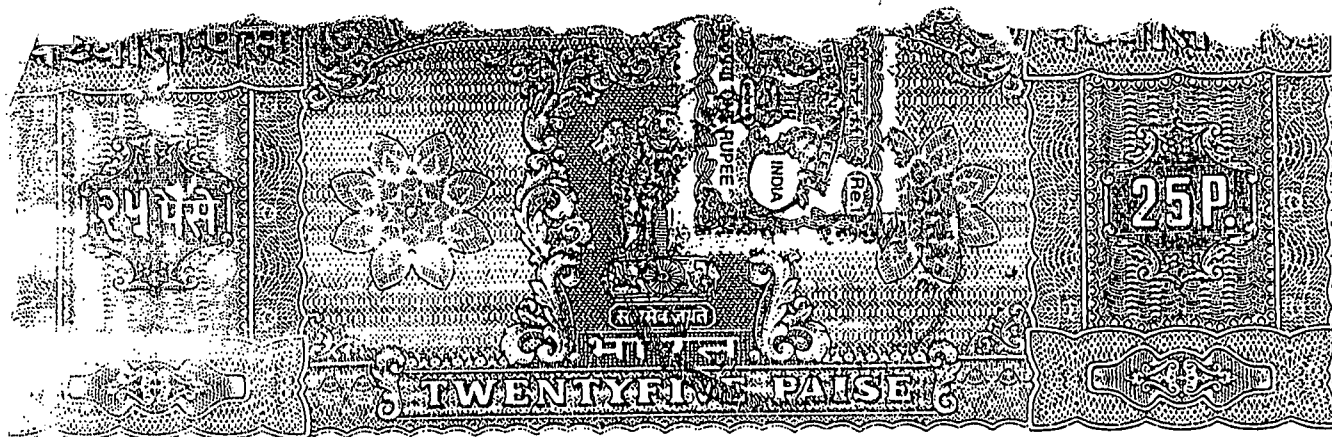
As such said candidates were allowed to apply for the post of SS. From the aforesaid facts it is crystal clear that there is no illegality or irregularity committed by those candidates having both +2 Arts/Science and +2 vocational qualifications from the CHSE. The objectors are put to strict proof. In 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 settled 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 reached 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 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-Collector, 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'ble 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

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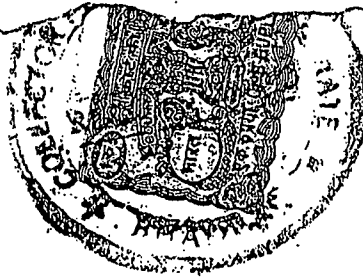
प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.

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 as well as today. It is a fact that, some of the candidates were recruited to the post of Shikshya Sahayaks (during the year 2011) on the basis of +2 Vocational certificate which is equivalent to +2 Arts/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



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

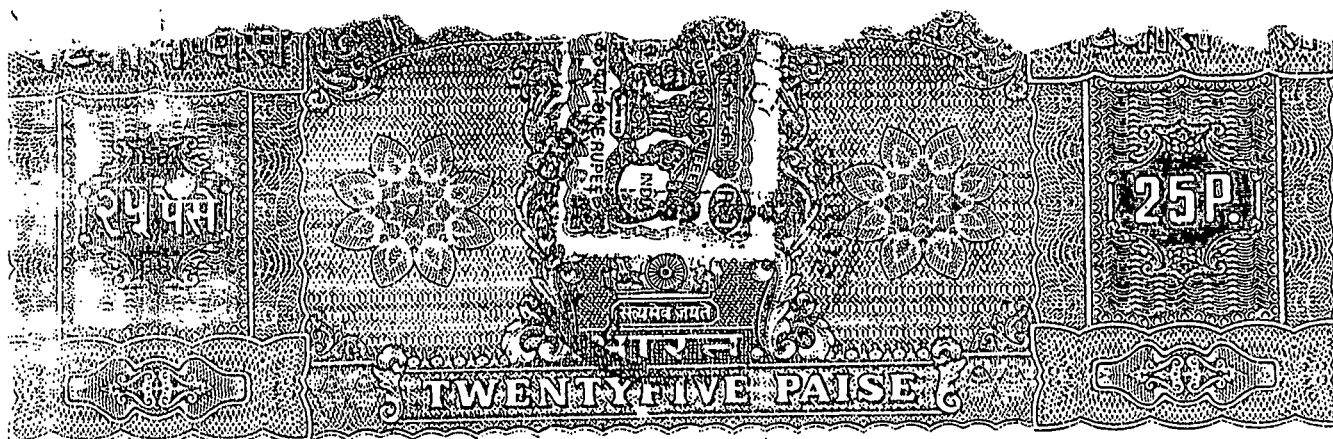
(ii) Secondly, it is the prerogative of the Examination conducting authority to cancel or withdraw the certificates issued by them and this Court has no jurisdiction to pass any comment on that.

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.

COMPARED BY
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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 27.08.2015

COMPARED BY

Km...

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

Khagendra Prasad
HEAD CLERK 15.9.15
RECORD ROOM
Collectorate, Bhadrak

[Signature]
Deputy Collector
Record Room, Collectorate
Bhadrak

[Signature]
Deputy Collector
Record Room, Collectorate
Bhadrak

**OFFICE OF THE DISTRICT PROJECT CO-ORDINATOR
SARVA SIKSHYA ABHIYAN, BHADRAK**

Order No. 2316 Date 22-08-2014

In pursuance of Resolution No. 15107/SME/ dated.01.08.2011 of Govt. in School & Mass Education Department, Odisha and duly approved by the Collector-cum-CEO, Zilla Parishad, Bhadrak, the following Sikshya Sahayaks under Bhadrak Block & Municipality who have completed three years of continuous satisfactory engagement are hereby appointed as Junior Teachers in schools mentioned against their names, on contractual basis with consolidated monthly remuneration decided by the Govt. from time to time for the JTs with effect from the date(s) mentioned against each.

LIST OF SIKSHYA SAHAYAKs APPOINTED AS JUNIOR TEACHERs UNDER BHADRAK BLOCK & MUNICIPALITY						
Sl. No.	Name of the Sikshya Sahayak	Father's/ Husband's name	Name of the School	Date of Joining	Date of completion of three years	Date of appointment as Junior Teacher
1	ABANTI MANDAL	H- RAJKISHORE JENA	BARAPADA NODAL UPS	05.04.11	04.04.14	05.04.14
2	AHINSA PRIYA DARSINI PARIDA	H- SUBRAT KUMAR PALLAI	NILAKANTHAPUR UGMES	05.04.11	04.04.14	05.04.14
3	AJAY BARIK	F- SAMBUNATH BARIK	OSTIA PRO.PS	11.05.11	10.05.14	11.05.14
4	ALIVA DASH	H- SANJAYA KUMAR PATRA	PITAMBAR NODAL UPS, ERADA	22.03.11	21.03.14	22.03.14
5	ALOK KUMAR DAS	F- BHARAT DAS	HARIPUR UGMES	02.05.11	01.05.14	02.05.14
6	AMIYABALA ROUT	H- MANOJ KUMAR JENA	ASHAMANI NODAL UPS, BAGAMARA	30.04.11	29.04.14	30.04.14
7	ANITA NAYAK	F- CHAKRADHAR NAYAK	JAGULAI PRO. UPS	22.03.11	21.03.14	22.03.14
8	ANUSUYA NAYAK	H- CHITTARANJAN ROUT	BANDHAGAON NODAL UPS	30.04.11	29.04.14	30.04.14
9	ARATI SANGEETA MINZ	F- PREMANSU MINZ	CHAKAPUR UGMES	05.04.11	04.04.14	05.04.14
10	ARNAPURNA JENA	H- RADHANATH JENA	CHANDIAPADA NODAL U.P. SCHOOL	23.04.11	27.04.14	28.04.14
11	BAJUN SINGH	F- RAMA CHANDRA SINGH	KODABARUAN UGMES	16.04.11	15.04.14	16.04.14
12	BANAJINI MISHRA	H- JATINDRA KUMAR PARHI	UTTARABAHINI PS	30.05.11	29.05.14	30.05.14
13	BANANI DAS	H- SUKALYAN DAS	LAHAPATI PRO.PS	22.03.11	21.03.14	22.03.14
14	BANDITA JENA	F- HRUDANANDA JENA	JAGULAI PRO. UPS	18.04.11	17.04.14	18.04.14
15	BASANTA KUMAR MALLIK	F- GADADHAR MALLIK	MAKARESWAR NODAL UPS, AMBROLI	22.03.11	21.03.14	22.03.14
16	BIDYABHARATI BEHERA	H- KAILASH CHANDRA MOHARANA	SAMIAN PRO. UP(ME) SCHOOL	30.04.11	29.04.14	30.04.14
17	BIRENDRA KUMAR JENA	F- PANCHANAN JENA	JAGADALPUR UGMES	22.03.11	21.03.14	22.03.14
18	BISWARANJAN PALAI	F- AKSHAYA KUMAR PALAI	PUJA OSTA PRO.PS	30.04.11	29.04.14	30.04.14
19	BYOMAKESHI PARIDA	F- KRUSHNA CHANDRA PARIDA	KALAHANDIA UGMES	22.03.11	21.03.14	22.03.14

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20	CHANDINI MAHARANA	H- GAURISANKAR MAHARANA	HANUMANJEW NODAL UPS	13.05.11	12.05.14	13.05.14
21	DEBENDRA KUMAR BARIK	F- MAGUNI CHARAN BARIK	MAKARESWAR NODAL UPS, AMBROLI	22.03.11	21.03.14	22.03.14
22	DEEPAK KUMAR JENA	F- BABAJI CHARAN JENA	SUSHILADEIPUR PS	30.04.11	29.04.14	30.04.14
23	DEEPAK KUMAR NAYAK	F- GOURANGA CHANDRA NAYAK	BASUAPADA PS	02.05.11	01.05.14	02.05.14
24	JIBAN BANDHU PANIGRAHI	F- PITAMBAR PANIGRAHI	GORAMATI UGMES	22.03.11	21.03.14	22.03.14
25	JYOTIRANJAN MOHAPATRA	F- ALEKHA KUMAR MOHAPATRA	LALAJEE ME SCHOOL, D.S.BINDHA	30.04.11	29.04.14	30.04.14
26	KABITA SAHOO	H- RATIKANTA BEHERA	ASURA UP(ME) SCHOOL	05.04.11	04.04.14	05.04.14
27	KSHIRABDHI TANAYA JENA	H- PRAVAT KUMAR NAYAK	JAGADALAPUR UGMES	22.03.11	21.03.14	22.03.14
28	LACHHMAN MARNDI	F- RAMRAI MARNDI	DHANATOLA URDU PS	17.04.11	16.04.14	17.04.14
29	LALITA MURMU	H- HINDU HEMBRAM	OLANGA NODAL UPS	03.06.11	02.06.14	03.06.14
30	LAMBODARA PATRA	F- NARAHARI PATRA	KAUPUR NODAL UPS	22.03.11	21.03.14	22.03.14
31	LAXMAN KUMAR MURMU	F- MAHENDRA NATH MURMU	SANKARPUR URDU UGMES	17.04.11	16.04.14	17.04.14
32	LIZA MAHAPATRA	F- SASHIKANTA MAHAPATRA	KALIDASPUR UGMES	16.04.11	15.04.14	16.04.14
33	MADHUSMITA JENA	F- SURESH CHANDRA JENA	CHADHEYA NODAL UPS	05.04.11	04.04.14	05.04.14
34	MADHUSMITA SAMARTHA	F- RAJENDRA PRASAD SAMARTHA	THORDA PRO. UPS	26.05.11	25.05.14	26.05.14
35	MADHUSMITA TRIPATHY	F- NIRMAL CHANDRA TRIPATHY	RAJMUKUNDAPUR UGMES	22.03.11	21.03.14	22.03.14
36	MALABIKA NANDA	H- SRINIBASH KAR	SUSUA UGMES	22.03.11	21.03.14	22.03.14
37	MAMATA BIHARI	H- AJAY KUMAR ROUT	BAUDPUR PRO. UPS	22.03.11	21.03.14	22.03.14
38	MAMITA RANI ROUT	H- BARENDRA KUMAR MOHANTY	BANDHAGAON NODAL UPS	30.04.11	29.04.14	30.04.14
39	MANAS RANIAN NAYAK	F- BHASKAR CHANDRA NAYAK	SARAGADIA UGMES	18.04.11	17.04.14	18.04.14
40	MANASHI DAS	F- BACHUDHAR DAS	KANTAPADA NODAL UPS	26.05.11	25.05.14	26.05.14
41	MANDAKINI JENA	F- BISWANATH JENA	BANIA PS	18.04.11	17.04.14	18.04.14
42	MANISHA PATI	H- AVAYA RANJAN PANIGRAHI	NUAPATANA PRO. UPS	22.03.11	21.03.14	22.03.14
43	MANISHA TRIPATHY	H- SIBA NARAYAN PATI	BAPUJEE NODAL UPS, GELPUR	22.03.11	21.03.14	22.03.14
44	MANJULATA NAYAK	H- NALINIRANJAN ROUT	BANDHAGAON NODAL UPS	22.03.11	21.03.14	22.03.14
45	MANJULATA SAHOO	H- NISHAKARA SAHOO	FRASER GIRLS NODAL UPS	04.04.11	03.04.14	04.04.14
46	MANORANJAN BAI.	F- PARAMESWAR BAI.	ATTO UGMES	21.03.11	21.03.14	22.03.14
47	MINITA SAMAL	H- ANIL KUMAR BEHERA	ADARAPADA PS	02.05.11	01.05.14	02.05.14
48	MONALISA PARIDA	F- DAYANIDHI PARIDA	KORKORA NODAL UPS	22.03.11	21.03.14	22.03.14

49	NAGINA ARA BANO	F. MIRZA MD MOHSIN	CHITADAKMOHALA UGMES	22.03.11	21.03.14	22.03.14
50	NAMADEEPA BARIK	H. SATYABRATA BISWAL	BARAPADA NODAL UPS	22.03.11	21.03.14	22.03.14
51	NAMITA BEHERA	H. BASANTA KUMAR NAYAK	BHADRAK URDU PRO. UPS	30.04.11	29.04.14	30.04.14
52	NILIMA PRIYADARSINI JENA	F. PRASANTA KUMAR JENA	KHANDIABAZAR ADIVASI SAHI PRO.PS	22.03.11	21.03.14	22.03.14
53	NIYATI JENA	H. SUBHABRATA NAYAK	CHADHEYA NODAL UPS	30.04.11	29.04.14	30.04.14
54	PRAGYAN MISHRA	H. MANAS KUMAR PRADHAN	KHANABARI UGMES	01.05.11	30.04.14	01.05.14
55	PRAKASH CHANDRA MAHAKUD	F. MOHAN MAHAKUD	KSHIRASAHU NODAL UPS	22.03.11	21.03.14	22.03.14
56	PRAKASH KUMAR NAYAK	F. SUBAL NAYAK	JAGADALAPUR UGMES	22.03.11	21.03.14	22.03.14
57	PRAKASH NARAYAN JENA	F. PANCHANNA JENA	BARAPADA NODAL UPS	22.03.11	21.03.14	22.03.14
58	PRAMILA SETHI	F. CHAITAN SETHI	FRASER GIRLS NODAL UPS	30.04.11	29.04.14	30.04.14
59	PRASANTA KUMAR BARIK	F. SURENDRA BARIK	ARADIPADA PS	30.04.11	29.04.14	30.04.14
60	PRASANTA KUMAR MAHAL	F. INDRAMANI MAHAL	BARANGA NODAL ME(UP) SCHOOL	22.03.11	21.03.14	22.03.14
61	PRASANTILATA DAS	H. DAYANIDHI MAHUNTA	JALANGA NODAL UPS	25.04.11	24.04.14	25.04.14
62	PRATIMA MANJARI KAR	H. RAJEEB KUMAR DASH	PALLI NODAL UPS	30.04.11	29.04.14	30.04.14
63	PREETIREKHA BEHERA	F. PRAFULLA BEHERA	RANITAL ADIVASISAHU PRO.PS	22.03.11	21.03.14	22.03.14
64	PRITIREKHA PUHAN	F. BISHNU PRASAD PUHAN	KSHIRASAHU NODAL UPS	30.04.11	29.04.14	30.04.14
65	PRIYADARSHANI BISWARANJITA JENA	H. PRADEEP KUMAR DAS	RAJUALIBINDHA N.U.P. SCHOOL	22.03.11	21.03.14	22.03.14
66	RAJASMITA PANDA	H. PRAMOD KUMAR SAHOO	HARIPUR UGMES	02.05.11	01.05.14	02.05.14
67	RANJITA MOHAPATRA	H. SUSANT KUMAR BEHERA	BALABHADRAPUR NODAL UPS	22.03.11	21.03.14	22.03.14
68	RASHMI RANJAN DAS	F. SUBASH CHANDRA DAS	NUAPATANA PRO. UPS	05.04.11	04.04.14	05.04.14
69	RASHMI SAMARTHA	F. RAJENDRA PRASAD SAMRTHA	SARAGADIA UGMES	26.05.11	25.05.14	26.05.14
70	RASHMIPRAVA BEHERA	H. MANOJ KUMAR SETHI	ANANDABAZAR UPMES	18.04.11	17.04.14	18.04.14
71	RASHMIREKHA SAHU	F. AMULYA KUMAR SAHU	SWAINSAHI PRO PS. NACHHIPUR	22.03.11	21.03.14	22.03.14
72	RASHMITA HOTA	H. MANORANJAN MISHRA	BALABHADRAPUR NODAL UPS	22.03.11	21.03.14	22.03.14
73	RASHMITARANI SAHOO	F. RAMA CHANDRA SAHOO	BAJDPUR PRO. UPS	22.03.11	21.03.14	22.03.14
74	RASMITA DEY	F. PRAVAT KUMAR DEY	OLANGA NODAL UPS	12.05.11	11.05.14	12.05.14
75	SABITA JENA	H. PRADEEP KUMAR JENA	KESHIPUR UGMES	11.04.11	10.04.14	11.04.14
76	SALGE MARNDI	H. ASHA CHARAN MAJHI	BHADRAK URDU PRO UPS	16.04.11	15.04.14	16.04.14
77	SANDHYARANI NAYAK	H. SURATI PRASAD NAYAK	N.D.M.U.P (ME) SCHOOL. SABARANG	05.04.11	04.04.14	05.04.14

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78	SANDHYARANI NAYAK	H- MANORANJAN KHAMARI	JALANGA NODAL UPS	13.05.11	12.05.14	13.05.14
79	SARITA NAYAK	F- NITYANANDA NAYAK	DURGAPUR URDU PRO. UPS	30.04.11	29.04.14	30.04.14
80	SASMITA BARIK	F- BHASKAR CHANDRA BARIK	BRAHMAPUR NODAL U.P. SCHOOL	22.03.11	21.03.14	22.03.14
81	SASMITA KUMARI BEHERA	H- GANESH PRASAD SAHOO	AMRUTAMANI PS	26.05.11	25.05.14	26.05.14
82	SHAIKH BASIR AHAMAD	F- SK. NESAR AHAMAD	DURGAPUR URDU PRO. UPS	22.03.11	21.03.14	22.03.14
83	SHANTI LATA SAHOO	H- JITENDRA KUMAR DAS	BHADRAK URDU PRO UPS	13.05.11	12.05.14	13.05.14
84	SHASHIREKHA SAHOO	H- CHITTARANJAN SAHU	BALAJITPADA UGMES	06.04.11	05.04.14	06.04.14
85	SMRUTIREKHA NAIK	H- NABIN KUMAR NAIK	NEULA ADIBASI SAHI PRO. PS	01.06.11	31.05.14	01.06.14
86	SNEHA RANJAN MAJHI	F- CHAITANYA MAJHI	MIRZAPUR UGMES	22.03.11	21.03.14	22.03.14
87	SRADHANJALI KAR	H- NITYANANDA DASH	SALANDI COLONY PS	30.04.11	29.04.14	30.04.14
88	SUBHASHREE BEHERA	H- ASHOK KUMAR BEHERA	BAIDYANATH NODAL UPS, BANGALISAH	05.04.11	04.06.14 (Medical Leave two months)	05.06.14
89	SUBHASHREE DAS	H- BHAGABAN NAYAK	HARIPUR UGMES	22.03.11	21.03.14	22.03.14
90	SUCHITRA PATRA	F- SUDHAKAR PATRA	BINAPANI NODAL UPS. RAMBHILA	04.04.11	03.04.14	04.04.14
91	SUDIKAAR BARIK	F- PITAMBAR BARIK	KSHIRASAH NODAL UPS	22.03.11	21.03.14	22.03.14
92	SUHANI DAS	F- HEMANT KUMAR DAS	PATANASAH UGMES	22.03.11	21.03.14	22.03.14
93	SUMATI JENA	H- HRUDANANDA DAS	KUANSH UP(ME) SCHOOL	22.03.11	21.03.14	22.03.14
94	SUSANTA KUMAR MALLIK	F- HARIHAR MALLIK	SINGIDA PS	30.04.11	29.04.14	30.04.14
95	SUSHANTA KUMAR MAHALIK	F- PUROSUTTAM MAHALIK	KODABARUAN UGMES	22.03.11	21.03.14	22.03.14
96	SUSMITA MUDULI	H- PRAVAT KUMAR RANA	ELKHA PRO. UPS	22.03.11	21.03.14	22.03.14
97	SWAGATIKA PARIDA	F- RUPANJAYA PARIDA	N.D.M.U.P.(ME) SCHOOL. SABARANG	05.04.11	04.04.14	05.04.14
98	SWARNAPRAVA NAYAK	F- BISWANATH NAYAK	OGALAPUR PRO. PS	22.03.11	21.03.14	22.03.14
99	SWORNANJALI PANIGRAHI	F- ANANDA CHANDRA PANIGRAHI	PATHARADI PS	30.04.11	29.04.14	30.04.14
100	TANUJA BEHERA	H- NIHAR. RANJAN DAS	NALANGA UGMES	22.03.11	21.03.14	22.03.14
101	URMILA JENA	H- ASHOK KUMAR THATEI	NALANGA UGMES	22.03.11	21.03.14	22.03.14

By order of the Collector-cum-CEO, Z.P., Bhadrak

District Project Coordinator
SSA, Bhadrak

PTO

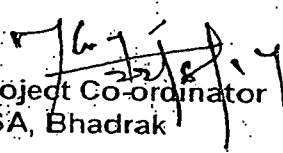
Memo No. 2317 /Date. 22-08-2014

Copy to persons concerned for information and necessary action.

Copy forwarded to the Headmasters concerned for information and necessary action.

Copy to Salary seat and EPF seat for information and necessary action.

Copy forwarded to the A.B.E.O-cum-BRCC, Bhadrak Block for information and necessary action.


District Project Co-ordinator
SSA, Bhadrak

Memo No. 2318 /Date. 22-08-2014

Copy forwarded to Block Education Officer, Bhadrak Block for information and necessary action.


District Project Co-ordinator
SSA, Bhadrak

True Copy Attested

* Banajenti Mishra

Appellat

**DISTRICT PROJECT OFFICE,
SARVA SIKSHYA ABHIYAN, BHADRAK**

Order No. 2314 /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 Bhadrak Block/Mpity 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.

Sl. No.	Name of the Junior Teacher	Father's/ Husband's name	Name of the School	Date of appointment as Regular Teacher (Level-V)
1	PADMALCHAN PANDA	F- KARTIKA CHANDRA PANDA	K.M.M.S. NODAL HIGH SCHOOL, BIRAPADA	26.02.16
2	SK. ARIF MOHAMMAD	F- SK. ABDUL KALAM	BISHNUPURBINDHA URDU PS	26.02.16
3	TAHER MOHAMMED KHAN	F- MD. HANEEF KHAN	MAHABOOB BAGAR URDU PS	26.02.16
4	SK. ZAKIR ALI	F- SK. ASAD ALI	NACHHIPUR PRO. UPS	02.03.16
5	UMESH CHANDRA PANDA	F- BHIMA CHARAN PANDA	JAGULAI PRO. UPS	02.03.16
6	BIMALA KINKARI NAYAK	H- MURALIDHAR NAYAK	TAGIRA PS	23.07.16
7	RUHSANA KHATOON	H- MUZAFFAR KHAN	HALADIDIHA UGMES	23.07.16
8	ALIVA DASH	H- SANJAYA KUMAR PATRA	PITAMBAR NODAL UPS, ERADA	22.03.17
9	ANITA NAYAK	F- CHAKRADHAR NAYAK	JAGULAI PRO. UPS	22.03.17
10	APARNA RATH	H- LAXMIKANTA MISHRA	TORANAPADA PRO. UPS	22.03.17
11	BANANI DAS	H- SUKALYAN DAS	DADHIBAMAN PRO. UPS	22.03.17
12	BASANTA KUMAR MALLIK	F- GADADHAR MALLIK	TALASAH PRO. PS	22.05.17
13	BIRENDRA KUMAR JENA	F- PANCHANAN JENA	JAGADALPUR UGMES	22.03.17
14	BYOMAKESH PARIDA	F- KRUSHNA CHANDRA PARIDA	KALAHANDIA UGMES	22.03.17
15	DEBENDRA KUMAR BARIK	F- MAGUNI CHARAN BARIK	MAKARESWAR NODAL UPS, AMBROLI	22.03.17
16	JIBAN BANDHU PANIGRAHI	F- PITAMBAR PANIGRAHI	GORAMATI UGMES	22.03.17
17	KSHIRABDHI TANAYA JENA	H- PRAVAT KUMAR NAYAK	JAGADALAPUR UGMES	22.03.17
18	LAMBODARA PATRA	F- NARAHARI PATRA	KAUPUR NODAL UPS	22.03.17
19	MALABIKA NANDA	H- SRINIBASH KAR	SUSUA UGMES	22.03.17

Banajenz Meshra

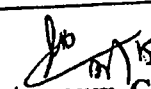
15.09.2021

20	MAMATA BIHARI	H- AJAY KUMAR ROUT	BAUDPUR PRO. UPS	22.03.17
21	MANISHA PATI	H- AVAYA RANJAN PANIGRAHI	KHANDATARA NODAL UPS	22.03.17
22	MANISHA TRIPATHY	H- SIBA NARAYAN PATI	BAPUJEE NODAL UPS, GELPUR	22.03.17
23	MANJULATA NAYAK	H- NALINIRANJAN ROUT	BANDHAGAON NODAL UPS	22.03.17
24	MANORAMA ACHARYA	H- NITYANANDA MISHRA	HARINARAYAN NODAL UPS, GARADPUR	22.03.17
25	MONALISA PARIDA	F- DAYANIDHI PARIDA	KORKORA NODAL UPS	22.03.17
26	NAGINA ARA BANO	F- MIRZA MD MOHSIN	CHHADAKMOHALA UGMES	22.03.17
27	NAMADEEPA BARIK	H- SATYABRATA BISWAL	JAGULAI PRO. UPS	22.03.17
28	NILIMA PRIYADARSINI JENA	F- PRASANTA KUMAR JENA	GOPABANDHU NODAL UPS, RAILWAY COLONY	22.03.17
29	PRAKASH CHANDRA MAHAKUD	F- MOHAN MAHAKUD	KSHIRASAHU NODAL UPS	22.03.17
30	PRAKASH KUMAR NAYAK	F- SUBAL NAYAK	JAGADALAPUR UGMES	22.03.17
31	PRAKASH NARAYAN JENA	F- PANCHANNA JENA	D.A.S. NODAL HIGH SCHOOL, BARAPADA	22.03.17
32	PRASANNAJIT JENA	F- BHIKARI CHARAN JENA	RANAPADA PRO. UPS	22.03.17
33	PRASANTA KUMAR MAHAL	F- INDRAMANI MAHAL	BARANGA NODAL ME(UP) SCHOOL	22.03.17
34	PREETIREKHA BEHERA	F- PRAFULLA BEHERA	RANITAL ADIVASISAHU PRO.PS	22.03.17
35	PRIYADARSHANI BISWARANJITA JENA	H- PRADEEP KUMAR DAS	RAJUALIBINDHA N.U.P. SCHOOL	22.03.17
36	RANJITA MOHAPATRA	H- SUSANT KUMAR BEHERA	BALABHADRAPUR NODAL UPS	22.03.17
37	RASHMITA HOTA	H- MANORANJAN MISHRA	BALABHADRAPUR NODAL UPS	22.03.17
38	SANJUKTA JENA	H- SANJAY KUMAR GIRI	KEDARPUR PRY. SCHOOL	22.03.17
39	SASMITA BARIK	F- BHASKAR CHANDRA BARIK	R.C.B.L. NODAL UPS	22.03.17
40	SHAIKH BASIR AHAMAD	F- SK. NESAR AHAMAD	DURGAPUR URDU PRO. UPS	22.03.17
41	SNEHA RANJAN MAJHI	F- CHAITANYA MAJHI	MIRZAPUR UGMES	22.03.17
42	SUBHADRA SWAIN	H- SATYAJIT NAYAK	DURGAPUR URDU PRO. UPS	22.03.17
43	SUBHASHREE DAS	H- BHAGABAN NAYAK	HARIPUR UGMES	22.03.17
44	SUDHAKAR BARIK	F- PITAMBAR BARIK	KSHIRASAHU NODAL UPS	22.03.17
45	SUHANI DAS	F- HEMANT KUMAR DAS	PATANASAHU UGMES	22.03.17
46	SUMATI JENA	H- HRUDANANDA DAS	KUANSH UP(ME) SCHOOL	22.03.17
47	SUSMITA MUDULI	H- PRAVAT KUMAR RANA	ELKHA PRO. UPS	22.03.17
48	SWARNAPRAVA NAYAK	F- BISWANATH NAYAK	OGALAPUR PRO.PS	22.03.17
49	TANUJA BEHERA	H- NIHAR RANJAN DAS	NALANGA UGMES	22.03.17
50	URMILA JENA	H- ASHOK KUMAR THATEI	NALANGA UGMES	22.03.17
51	MANJULATA SAHOO	H- NISHAKARA SAHOO	FRASER GIRLS NODAL UPS	04.04.17
52	SAGARIKA MOHANTY	H- SK. ABDUL SAHID	PATANASAHU UGMES	16.05.17

53	SUCHITRA PATRA	F- SUDHAKAR PATRA	BINAPANI NODAL UPS, RAMBHILA	04.04.17
54	ABANTI MANDAL	H- RAJKISHORE JENA	D.A.S. NODAL HIGH SCHOOL, BARAPADA	05.04.17
55	AHINSA PRIYADARSINI PARIDA	H- SUBRAT KUMAR PALLAI	NILAKANTHAPUR UGMES	05.04.17
56	ARATI SANGEETA MINZ	F- PREMANSU MINZ	CHAKAPUR UGMES	05.04.17
57	BILASINI PANIGRAHI	F- SRIKANTA PANIGRAHI	CHUDANGAPUR PRY. SCHOOL	05.04.17
58	KABITA SAHOO	H- RATIKANTA BEHERA	ASURA UP(ME) SCHOOL	05.04.17
59	MADHUSMITA JENA	F- SURESH CHANDRA JENA	CHADHEYA NODAL UPS	05.04.17
60	MANDAKINI NAYAK	F- MAHADEV NAYAK	R.C.B.L. NODAL UPS	05.04.17
61	RASHMI RANJAN DAS	F- SUBASH CHANDRA DAS	NUAPATANA PRO. UPS	05.04.17
62	SANDHYARANI NAYAK	H- SURATH PRASAD NAYAK	N.D.M.U.P.(ME) SCHOOL, SABARANG	05.04.17
63	SWAGATIKA PARIDA	F- RUPANJAYA PARIDA	LALAJEE UPME SCHOOL	05.04.17
64	SHASHIREKHA SAHOO	H- CHITTARANJAN SAHU	BALAJITPADA UGMES	06.04.17
65	SABITA JENA	H- PRADEEP KUMAR JENA	KESHPUR UGMES	11.04.17
66	BARSA PRIYADARSANI MALLICK	H- ASHOK KUMAR MALLICK	GUJARADA NODAL HIGH SCHOOL	15.04.17
67	BAJUN SINGH	F- RAMA CHANDRA SINGH	PAGADA UGMES	16.04.17
68	SALGE MARNDI	H- ASHA CHARAN MAJHI	BHADRAK URDU PRO. UPS	16.04.17
69	LACHHMAN MARNDI	F- RAMRAI MARNDI	DHANATOLA URDU PS	17.04.17
70	LAXMAN KUMAR MURMU	F- MAHENDRA NATH MURMU	SANKARPUR URDU UGMES	17.04.17
71	BANDITA JENA	F- HRUDANANDA JENA	JAGULAI PRO. UPS	18.04.17
72	MANAS RANJAN NAYAK	F- BHASKAR CHANDRA NAYAK	SARAGADIA UGMES	18.04.17
73	MANDAKINI JENA	F- BISWANATH JENA	BANIA PS	18.04.17
74	RASHMIPRAVA BEHERA	H- MANOJ KUMAR SETHI	ANANDABAZAR UPMES	18.04.17
75	ANNAPURNA JENA	H- RADHANATH JENA	CHANDIAPADA NODAL U.P. SCHOOL	28.04.17
76	PRASANTILATA DAS	H- DAYANIDHI MAHUNTA	U.N. NODAL HIGH SCHOOL, JALANGA	25.04.17
77	SABITRI PANI	H- BRAJAKISHORE KAR	KODABARUAN UGMES	25.04.17
78	AMIYABALA ROUT	H- MANOJ KUMAR JENA	ASHAMANI NODAL UPS, BAGAMARA	30.04.17
79	ANUSUYA NAYAK	H- CHITTARANJAN ROUT	TALASAH PRO. PS	30.04.17
80	BIDYABHARATI BEHERA	H- KAILASH CHANDRA MOHARANA	SABARANGA NODAL HIGH SCHOOL	30.04.17
81	BISWARANJAN PALAI	F- AKSHAYA KUMAR PALAI	PUJA OSTA PRO. PS	30.04.17
82	DEEPAK KUMAR JENA	F- BABAJI CHARAN JENA	SUSHILADEIPUR PS	30.04.17
83	GULE FIRDOSH	H- IFTEKHAR ALLAM KHAN	CHHADAKMAHALLA UGMES	17.09.17
84	MAMITA RANI ROUT	H- BARENDRA KUMAR MOHANTY	BANDHAGAON NODAL UPS	30.04.17
85	NAMITA BEHERA	H- BASANTA KUMAR NAYAK	BHADRAK URDU PRO. UPS	30.04.17

86	NIYATI JENA	H- SUBHABRATA NAYAK	CHADHEYA NODAL UPS	30.04.17
87	PRASANTA KUMAR BARIK	F- SURENDRA BARIK	ARADIPADA PS	30.04.17
88	PRATIMA MANJARI KAR	H- RAJEEB KUMAR DASH	PALLI NODAL UPS	30.04.17
89	PRITIREKHA PUHAN	F- BISHNU PRASAD PUHAN	KSHIRASAHU NODAL UPS	30.04.17
90	SRADHANJALI KAR	H- NITYANANDA DASH	SALANDI COLONY PS	30.04.17
91	SUSANTA KUMAR MALLIK	F- HARIHAR MALLIK	SINGIDA PS	30.04.17
92	SWORNANJALI PANIGRAHI	F- ANANDA CHANDRA PANIGRAHI	PATHARADI PS	30.04.17
93	PRAGYAN MISHRA	H- MANAS KUMAR PRADHAN	KHANABARI UGMES	01.05.17
94	ALOK KUMAR DAS	F- BHARAT DAS	ATTO UGME SCHOOL	02.05.17
95	DEEPAK KUMAR ACHARYA	F- GOURANGA CHANDRA NAYAK	BASUAPADA PS	02.05.17
96	MANDAKINI JENA	F- DINABANDHU JENA	BIJE GANGADHARPUR UGMES	02.05.17
97	MINITA SAMAL	H- ANIL KUMAR BEHERA	AHARAPADA PS	02.05.17
98	RAJASMITA PANDA	H- PRAMOD KUMAR SAHOO	HARIPUR UGMES	02.05.17
99	AJAY BARIK	F- SAMBUNATH BARIK	OSTIA PRO.PS	11.05.17
100	RASMITA DEY	F- PRAVAT KUMAR DEY	OLANGA NODAL UPS	12.05.17
101	CHANDINI MAHARANA	H- GOURISANKAR MAHARANA	HANUMANJEW NODAL UPS	13.05.17
102	SANDHYARANI NAYAK	H- MANORANJAN KHAMARI	U.N. NODAL HIGH SCHOOL, JALANGA	13.05.17
103	SHANTI LATA SAHOO	H- JITENDRA KUMAR DAS	BHADRAK URDU PRO. UPS	13.05.17
104	MADHUSMITA SAMARTHA	F- RAJENDRA PRASAD SAMRTHA	THORDA PRO.UPS	26.05.17
105	MANASHI DAS	F- BACHUDHAR DAS	KANTAPADA NODAL UPS	26.05.17
106	RASHMI SAMARTHA	F- RAJENDRA PRASAD SAMRTHA	SARAGADIA UGMES	26.05.17
107	SASMITA KUMARI BEHERA	H- GANESH PRASAD SAHOO	NALABANKA PS	26.05.17
108	BANAJINI MISHRA	H- JATINDRA KUMAR PARHI	UTTARABAHINI PS	30.05.17
109	SMRUTIREKHA NAIK	H- NABIN KUMAR NAIK	OLANGA NODAL UPS	01.06.17
110	LALITA MURMU	H- HINDU HEMBRAM	OLANGA NODAL UPS	03.06.17
111	PRAVAT KUMAR DASH	F- GAJENDRA DASH	BELDA UGME SCHOOL	06.07.17
112	ALAKA PUHAN	F- RAGHUNATH PUHAN	PATRASAHU PRY. SCHOOL	19.07.17
113	SUBHASMITA SATPATHY	F- BANCHHANIDHI SATAPATHY	SAHADA HARIJAN DOLAGOBINDA NODAL UPS	20.07.17
114	SAHIN ARA BEGUM	F- QJUDDIN KHAN	NANGHAMAHALLA URDU GIRLS PS	01.08.17
115	SK. IFTAKHAR ALI AHAMMED	F- SK. SAFIUR RAHEMAN	GUJIDARADA NODAL HIGH SCHOOL	01.08.17
116	SUCHARITA PANDA	H- KAMALKANTA PARHI	PAGADA UGMES	01.08.17
117	GIRIJA PRIYADARSINI JENA	F- ASHOK KUMAR JENA	ANDHEIPALLY NODAL UPS	03.08.17
118	GAGAN CHANDRA BARIK	F- CHAKRADHAR BARIK	KODABARUAN UGMES	27.08.17
119	SABDENDU SEKHAR MISHRA	F- KARUNAKAR MISHRA	BHATTATIRA PRO.PS	29.08.17

120	NARAYAN CHANDRA SAHOO	F- APARTI CHANDRA SAHOO	PATANA PRO.PS	05.09.17
121	SACHIKANTA TRIPATHY	F- NISAKAR TRIPATHY	JIVRAM VIDYAPITHA NODAL UPS, SAIDABAD	09.11.17
122	TAPATI MOHANTY	H- DEBASISH PATTANAYAK	KUANSH UP(ME) SCHOOL	11.11.17
123	GOURANGA CHARAN PEDDA	F- ABHIMANYU PEDDA	PALLI NODAL UPS	21.11.17
124	SAKUNTALA SINGH	F- BUDHIRAM SINGH	CHAPUNDIA PS	16.12.17
125	MONALISHA BEHERA	F- BASANTA KUMAR BEHERA	EREIN UGMES	19.12.17
126	RAIMAT MURMU	F- RATHA MURMU	OSTIA PRO.PS	19.12.17
127	SANJU PAIDA	F- MURALIDHAR PAIDA	GANDHIBALASHRAM PS	21.12.17
128	NISHAKAR PANIGRAHI	F- MADHABA CH. PANIGRAHI	SABARANGA NODAL HIGH SCHOOL	23.12.17
129	SAMAR KUMAR PARIDA	F- KAPIL PARIDA	JAGANNATHAPUR PS	23.12.17
130	SUBRAT KUMAR NAYAK	F- SUKADEV NAYAK	BIJE GANGADHARPUR UGMES	23.12.17
131	SUVRASIMA MOHANTY	F- KAMALA KANTA MOHANTY	NATAWAR NODAL UPS	07.01.18
132	NAMITA NAYAK	H- ASHOK KU. NAYAK	HALADIDIHA UGMES	09.01.18
133	RADHARANI HUI	H- NITYANANDA NAYAK	MATHASAH NODAL UPS	27.01.18
134	DEBASHISH JENA	F- RAIKISHORE JENA	JHATIA ADIBASISAH PRO.PS	07.03.18
135	GOVINDA CHANDRA GUIA	F- GANGADHAR GUIA	OLANGA NODAL UPS	07.03.18
136	SURESH KUMAR JENA	F- PITAMBAR JENA	JAGADALPUR UGMES	07.03.18
137	LADURAM SAMAD	F- MORA SAMAD	CHADHEYA NODAL UPS	12.03.18
138	RASMI RANJITA DWIBEDI	H- MANOJ KUMAR MISHRA	MATHASAH NODAL UPS	12.03.18
139	SASMITA BEHERA	F- BHIMA CHARAN BEHERA	JAGULAI PRO.UPS	13.03.18
140	MAMATA MANIK	H- DAITARI NAIK	BADA ADIBASISAH PRO.PS	16.03.18
141	TIPUSULTAN KHAN	F- TAMJUL KHAN	SAHAPUR URDU PS	19.03.18


Collector-cum-Chairman,
SSA, Bhadrak

Memo No. 2315 /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. 2316 /Date. 03-05-18
Copy forwarded to the Block Education Officer, Bhadrak/ D.E.O., Bhadrak

for information and necessary action.


District Project Co-ordinator,
SSA, Bhadrak

Memo No. 2317 /Date. 03-05-18

Copy submitted to the State Project Director, OPEPA, Bhubaneswar/

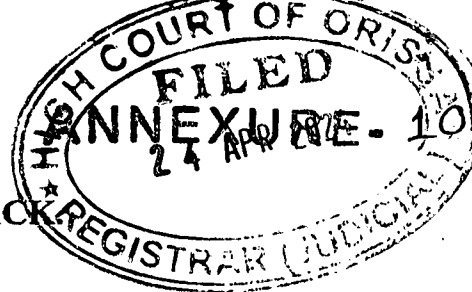
Director, Elementary Education Odisha, Bhubaneswar/ Addl. Secretary to Govt., S & M.E. Deptt., Odisha, Bhubaneswar for favour of kind information and necessary action.


District Project Co-ordinator,
SSA, Bhadrak

True Copy Attested

Banajitendra Mishra

Appellant



IN THE HIGH COURT OF ORISSA : CUTTACK

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

CODE NO :

Surekha Samal and others Petitioners.

-Versus-

State of Orissa and others Opp. Parties.

I N D E X

Sl. No.	Description of documents.	Pages.
1.	Writ Application.	01 - 24
2.	<u>Annexure-1.</u> Copy of the Govt. resolution dt.10.1.2011 and advertisement dated 22.1.2011.	25-31
3.	<u>Annexure-2 series</u> Copies of the initial provisional merit list.	32-39
4.	<u>Annexure-3 Series.</u> Copies of the second merit list including all Vocational and Upasastri candidates.	40-52
5.	<u>Annexure -4 series.</u> Copies those undertakings furnished by Vocational and Upasastri candidates.	53 - 55
6.	<u>Annexure-5 series</u> Copies of conditional engagement orders.	56 - 68
7.	<u>Annexure-6 Series.</u> Copies of the disengagement notice issued to all Opp. Parties No.4 to 6.	59 - 61
8.	<u>Annexure-7.</u> Copy of counter filed by the Opp. Party Nos. 1 to 3.	62- 70
9.	<u>Annexure-8.</u> Copy of the petition to call for connected inquiry record.	71 -

10. Annexure-9.
Copies of reject list excluding vocational and
Upasastri candidates of the year 2012. 72 - 75
11. Annexure-10 series.
Copies of double certificates of the
Opp. Party Nos.4 to 6. 76 - 81
12. Annexure-11 series.
Copies of note of submissions along with a list
of the citation of the judgment . 82 - 90
13. Annexure-12.
Copy of the impugned order dtd.21.8.2015
obtained on 19.9.2015. 91 - 103
13. Annexure-13 Series.
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. 108

VAKALATNAMA.

Cuttack.

By the Petitioner through

Date :

Advocate.

IN THE HIGH COURT OF ORISSA: CUTTACK.

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

A n d

In the matter of :

1. Surekha Samal, aged about 25 years,
D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli,
Dist. Bhadrak.
2. Kalpana Panigrahi, aged about 27 years,
D/o. Gourahari Panigrahi, At. Haripur, P.O. Sahar
Via-Sabaranga, Block/Dist. Bhadrak.
3. Jyotsnarani Giri, aged about 32 years,
D/o. Kamalakanta Giri, At. Gopalpur, P.O. Ganijanga
Dist. Bhadrak.

Petitioner

- Versus -

1. 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.
4. 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.

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.
7. Council of Higher Secondary Education, Orissa
Represented, through its Secretary, At- Prajnapitha,
Samantapur, Bhubaneswar-13 Dist- Khorda.

.. .. **Opposite Parties**

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

To

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 Annexure-1 Series.

4. That it is relevant to mention here that the petitioners have submitted their applications in respect of Bhadrak-I Education District. The petitioner Nos.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

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 +2 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 +2 Arts/Science/Commerce in the District of Bhadrak though the C.H.S.E. has treated the same to be equivalent to +2.

Mr. K.K. Rath, learned counsel appearing for the School and Mass Education Department submits that he has obtained instruction that the +2 Vocational Course will be treated as equivalent to +2 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 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 Collectors-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 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.

6. That it is respectfully submitted that in the aforesaid direction, this 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 Equivalence 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 :

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

Order No.02

Dt.24.03.2011

Heard.

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.

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:

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.

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 Annexure-5 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 /

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 is quoted 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.

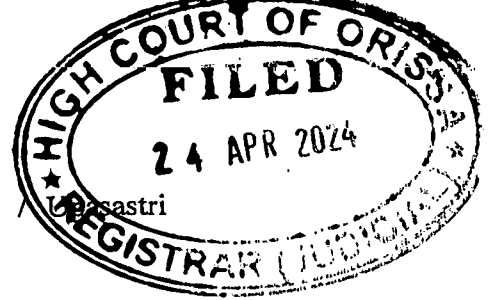
However, the concerned authority shall continue the enquiry after service of show-cause notice on the petitioner, but shall not declare the result without permission of the Court.

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 /Upasastri 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 Annexure-7.

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. 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. 5077/2014 W.P.(C) Nos. 539 597 598 10872 1487 21461 & 620 of 2013 W.P. (C) Nos. 5340 1857 17561 1438 22346 25355 & 927 of 2012 and W.P.(C) Nos. 32023 32024 32030 32025 32026 29301 11112 32029 32028 32027 29053 28415 28414 25693 25692 & 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

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.

16. That it is respectfully submitted that in pursuant to the aforesaid order 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 Annexure-10 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

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

18. That it is respectfully submitted that the learned Collector without 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,

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

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 2nd examination in any subject, which he had not offered at the preceding Annual Examination.

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, Regulation-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

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.

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

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 Annexure-13 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 acquiescence 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.

P R A Y E R

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;

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

Cuttack.

By the Petitioners through

Date :

Advocate.

A F F I D A V I T

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 :-

1. That I am the Petitioner No. 1 in this writ application and I have been 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

D e p o n e n t.

Certificate

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

Advocate.

**GOVERNMENT OF ORISSA
DEPARTMENT OF SCHOOL AND MASS EDUCATION
RESOLUTION**

No. 587 /SME Dt. 10-1-11
II-SME(B)-41/2009.

Subject : Guidelines for engagement of Sikshya Sahayaks.

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 Court and the Hon'ble High Court in their order dtd.29.06.2010 in WP (C) Nos.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(Sikshya 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 : -

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

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.

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 Up-gradation 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.

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 Sikshya 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 Sikshya Sahayak, his / her application shall be rejected without assigning any reason thereof.

6. ELIGIBILITY

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

(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 in case 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 thereunder 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.

9.4 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

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

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

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

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

10. Decision taken in the matter of engagement of Sikshya Sahayak (SS) 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

Memo No. 588 /SME, Date 10-1-11 (b. 1. 2011)
Commissioner cum Secretary to Govt.

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.

Memo No. 589 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to Finance Department / P&C Department / Panchayati Raj Department / ST & SC Development for information and necessary action.

Memo No. 590 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to Director, Elementary Education / SPD, OPEPA / Addl. Director, Planning (OPEPA) / Director, TE & SCERT, Orissa for information and necessary action.

Memo No. 591 /SME, Date 10-1-11 Addl. Secretary to Govt.

Copy forwarded to all Collectors-cum-Chief Executive Officers, Zilla Parishad / All DPC / All DI of Schools for information and necessary action.

Memo No. 592 /SME, Date 10-1-11

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.

T. C. Chakrabarti
A. S. Chakrabarti

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ସର୍ବ ଶିକ୍ଷା ଅଭିଯାନ

ସର୍ବ ପଢ଼ୁ ସର୍ବ ବଢ଼ୁ

କିଲ୍ଲାପ୍ରକଳ କାର୍ଯ୍ୟାଳୟ, ସର୍ବଶିକ୍ଷା ଅଭିଯାନ, ଭଦ୍ରକ

ବିଜ୍ଞାପନ ନଂ. ୧୮୫୧ ଚାରିଖା. ୦୮.୧୨.୨୦୧୧

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ନାମ ସହାୟକ/ସହାୟକା ନିଯୋଜନ ବିଜ୍ଞାପନ

ଭଦ୍ରକ ଜାତୀୟ କିଲ୍ଲା ଶିକ୍ଷା କିଲ୍ଲାଗୁଡ଼ିକର ପ୍ରାଥମିକ ଓ ଉଚ୍ଚପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକ ଶିକ୍ଷା ସହାୟକ ନିଯୋଜନ ପାଇଁ ଉଦ୍ଦେଶ୍ୟ କିଲ୍ଲା ପରିଷଦ ଚଳାପତ୍ର ଉପଖଣ୍ଡ ଆଦାନ କରାଯାଉଅଛି । ଭଦ୍ରକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନାମାନେ ଯେ କୌଣସି ଗୋଟିଏ ଶିକ୍ଷାକିଲ୍ଲା ପାଇଁ ଆବେଦନ କରିପାରିବେ । ଏଥିପାଇଁ ଆବେଦନ ପତ୍ର ସହିତ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନା କେବଳ ଗୋଟିଏ ଶିକ୍ଷା କିଲ୍ଲାପାଇଁ ଆବେଦନ କରିଛନ୍ତି ବୋଲି ଏକ ପତ୍ରପାଠ (Affidavit) ଦାଖଲ କରିବେ । ଯାହା ସମୟରେ ସର୍ବ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନାମାନେ ଆବେଦନ କରିଥିବା ଶିକ୍ଷା କିଲ୍ଲା ଦ୍ଵାରା ଅନ୍ୟ ଶିକ୍ଷା କିଲ୍ଲାରେ ଆବେଦନ କରିଥିବା ପ୍ରମାଣିତ ହୁଏ ତେବେ ପ୍ରାର୍ଥୀଙ୍କର ଆବେଦନ ପତ୍ର ବିଚାରକୁ ନିଆ ନ ଯାଇ ନାକଚ କରିଦିଆଯିବ । ସାର୍ବଜନିକ ଭାବେ ବୋଲି ପ୍ରମାଣିତ ହେଲେ ଆଉଟ୍ ଅନ୍ତରାୟ କାର୍ଯ୍ୟାଳୟର ଗୁରୁତ୍ଵ କରାଯିବ ଏବଂ ନିୟୁତ୍ତି ରତ କରାଯିବ । ଭଦ୍ରକ ଯୋଗ୍ୟ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନାମାନେ ସାଧା କାଗଜରେ ନିମ୍ନ ପ୍ରଦତ୍ତ ଉପଖଣ୍ଡ ପର୍ଯ୍ୟନ୍ତ ଆବେଦନ ପତ୍ର ଜାଗ୍ରତା ପ୍ରକଳ ଉ.ପ୍ରା. ବିଦ୍ୟାଳୟ, ବାଗୁରାଜ, ଉତ୍କଳରେ ଆସନ୍ତା ନା. ୧୦.୦୧.୨୦୧୧ ଖିଖା ସୁଦ୍ଧା ଗ୍ରହଣ କରିବା ଲାଗେ ବାକି ନାହିଁ ।

ନୂତ୍ତିପୂର୍ଣ୍ଣ ବା ବିନମ୍ବରେ ପ୍ରାପ୍ତ ଉପଖଣ୍ଡ ଗୁଡ଼ିକୁ ବିଚାରକୁ ନିଆଯିବ ନାହିଁ । ଆବେଦନପତ୍ର କିଲ୍ଲାପରିଷଦର ମୁଖ୍ୟନିର୍ଦ୍ଦେଶୀ ଅଧିକାରୀ ତଥା କିଲ୍ଲାପ୍ରକଳ ଦ୍ଵାରା ଗ୍ରହଣ କରାଯିବ ।

(୨) ଏହି ଶିକ୍ଷା ସହାୟକ ନିଯୋଜନ ପାଇଁ ଶିକ୍ଷା କିଲ୍ଲାସ୍ତରୀୟ ବିଭିନ୍ନ ଶ୍ରେଣୀର (Category) ପଦବୀ ସଂଖ୍ୟା ଏବଂ ବିଭିନ୍ନ ବର୍ଗ ପାଇଁ ସଂରକ୍ଷଣ ଥିବା ପଦବୀ ସଂଖ୍ୟା ନିମ୍ନ ପ୍ରକାର ଅଟେ :

ଶିକ୍ଷା କିଲ୍ଲା ନାମ	ପଦବୀର ପ୍ରକାର	ମୋଟ ପଦବୀ ସଂଖ୍ୟା	ଶାରିରୀକ ଉନ୍ନତତା ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ପଦବୀ
ଭଦ୍ରକ - ୧	ଡି.ଏସ୍.ସି. / ଡି.ଏ.ସି.ଇଡି	୧୪୫	୫
	ସ୍ଥଳ ଦୁଇ ବିଭାଗ / କଳା/ ବାଣିଜ୍ୟ ସି.ଟି.	୧୯୨	୬
ଭଦ୍ରକ - ୨	ଡି.ଏସ୍.ସି. / ଡି.ଏ.ସି.ଇଡି	୧୨୩	୪
	+୨ ବିଭାଗ/ କଳା/ ବାଣିଜ୍ୟ ସି.ଟି.	୧୨୫	୫

* ୨ ଯୋଗ୍ୟତା ସହ ଉର୍ଦ୍ଧ୍ଵ ତାଲିମପ୍ରାପ୍ତ ସି.ଟି. ପ୍ରାର୍ଥୀ/ ପ୍ରାର୍ଥନାମାନେ ଭାବକୁ କିଲ୍ଲାପାଇଁ ଆବେଦନ ପତ୍ର ଦାଖଲ କରିବେ । ସେମାନଙ୍କୁ କିଲ୍ଲା ପ୍ରାଥମିକ ଓ ଉଚ୍ଚ ପ୍ରାଥମିକ ବିଦ୍ୟାଳୟମାନଙ୍କରେ ଆବଶ୍ୟକତା ଅନୁଯାୟୀ ନିଯୋଜନ କରାଯିବ । ଏହି ପଦବୀ ଗୁଡ଼ିକର ସଂଖ୍ୟା ଏବଂ ବିଭିନ୍ନ ବର୍ଗ ପାଇଁ ସଂରକ୍ଷଣ ଥିବା ପଦବୀ ନିମ୍ନ ପ୍ରକାର ଅଟେ ।

ପଦବୀର ପ୍ରକାର	ମୋଟ ପଦବୀ ସଂଖ୍ୟା	ଶାରିରୀକ ଉନ୍ନତତା ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ପଦବୀ
ନର୍ଥ.ସି.ଟି.	୩୫	୧

(ଅନ୍ୟାନ୍ୟ ବର୍ଗର ବ୍ୟକ୍ତିଙ୍କ ନିମନ୍ତେ ସରକାରଙ୍କ ଦ୍ଵାରା ସଂରକ୍ଷଣ ସଂରକ୍ଷଣ ନିୟମାନୁଯାୟୀ ପଦବୀ ସଂରକ୍ଷଣ ରହିବ ।)

ଆବେଦନ ପତ୍ର ଗ୍ରହଣ କରିବା ପାଇଁ ପ୍ରାର୍ଥୀଙ୍କୁ ତାଲିମଗୁଡ଼ିକ କରାଯିବ ଯାହା-ବର୍ଷ ପାଇଁ ବୈଧ ରହିବ । ଏହି ଯୋଗ୍ୟ ବିବେଚିତ ଅବସ୍ଥାରେ ଏବଂ ଉତ୍ତର ପ୍ରାର୍ଥୀ ତାଲିମ (Provisional & Final Select List) ଶିକ୍ଷା କିଲ୍ଲା, କିଲ୍ଲା ପରିଷଦ ଏବଂ କିଲ୍ଲାପ୍ରକଳ କାର୍ଯ୍ୟାଳୟ ମାନଙ୍କର ଗୋଟିଏ ବୋର୍ଡରେ ସର୍ବସାଧାରଣଙ୍କ ଅବଗତ ନିମନ୍ତେ ପ୍ରକାଶିତ ହେବ । ଶିକ୍ଷା ସହାୟକ ନିଯୋଜନ କିଲ୍ଲାପରିଷଦ ଦ୍ଵାରା ନିଯୋଜିତ ହେବେ ।

(୩) ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା : ନିମ୍ନଲିଖିତ ଯୋଗ୍ୟତାଆଇ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନାମାନେ ଯେ କୌଣସି ଗୋଟିଏ ପଦବୀ ପାଇଁ ଆବେଦନ ଯୋଗ୍ୟତା ଅନୁଯାୟୀ ଆବେଦନ କରିବେ ।

(କ) ସ୍ଥଳ ଦୁଇ (+2) ବିଭାଗ/କଳା/ବାଣିଜ୍ୟ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ଵାରା ଯୋଗିତ ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ପାଠ୍ୟ ପୋଷ୍ଟାତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାଠ୍ୟ ପୋଷ୍ଟାତା ଆଇ ତାଲିମପ୍ରାପ୍ତ (ସି.ଟି.) (Recognised by NCTE) ।

(ଖ) ସ୍ଥଳ ଦୁଇ (+2) ବିଭାଗ/କଳା/ବାଣିଜ୍ୟ କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ଵାରା ଯୋଗିତ ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ପାଠ୍ୟ ପୋଷ୍ଟାତା ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷାରେ ସପ୍ତମ ଶ୍ରେଣୀ ପାଠ୍ୟ ପୋଷ୍ଟାତା ଆଇ Rehabilitation Council of India (RCI) ଦ୍ଵାରା ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷାରେ ୨ ବର୍ଷିଆ ଡିପ୍ଲୋମା ତାଲିମ (2 year diploma in Special Education) ।

(ଗ) ସ୍ୱାତନ୍ତ୍ରରେ ବିଭାଗ/କଳା କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ଵାରା ଯୋଗିତ ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ପାଠ୍ୟ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତାଆଇ ଡି.ଏଡ୍. ତାଲିମ ପ୍ରାପ୍ତ (Recognised by NCTE) ।

(ଘ) ସ୍ୱାତନ୍ତ୍ରରେ ବିଭାଗ/ କଳା କିମ୍ବା ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ଵାରା ଯୋଗିତ ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ପାଠ୍ୟ ସହିତ ମାଟ୍ରିକ ପର୍ଯ୍ୟନ୍ତ ଓଡ଼ିଆ ମାତୃଭାଷା ଯୋଗ୍ୟତାଆଇ Rehabilitation Council of India (RCI) ଦ୍ଵାରା ସ୍ୱୀକୃତି ପ୍ରାପ୍ତ ସ୍ୱତନ୍ତ୍ର ଶିକ୍ଷା ପାଠ୍ୟକ୍ରମରେ ଡି.ଏଡ୍. ତାଲିମ (B.Ed. Special Education) ।

(ଙ) ସ୍ୱାତନ୍ତ୍ରରେ ଯୋଗ୍ୟତା ସହ ଉର୍ଦ୍ଧ୍ଵ ଡି.ଏ. ପ୍ରାର୍ଥୀମାନେ ଅବଶ୍ୟକ ସେ ଉର୍ଦ୍ଧ୍ଵ ମାତୃଭାଷା ଆଇ ସପ୍ତମ ଶ୍ରେଣୀ ପାଠ୍ୟ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଆବେଦନ ।

(ଚ) ସ୍ଥଳ ଦୁଇ (+2) ବିଭାଗ, କଳା, ବାଣିଜ୍ୟ କିମ୍ବା ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ପାଠ୍ୟ ସହିତ ଓଡ଼ିଆ ମାତୃଭାଷା ସପ୍ତମ ପର୍ଯ୍ୟନ୍ତ ଯୋଗ୍ୟତା ଆଇ ଏବଂ ବିଭାଗ ଓ କଳାରେ କିମ୍ବା ଚତୁର୍ଥ୍ୟ ପରୀକ୍ଷାରେ ସ୍ୱାତନ୍ତ୍ର ପାଠ୍ୟ ସହିତ (ଓଡ଼ିଆ ମାତୃଭାଷା ନବମ ପର୍ଯ୍ୟନ୍ତ) ମୋଡ଼ାସ୍ତରୀୟ ଅନୁତାଳିନ ପ୍ରାର୍ଥୀଙ୍କୁ ନିମ୍ନଲିଖିତ ନିୟମାବଳୀ ଅନୁଯାୟୀ ଗ୍ରହଣ କରାଯିବ । ଯୋଗ୍ୟତା ଗ୍ରହଣ କରିବା ପାଇଁ ଆବେଦନ କରିବାକୁ ପଡ଼ିବ । ପରୀକ୍ଷା ଗ୍ରହଣ କରିବା ପାଇଁ ଆବେଦନ ସଂଖ୍ୟା ଉପଯୁକ୍ତ ଗ୍ରହଣ କରିବାକୁ ନିମ୍ନଲିଖିତ ଏବଂ ଶାରିରୀକ ଅବସ୍ଥାରେ ନିମ୍ନ ପ୍ରାର୍ଥୀ ନ ଲିଖିତ ଏବଂ ଶାରିରୀକ ଅବସ୍ଥାରେ ନିମ୍ନ ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା ସହିତ ଯୋଗିତ ଆବେଦନ ଅନୁଯାୟୀ ସେମାନଙ୍କୁ ବିଷୟକ ବିଚାରକୁ ନେଇ ନିୟୁତ୍ତି ଦିଆଯିବ ।

(୫) ୨୦୧୦-୧୧ ଶିକ୍ଷା ବର୍ଷରେ C.T. ପରୀକ୍ଷା ଦେଇଥିବା ପ୍ରାର୍ଥୀମାନେ Admit କାର୍ଡ ନକଲ ସଂଯୋଗ କରି ଆବେଦନ କରିପାରିବେ । C.T. ପରୀକ୍ଷା Result ବ୍ୟାପ୍ତିତାର ୧୫ ଦିନ ମଧ୍ୟରେ ସେମାନେ ପାଶ୍ଚାତୀୟ Marksheet ନ ନକଲ ଆବେଦନ କରିବେ ।

ଶ୍ରୀ/ ଚିନ୍ତାପ୍ରକଳ୍ପ କ୍ଷାମୋକ୍ତ ଶର୍ତ୍ତସିନା ଅଭିଯାନ, ଉତ୍କଳ

T. Cracked

Annexure-2 Series UR FEMALE

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

NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
1	205	SANITA BALA KAR	H-MANASH RANJAN DASH	AT/PO-JAGANNATHPUR, BDK	02.02.88	F	GEN		3226/10	WT/66 63/09	900	564	62.67	1250	919	73.52	136.19		
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	WT/24 20/39	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	WT/18 22/38	900	537	59.67	1250	939	75.12	134.79		

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

UR FEMALE

NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
6	36	SASMITA BARIK	F-NARAYAN CH. BARIK	AT-SHYAMPUR, PO-D. NAGAR, BDK, 756117	08.06.91	F	OBC	753/11	675/11	WT/224/11	600	368	61.33	1250	918	73.44	134.77		
7	61	BISAKHA KUMARI BAL	F-SHYAMA SUNDAR BAL	AT-NEULIA, PO-MANJURI, VIA-AKHUAPADA, BDK, 756112	02.05.91	F	SEBC	09/11	33/11	TW/280/11	600	389	64.83	1250	851	68.08	132.91		
8	167	SNEHALATA KAR	F-PARSURAM KAR	AT-KUANRDA, PO-ADIA, VIA-BONTH, BDK	12.06.91	F	GEN		141/11	TW/627/11	600	400	66.67	1250	828	66.24	132.91		
9	60	NIRMALA BEHERA	F-MAYADHAR BEHERA	AT-KAHALIAGADHIA, PO-KAHALIGADIA, VIA-D. J. PUR, KEONJHAR, 758078	18.05.87	F	SEBC	504/11	500/11	WT/583/09	900	558	62.00	1250	886	70.88	132.88		
10	68	CHHABIRANI MOHAPATRA	F-TANMAY KU. MOHANTY	AT-JAGANNATHPUR, PO-BDK, 756100	18.03.80	F	GEN		560/11	TW/3263/08	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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Sl. No.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
11	163	MANASI SABAT	H-NARENDRA KU. SENAPATI	AT-PALLI, PO-ATTO, BDK, 756123	22.05.90	F	GEN		488/11	TW/84 98/10	900	545	60.56	1250	892	71.36	131.92		
12	145	SMT. NAMITA BEHERA	H-BASANTA KU. NAYAK	AT-KESHABNAGAR, PO-MADHABNAGAR, BDK, 756181	13.06.74	F	SEBC	874/09	6755/10	TW/30 13/07	900	557	61.89	1250	873	69.84	131.73		
13	101	ANNAPURNA PATI	F-RAMAKANTA PATI	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	222	NUSRAT JAHAN	F-MD. KASIM KHAN	AT-MUNSIMAHALLA, PO-GUJJARADA, BDK	18.05.87	F	GEN		531/11	TW/18 72/08	900	516	57.33	1250	921	73.68	131.01		
15	313	GITANJALI PANDA	H-SUSANTA PARHI	AT/PO-KALYANI, VIA-KOTHAR, BDK	14.04.84	F	GEN		7807/11	TW/71 77/06	900	412	45.78	1250	890	71.20	116.98	PH(OR TH) 55%	

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

UR FEMALE

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FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remark
WAITING																		
1	103	GEETANJALI MISHRA	H-CHANDRALO CHAN TRIPATHY	AT/PO-SABARANGA, BDK, 756123	06.05.86	F	GEN		6074/10	TW/37 00/07	900	504	56.00	1250	929	74.32	130.32	
2	122	NASREEN AKHTARI	F-HASIM KHAN	AT-KAZIMOHALLA, PO-PURUNABAZAR, BDK	05.06.86	F	GEN		470/11	WT/15 14/09	900	506	56.22	1250	921	73.68	129.90	
3	110	CHANDINI KHATOON	F-SK. ABDUL GAFFAR	AT-NUASAH, PO-GARADPUR, DIST BHADRAK	28.01.91	F	GEN		470/11	WT/66 1/11	600	332	55.33	1250	932	74.56	129.89	
4	302	KALPANA PANIGRAHI	F-GOURHARI PANIGRAHI	AT-HARIPUR, PO-SAHADA, VIA-SABARANGA, BDK	08.06.89	F	GEN		475/11	WT/11 1/10	900	502	55.78	1250	914	73.12	128.90	PH(EYE) 42%

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

UR FEMALE

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SL NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remark
5	273	ARCHANA MISHRA	F-BYOMOKESH A MISHRA	AT/PO-APARTIBINDHA, BDK	06.07.81	F	GEN		535/10	TW/30 22/07	900	509	56.56	1250	903	72.24	128.80		
6	176	SHAMMA PERWEEN	F-SK. DAUD	AT-HELASAH, PO PURUNABAZAR, BDK	02.02.87	F	GEN		654/11	TW/10 625/10	900	491	54.56	1250	923	73.84	128.40		
7	293	SMITA RANI PANIGRAHI	F-NIRANJAN PANIGRAHI	AT-HARIPUR, POSAH ADARIPUR, VI A-SABARANGA, BDK	06.07.89	F	GEN		5986/10	WT/11 290/10	900	475	52.78	1250	945	75.60	128.38		
8	89	ANITA MISHRA	H-BIKRAM KESARI PADHI	AT-EREIN, PO-CHARAMPA, BDK, 756101	09.02.79	F	GEN		528/11	TW/78 2/07	900	490	54.44	1250	920	73.60	128.04		

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S-4+2 ARTS CT

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

SEBC FEMALE CATEGORY

(17-108)

SL.NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser/Sp orts	Remarks
1	95	MITANJALI DHAL	F- PURUSOTTA M DHAL	AT/PO- KANPUR, VIA- DHANURJAYAPUR, PS- SOSO, KENOJHAR, 758078	07.07.91	F	SEBC	332/11	330/11	WT/183/11	600	364	60.67	1250	817	67.76	128.43	PH(OR TH) 50%	
2	127	ANITA PRADHAN	H-BIKRAM KU. ROUI	AT- CHANDRAPUR, P. C- JALAMANDUA, VIA- BARIKPUR BAZAR, DIST- BHADRAK	18.07.83	F	SEBC	18/11	417/11	TW/1268/08	900	554	61.56	1250	830	66.40	127.96		
3	272	MANOSWINI RANA	F-LAMBODAR RANA	AT- BINAYAKPUR, BDK	04.05.90	F	OBC	243/08		TW/877/11	900	500	55.56	1250	901	72.08	127.64		
4	13	SHANTI LATA SAHOO	H-JITENDRA KU. DAS	AT- NARIPUR, PO/PS- BHADRAK, BDK	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	F- NITYANANDA NAYAK	AT- BALIPATANA, PO- MAUDA, VIA- MADHAB NAGAR, BDK	02.08.89	F	SEBC	316/06	817/11	WC/9479/10	900	528	58.67	1250	854	68.32	126.99		

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IS-I +2 ARTS CT

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

SEBC FEMALE CATEGORY

SL.NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
6	85	MANINI PARIDA	F- JUDHISTHIR PARIDA	AT-BHABANIBINDHA PO- ICHHAPUR, VIA-DOLASAH, BDK, 756127	07.04.83	F	OBC	103/11	525/11	WT/19 15/08	900	472	52.44	1250	927	74.16	126.60		
7	299	MALATI LATA NAYAK	F-INDRAMAN NAYAK	AT/PO- BALIBAREI, HADAGARH, KEONJHAR	14.06.88	F	SEBC	970/11	958/11	TW/15 62/09	900	536	59.56	1250	833	66.64	126.20		
8	153	SUBHASMITA MOHANTY	F- ABHIMANYU MOHANTY	AT-JAMITIRA, PO-ORALI, VIA-HATADIHI, KEONJHAR	11.04.91	F	SEBC	137/11	136/11	WT/10 7/11	600	366	61.00	1250	815	65.20	126.20		
9	288	PARBATI SAHOO	F-KASHINATH SAHOO	AT-MATIAPADA, PO-PURI-II, PURI	27.05.84	F	SEBC	643/03	318/11	WT/69 05/09	900	526	58.44	1250	828	66.24	124.68		
10	490	BASANTILATA SAMAL	F-ISWAR CH. SAMAL	AT-BAYANGDIHI, PO-NUAHAT, VIA-KOTHAR, BDK	05.08.81	F	SEBC	2281/08	1935/11	PHCW/ 4342/03	900	522	58.00	3325	2192	65.92	123.92	PH(EYE) 100%	Dip In Spl. Edu.

DIS-1 +2 ARTS CT

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

SEBC FEMALE CATEGORY

SL.NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
11	184	SUREKHA SAMAL	F-BISWANATH SAMAL	AT-BIMBALBAR, PO-PATULI, VIA-BARIKPUR BAZAR, BDK	15.07.89	F	SEBC	5150/07	330/11	WT/86 46/10	900	525	58.33	1250	813	65.04	123.37		
12	224	SMT. SUDHA NAAYK	F-JATINDRA KU. NAYAK	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	820	65.60	123.10		
WAITING																			
1	62	JYOTSNARA NI GIRI	F-KAMALKANTA GIRI	AT-GOPALPUR, PO-GANIJANG, VIA-BONTH, BDK, 756 114	02.05.82	F	SEBC	297/00	5978/10	WC/19 04/08	1000	597	59.70	1250	786	62.88	122.58		
2	66	GAYATRI OJHA	F-SRIDHAR OJHA	AT-PADMAPUR, PO-GANJEIBADI, VIA-DOLASAH, BDK, 756127	28.08.86	F	OBC	91/11	526/11	TW/18 78/08	900	491	54.56	1250	840	67.20	121.76		
3	72	SWARNALATA PAUL	H-SUJNAN KU. DAS	AT/PO-ICHHADA, VIA-BARIKPUR, PS-D. NAGAR, BDK, 756112	03.02.83	F	SEBC	935/11	678/11	T/984/1 1	900	458	50.89	1250	883	70.64	121.53		

Handwritten signature and text:
 F. C. ...
 ...

D. I. D. N. Mehra

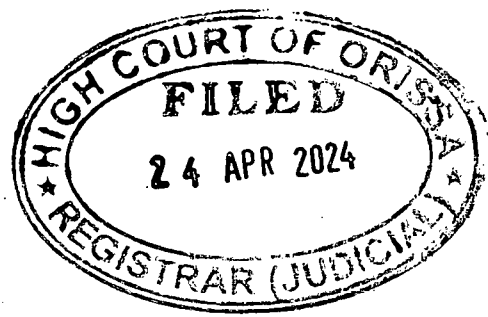
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Annexure 3 Series

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

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Certi. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
1	169	RAJASHREE BARIK	F-SOMANATH BARIK	AT- PATRISAHI, PO- DHUSURI, BDK	08.07.90	F	SEBC	1382 /11	768/11	TW/92 12/10	500	383	76.60	1250	969	77.52	154.12		
2	50	PRAVATI BARIK	F-ABHAYA CH. BARIK	AT- SANKHUAL, PO- NAAMI, VIA- M.ROAD, BDK	13.07.91	F	OBC	1397 /08	3417/10	WT/18 5/11	500	429	71.50	1250	979	78.32	149.82		
3	115	ARUN KUKAR	F- BHAGIRATHI KAR	AT- PRAKATPUR, PO- MARDAKATIACHHAK, PS- MANGALPUR, JAJPUR	01.06.83	M	GEN		10808/10	T/127/11	1000	780	78.00	1250	896	71.68	149.68		VOCATIONAL (UNDER ENQUIRY)

Project Coordinator
S. S. A. Bhadani



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FINAL MERIT LIST OF 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)

UNCATEGORICAL

SL. NO.	FORM INDEX NO.	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Residence Certificate No.	Employment Exchange Regn. No.	12 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
4	40	AMIYABALA ROUT	F-PRAMOD KU. ROUT	AT-GOTHINA, PO-AMBILIGAN, VIA-KOTHAR, BDK	12.06.89	F	GEN		263/11	WT/59 2/11	900	601	66.78	1250	992	79.36	16.14		
5	31	TAPASWINI JENA	F-NARAYAN CH. JENA	AT-PADI, PO-ADIA, VIA-BONTH, BDK	11.08.90	F	SEBC	89/11	78/11	WT/45 6/11	1000	745	74.50	1250	925	74.00			VOCATIONAL (UNDER ENQUIRY)
6	93	JYOTIPRIYA PANDA	F-GIRIDHARI PANDA	AT-SANKHULA, PO-NAAMI, M. ROAD, BDK, 756121	09.06.91	F	GEN		3248/10	WT/21 2/11	600	406	67.67	1250	974	77.92			

S. S. A. Bhadrak

DISTRICT

FINAL MERIT LIST OF S.S.s

EDUCATION

(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)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Residence Certificate No.	Employment Exchange Registration No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
7	159	PRITIPADMA DAS	F-BHASKAR CH. DAS	AT- BISHNUPUR, P O- BAHUDARADA, B. POKHARI, BDK	15.08.91	F	GEN		05/11	TW/10 3/11	600	410	68.33	1250	959	76.72	145.05		
8	19	NIYATI JENA	F-BASUDEV JENA	AT- RASUNAPADI, P O- KAUPUR, VIA- RANDIAHAT, BDK	17.03.85	F	SEBC	6/11	120/11	TW/25 1/11	1000	741	74.10	1250	883	70.64	144.74		UPASASTRI UNDER ENQUIRY
9	34	JYOTIRANJAN MOHAPATRA	F-ALEKHA KU. MOHAPATRA	AT/PO- SABARANGA, BDK, 756123	21.05.88	M	SEBC	1422 /10	5166/10	T/364/1 1	1000	702	70.20	1250	922	73.76	143.96		VOCATIONAL (UNDER ENQUIRY)

24/4/11
Dist Project Co-ordinator
S. S. A. Bhadrak

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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)

OR CATEGORY

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certificate No.	Employment Exchange Registration No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
10	402	BIKASH KU. SETHI	F-BRUNDABAN SETHI	AT/PO-KENDUAPADA, DIST-BDK, 756142	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-HATADIHI, KEO NJHAR, 758083	02.06.80	M	OBC	4827/10	267/11	T/608/09	1000	661	66.10	1250	958	76.64	142.74		VOCATIONAL (UNDER ENQUIRY)
12	3	MITARANI SAHOO	F-ANANDA CH. SAHOO	AT-KAHARAPOKHARI, PO-PIRIPUR, VIA-BARIKPUR BAZAR, BDK	16.03.91	F	GEN		16/11	TW/10.4/11	600	411	68.50	1250	921	73.68	142.18		

S. S. A. Bhadrak

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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)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certificate No.	Employment Exchange Registration No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
13	194	ABHIMANYU SANKHUA	F-LATE NILAMANI SANKHUA	AT-TALAPADA,PO-D.NAGAR,BDK	03.02.86	M	OBC	3891/10	3890/10	T/1827/08	900	554	61.55	1250	1005	80.40	141.96		
14	175	GULE FIRDOSH	F-SK. AIYUB	AT-HELASAH,PO-PURUNABAZAR,BDK	02.06.83	F	GEN		653/11	WT/10 627/10	900	548	60.89	1250	1009	80.72	141.61		
15	76	DIPAK KU. NAYAK	F-GOURANGA CH. NAYAK	AT/PO-SERAPUR,VIA-DOLASAH,BDK 756122	10.04.91	M	GEN		91/11	T/365/11	600	404	67.33	1250	922	73.76	141.09		

Dist Project Co-ordinator
S. S. A., Bhadrak

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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)


SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Residence Certificate No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
16	91	TILOTTAMA MALIK	F-PITABASH 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	F-ANANDA CH. PANIGRAHI	AT/PO- 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	96	PRITIREKHA PUHAN	F-BISHNU PRASAD PUHAN	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		

[Signature]
District Project Co-ordinator
S. S. A., Bhadrak

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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)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certificate No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
19	383	SRADHANJALI KAR	H-NITYANANDA DASH	AT-SUGO, PO-GOPALJEW SUGO, BDK	04.01.87	F	GEN		890/11	WT/16 98/09	1000	705	70.50	1250	869	69.52	140.02		VOCATIONAL (UNDER ENQUIRY)
20	8	NILOTPALA MOHANTY	F-BIJAYA KU. MOHANTY	AT/PO-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	PRAGYAN MISHRA	H-MANAS KU. PRADHAN	AT-KHANABARI, PO-ANDHAIPALLI, VIA-BARIKPUR BAZAR, BNDK, 756112	18.06.86	F	GEN		84/11	WT/33 3/11	1000	765	76.50	1250	786	62.88	139.38		


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

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)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certi. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
22	231	GANESH KU. KUJANR	F-BARINI KUJANR	AT-MATHA, PO/VIA-HATADIHI, KEO NJHAR	07.09.85	M	SEBC	6115/10	6116/10	T/200/11	1000	674	67.40	1250	899	71.92	139.32		VOCATIONAL (UNDER ENQUIRY)
23	301	PRAJIMA MANJARI KAR	H-RAJIV KU. DASH	AT/PO-MOHAMMADPUR, 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	MADHUSMITA ROUT	F-BIDYADHAR ROUT	AT-SUSHILADEIPUR, PO-RAMBHILA, VIA-RANITAL, BDK	19.04.87	F	SEBC	2491/10	1289/11	T/1836/09	900	575	63.89	1250	939	75.12	139.01		


 Project Co-ordinator
 S. S. A. Bhadrak

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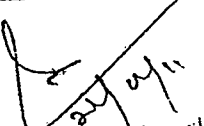
FINAL MERIT LIST
(100% OF THE VACANT POSTS) UNDER BHADRAK DISTRICT, 2011
(IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO. 6452/11)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Cast e certifi. No. Date	Reside nt Certi. No.	Empl oyment Excha nge Regn. No.	+2 Full Mark	12 Mark Obtained	Perce ntage	Full Mark CT	Mark Obtained CT	Perce ntage	Total	PH/Ex. Ser./Sp orts	Remarks
25	30	BISHNUSANTI RATNAMAYE BARIK	F. BISHNUPADA BARIK	AT-PADI, PO-ADIA, VIA-BONTH, BDK	15.04.91	F	OBC	261/08	79/11	WT/44 9/11	600	400	66.67	1250	901	72.08	138.75		
26	69	JAYAPRAKASH SWAIN	PARASURAM SWAIN	AT/PO-SARASADA, VIA-B. POKHARI, BDK, 756120	01.06.85	M	SEBC	989/09	137/11	T/3997/09	1000	727	72.70	1250	825	66.00	138.70		VOCATIONAL (UNDER ENQUIRY)
27	248	MANDAKINI JENA	F- DINABANDHU JENA	AT-BERUNAPADI, PO-SOSO, VIA-D.J. PUR, KEONJHAR	01.06.89	F	SC	478/11	479/11	WT/26 45/10	500	356	71.20	1250	839	67.12	138.32		

34/04/11
District Project Coordinator
Bhadrak


FINAL MERIT LIST OF S.S.S.
(BTL) OF THE VACANT POST UNDER BHADRAK DISTRICT 2-11
(IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO. 6452/11)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certificate No.	Employment Exchange Registration No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex Ser./Sports	Remarks
28	209	MANASI NAYAK	F-NILAMANI NAYAK	AT/PO- BONTH,BDK	07.03.87	F	OBC	65/05	441/11	WT/2081/08	900	544	60.44	1250	972	77.76	138.20		
29	136	KATHIKA SWAIN	F-KISHORE KU. SAWAIN	AT/PO- KENDUAPADA, DIST-BDK,756142	06.01.90	F	SEBC	219/07	450/11	WT/9115/10	1000	665	66.50	1250	896	71.68	138.18		VOCATIONAL (UNDER ENQUIRY)
30	114	RAJASMITA PANDA	H-PRAMOD KU. SAHU	AT/PO- ALABAGA,VIA- ERTAL,BDK,756124	16.02.89	F	GEN		350/11	T/9495/10	1000	652	65.20	1250	907	72.56	137.76		UPASASTRI UNDER ENQUIRY


 Dist Project Co-ordinator
 S. S. A. Bhadrak

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)

SL. NO.	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste certificate No. Date	Resident Certificate No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex. Ser./Sports	Remarks
31	216	DIPTIMAYEE ROUT	F-GOLAK BIHARI ROUT	AT-KANIARI, PO-DHENKA, VIA-HADAGARH, KEONJHAR	05.06.91	F	SEBC	97/11	88/11	WT/127/11	600	395	65.83	1250	899	71.92	137.75		
32	211	SUBASH CH. TRIPATHY	F-LATE UPENDRA NATH TRIPATHY	AT-KORKADA, PO-DOBAL, VIA-D.NAGAR, BDK	18.01.67	M	GEN		901/11	T/1866/93	900	421	46.78	1050	518	49.33	96.11	PH(ENT) 40%	


Project Co-ordinator
S. S. A. Bhadrak

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(IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO 6452/11)

SL. NO	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Residence Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex Ser./Sports	Remarks
1	54	SASMITA NAYAK	F-RAMAKANTA NAYAK	AT/PO-KUMARPUR,PO BASUDEVPUR, VIA-ANANTAPUR,B DK,756046	03.06.89	F	OBC	215/10	52/11	WT/259/11	1000	699	69.90	1250	846	67.68	137.58		UPASASTRI UNDER ENQUIRY
2	287	PRAVATI BEHERA	H-ASHOK K. DAS	AT-RAINTIRA,PO-ADIA,VIA-BONTH,BDK	24.04.88	F	GEN		479/11	TW/1330/09	900	584	64.89	1250	906	72.48	137.37		
3	316	SUJATA JENA	F-SARAT CH. JENA	AT/PO-TODANGA,VIA-BARIKPUR BAZAR,BDK	05.05.91	F	SEBC	195/11	139/11	WT/687/11	600	373	62.17	1250	932	74.56	136.73		
4	205	SARITA BALAKAR	H-MANASH RANJAN DASH	AT/PO-JAGANNATHPUR,BDK	02.02.88	F	GEN		3226/10	WT/6663/09	900	564	62.67	1250	919	73.52	136.19		

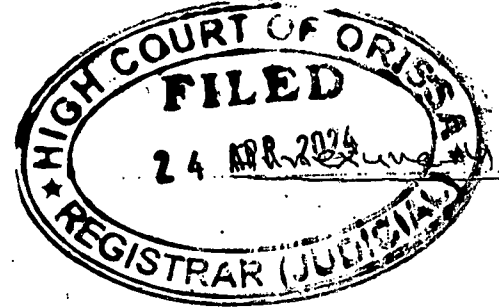
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100% OF THE VARIOUS MARKS OBTAINED BY THE APPLICANTS
(IN CONSONANCE WITH THE ORDER OF THE HON'BLE HIGH COURT IN W.P.(C) NO. 6452/11)

SL. NO	FORM INDEX NO	Name of the Applicant	Father/Husband's Name	Permanent Address	Date of Birth	Sex	Category	Caste cert. No. Date	Resident Cert. No.	Employment Exchange Regn. No.	+2 Full Mark	+2 Mark Obtained	Percentage	Full Mark CT	Mark Obtained CT	Percentage	Total	PH/Ex Ser./Sports	Remarks
5	290	BANAJINI MISHRA	H-JATINDRA KU. PADHI	AT-CHAKABANTAL, PO- KESHPUR, VIA- GUJIDARADA, BDK	19.02.84	F	CEN		359/11	WT/15 94/09	1000	744	74.40	1250	770	61.60	136.00	PH(EYE) 42%	VOCATIONAL (UNDER ENQUIRY)
6	228	BIDYABHARATI BEHERA	F-PITAMBAR BEHERA	AT/PO-SAMIA, VIA-SABARANGA, BDK	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	291	ANITA BHUYAN	F. BRAHAMANAN DA BHUYAN	AT-KUANRDA, PO-ADIA, VIA-BONTH, BDK	27.05.90	F	SEBC	79/11	218/11	WT/85 15/10	500	562	62.44	1250	916	73.28	135.72		
8	25	SABITA DHAL	H-PRAKASH KU. SAMAL	AT-AKULIKANA, PO-SARASADA, PS-B. POKHARI, BDK, 756120	24.08.87	F	SEBC	1500/08	1167/09	TW/40 60/08	1000	694	69.40	1250	828	66.24	135.64		VOCATIONAL (UNDER ENQUIRY)

T. C. Adhikari
District Project Officer
Rajshahi

T. C. Adhikari
District Project Officer
Rajshahi



**UNDERTAKING TO BE SUBMITTED BY PROVISIONALLY
SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM
TO HAVE PASSED +2 VOCATIONAL COURSES OR
UPASHASTRI.**

I, Sri/Smt/Kumari Pratima Manjari Kar
S/O, W/O, D/O: Rajeeb Kumar Dash of village at
Mahamadpur P.O. Mahamadpur
P.S. Simulia Dist. Balasore residing
at present at village Mahamadpur
P.O. Mahamadpur P.S. Simulia Dist. Balasore

being present in the verification counter today
(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, Orissa 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. Rajeeb Kumar Dash
2. Pragyas Mishra

Pratima Manjari Kar
Full signature of the applicant

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**UNDERTAKING TO BE SUBMITTED BY PROVISIONALLY
SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM
TO HAVE PASSED +2 VOCATIONAL COURSES OR
UPASHASTRI**

I Sri/Smt/Kumari TAPASWINTI JENA
S/O, W/O, D/O MAHARAJA CH. JENA of village at
padl P.O. Adia
P.S. AGARPATA Dist. BHADRAK residing
at present at village padl
P.O. Adia P.S. AGARPATA Dist.
BHADRAK being present in the verification counter today

(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, Orissa 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. Pratap Kumar Nayak
Je. m., Khadija Nayak

TAPASWINTI JENA
Full signature of the applicant

2. Sreecharan Nayak
W. m. S. J. Nayak, Daspur

Issued Under RTI-Act-05

P.O. SSA Bhadrak

Order No. 5366 / Dated. 30/04/11

Place of engagemnt Uttarabakini P. S. SCHOOL under Blackwater Block.

1. The "SHIKSHA SAHAYAK" shall motivate the parents/guardians of the village in which Pri. /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.

4. He/She may be assigned any other work in furtherance of objective of universalisation of Primary Education by Chief Executive Officer, Z.P. or any other authority as decided by the Govt. In School and Mass Education Deptt. from time to time.

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 Coordinator~~
~~SSA Bhadrak~~

Memo No. 5367 Dated. 30/9/11
Copy to person concerned for information and necessary action. He/She is directed to report before the
concerned H.M. of school with all original documents within a week positively failing which this order will stand cancelled.

~~District Project Co-ordinator:~~
~~SSA, Bhudrak~~

Memo No. 5368 / Dated. 30/10/11
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 concerned BRCC for further action at this end.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 522 / 1964
Copy forwarded to the B.R.C.C. concerned for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 5370 Dated: 23/10/71
Copy forwarded to the concerned Block Development Officer / District Inspector of schools, Bhadrak for
information and necessary action.

~~District Project Coordinator~~
~~SSA Bhaurak~~

ISSUED UNDER RTI ACT-20
PIO, SSA, Bhadrak

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Annexure 5 Serials.

**DISTRICT PROJECT OFFICE
SARVA SHIKSHA ABHIYAN BHADRAK**

Order No. 5081 / Dated. 30/04/11

Consequent upon execution of an agreement dated 28.04.11 between TAPASWINI JENA, D/O. NARAYAN CH. JENA, AT PADI, PO. ADIA, VIA. BONTA, DIST. BHADRAK and Collector-cum-CEO, ZP, Bhadrak, TAPASWINI JENA 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 Oladanga Praj Priy School under Bonta Block.

1. The "SHIKSHA SAHAYAK" shall motivate the parents/guardians of the village in which Priy. /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 Primary Education by Chief Executive Officer, ZP, or any other authority as decided by the Govt. in Schools 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 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 thereon.

By order of the Collector-cum-CEO, ZP, Bhadrak

District Project Co-ordinator
SSA, Bhadrak

Memo No. 5082 / Dated. 30/04/11

Copy to person concerned for information and necessary action. He/She is directed to report before the concerned H.M. of school with all original documents immediately on receipt of this engagement order.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 5083 / Dated. 30/04/11

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 Shiksha Sahayak to the undersigned through concerned BRCC for further action at this end.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 5084 / Dated. 30/04/11

Copy forwarded to the B.R.C.C. concerned for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 5085 / Dated. 30/04/11

Copy forwarded to the concerned Block Development Officer / District Inspector of schools, Bhadrak for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

Issued Under RTI-Act-05

PIO, SSA, Bhadrak

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**UNDERTAKING TO BE SUBMITTED BY PROVISIONALLY
SELECTED S.S. APPLICANTS OF BHADRAK DISTRICT CLAIM
TO HAVE PASSED #2 VOCATIONAL COURSES OR
UPASHASTRI**

Sri/Smt/Kumari Banajini Mishra
S/O/W/O. D/O Jatendra Parida of village at
Chakla bentel P.O. Kesh Puri
P.S. Bhadraik Dist. Bhadraik residing
at present at village Chakla bentel
P.O. Kesh Puri P.S. Bhadraik Dist.
Bhadraik being present in the verification counter today

(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, Orissa 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. Pratap Kumar Nayak
H.M. Bhadravijaya Nagar

Smt. Banajini Mishra
Full signature of the applicant

2. Sachcharan Mallick
H.M. S.V. Nodal Upa, Dargah

Under RTI Act-2005
NO. 534 Bhadrak

**DISTRICT PROJECT OFFICE
SARVA SHIKSHA ABHIYAN: BHADRAK**

Order No. 4776 / Dated 30/04/11

Consequent upon execution of an agreement dated 28.04.11 between PRATIMA MANJARI KAR, W/O-RAJIV KUMAR DASH, AT/P.O.-MAHAMMADPUR, VIA-SITAPUTIA, DIST-BALASORE and Collector-cum-CEO, ZP, Bhadrak, 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 "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 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 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.

By order of the Collector-cum-CEO, ZP, Bhadrak

District Project Co-ordinator
SSA, Bhadrak

Memo No. 4777 / Dated 30/04/11

Copy to person concerned for information and necessary action. He/She is directed to report before the concerned H.M. of school with all original documents within a week positively failing which this order will stand cancelled.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 4778 / Dated 30/04/11

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 concerned B.R.C.C. for further action of this end.

District Project Co-ordinator
SSA, Bhadrak

Memo No. 4779 / Dated 30/04/11

Copy forwarded to the B.R.C.C. concerned for information and necessary action.

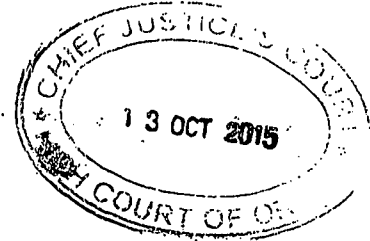
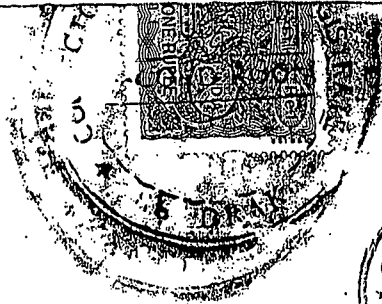
District Project Co-ordinator
SSA, Bhadrak

Memo No. 4780 / Dated 30/04/11

Copy forwarded to the concerned Block Development Officer / District Inspector of schools, Bhadrak for information and necessary action.

District Project Co-ordinator
SSA, Bhadrak

Issued Under RTI-Act-05
PIO, SSA, Bhadrak



= 4 :

- 4 -

Sl. No. of Order	Date of Order	Order with Initial of Officer	Office notes as to action taken on or by (if any) & date
1	2	3	4
	24.11.2011	<p>In the Office of the District Project Co-ordinator-cum-Enquiring Officer, S.S.A., Bhadrak</p> <p>Misc Case No. 24/2011 arising out of W.P. (C) No.18256/2011 Manini Parida & othersPetitioner Vrs. Tapaswini Jena Opp. Party</p> <p>ORDER</p> <p>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 Govt.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 P.O. Agarapara College, Agarapara. It is a fact that Tapaswini Jena has not submitted the fact at any point of time during selection of Shiksha Sahayak. 2011. 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 (O) communicated vide Letter No.392C-CHSE/ dated.13.06.11 of the P.O. CHSE (O) read with the instructions of the Government in School & Mass Education Department intimated vide Letter No.11385-SME dated.08.06.11.</p> <p>So, the engagement of Tapaswini Jena as Shiksha Sahayak basing on the Vocational course passed certificate and mark sheet suppressing the earlier certificate and mark sheets towards passing out of +2 Science Examination is to be cancelled as per law.</p> <p>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 Shiksha Sahayak by 24.12.2011.</p> <p>Accordingly, the Misc Case is disposed of.</p>	

COMPARED BY.

D. 29/11/11

Recd. out
 J. 29/11/11
 Copy
 29/11/11
 Recd. Room. 29/11/11
 D. 29/11/11

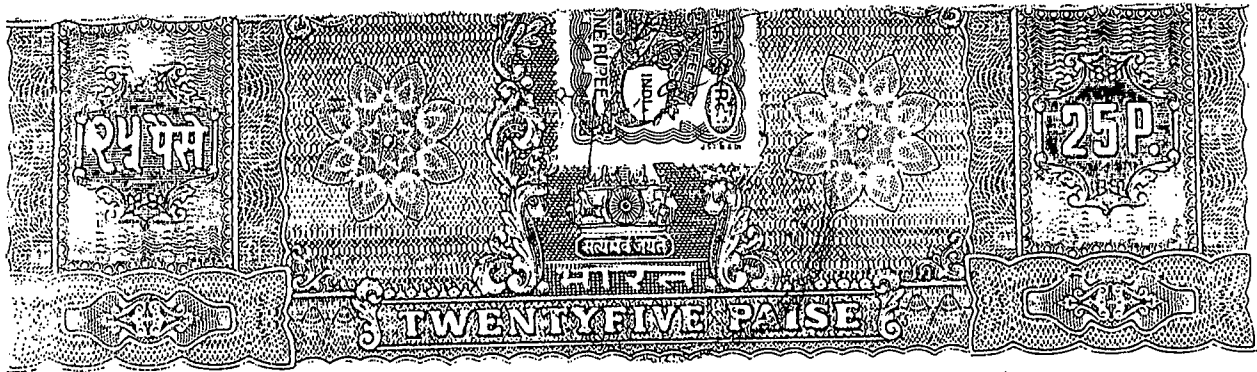
District Project Co-ordinator,
 S.S.A., Bhadrak

Certified to be true copy

RECOBA KEEPER

Authorised U.S. 75, Act-1 of 187

- 60 -



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की तिथि तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो की संख्या सूचित करने की तिथि तारीख Date fixed for notifying the requisite number of stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार की गई थी the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
2/12/2011	15/12/2011	15/12/2011	Misc Case No. 26/2011 arising out of W.P. (C) No. 18256/2011	1.7.12/2011

Mangini Parash & others Petitioner,
Vrs.

Banajini Mishra Opp. Party
ORDER

24.11.2011

COMPARED BY.

Person not
True Copy

Copy of
Shiksha Sahayak, Bhubaneswar
16/12/11

The case is taken up today. I have already heard both the parties on different dates. The records available clearly reveal that the Q.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 Tupti Women's College, Basudevpur 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 guideline/instructions of CHSE (O) communicated vide Letter 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.

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 P.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 Misc Case is disposed of.

Verified to be true copy
Ranjan Hembram
RECORD KEEPER
16/12/11

District Project Co-ordinator,
SSA, Bhadrak



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षा संख्या सूचित करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	प्रतिलिपि देने के लिए तैयार की गई तारीख Date of delivery of the required copy.	प्रतिलिपि तैयार की तारीख Date on which the copy was made ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
2/12/2011	15/12/2011	15/12/2011	16/12/11	17/12/2011

Co-ordinator, Training Officer,

SSA, Bhadrak

Misc. Case No. 27/2011

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

Manini Parida & others Petitioner

Pratima Manjari Kar Vrs.

Opp. Party

ORDER

24.11.2011

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 Mahavidyalaya, Fatepur, Balasore under Shri Jagannath Sanskrit Vishwavidyalaya, Puri. She has also passed +2 Arts course prior to +2 Upasastri course from Agarapara College, Agarapara under CHSE (O) as reported. It is a fact that Pratima Manjari Kar 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 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, SJSV, Puri read with the instructions of the Government in School & Mass Education Department intimated vide Letter No. 11385/SME/ dated. 08.06.11.

So, the engagement of Pratima Manjari Kar as Shikshya Sahayak basing on the Upasastri 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 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 Misc Case is disposed of.

COMPARED BY.

For Copy
To Doc (Copy)

Copy to
Record Room, Ballasore
Bhadrak

Certified to be true copy

RECORD KEEPER

Am. 11/12/2011

District Project Co-ordinator,
SSA, Bhadrak

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Annexure-7

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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1.	Counter	1-4
2.	Annexure-A/3 series	5-8

Cuttack

Date: -

20-7-12


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

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.
6. 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***

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

8. That, this deponent humble submits that there is nothing to comment in respect of Para-8 of the writ petition.
9. 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 completion 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 Annexure-A/3 series.

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 completion 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

M. Anil Kumar Babane
Deponent.

Asst. A.G's Office.

Certificate

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

Cuttack
Date: - *20-7-12*

[Signature]
Standing Counsel,
School & Mass Education Cell.

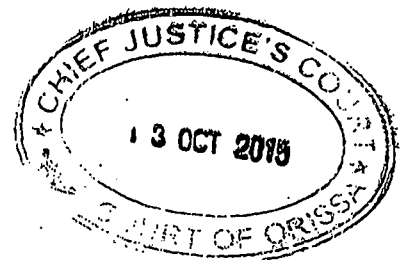
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K2 A' No - 3422 Annexure-A3 Series
BYEBOD POSTCOUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA
PRAJNAPITHA: SAMANTAPUR: BHUBANESWAR: -13No. 3920 / CHSE(0) dt. 13/6/11
RTI-157/11

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. 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.

977 This is for your kind information.
20/6/2011

Yours faithfully,

[Signature]
Public Information Officer.

13. 6. 11

Attested

K.A/-

[Signature]
District Project Co-ordinator,
S. S. A., Bhadrak.

COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA
PRANGYAPITHA: SAMANTAPUR: BHUBANESWAR-13

No. RTI. 24/11 3669 / CHSE(O), dt. 31/5/11

From:-

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

To
Ramakanta Sahoo,
C/o-Mahendra Prasad Sahoo
At-Kalidaspur, Po-Narasingshpur
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 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,

Public Information Officer
28.5.11

Attested

Project Co-ordinator
S. S. A. Bhadrak

GCE/

COUNCIL OF HIGHER SECONDARY EDUCATION:ORISSA
PRAJNAPITHA SAMANTAPUR LAUDAKESWAR:13
-0-

No. 3630 /CHSE, Dt. 27/5/11
RTI.123/11

From,

Dr.Gopa Ranjan Mishra,
Public Information Officer.

To

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

Sub:- Supply of information under RTI Act.

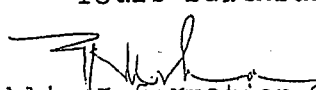
Ref:- Your application dt. 4.5.11.

Sir,

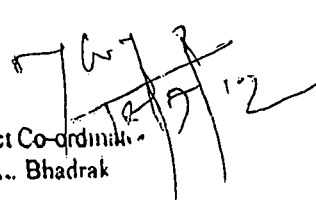
With reference to your application dt.4.5.2011 on the subject cited above, I am to say that, you have applied under RTI Act regarding admission procedure of a student. If a student takes admission in another College in 1st year having been failed in Annual HS Exam. conducted by the Council, the C.L.C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


Public Information Officer.
27.5.11

Attested


Project Co-ordinator
S. S. A. Bhadrak

G/

COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA
 PRAJNAPITHA, SAMANTAPUR, BHUBANESWAR-13

No. 3142 / CHSE(O)., Dt. 4/15/11
 RTI-95/11

From

Dr. Gopa Ranjan Mishra,
 Public Information Officer,
 C.H.S.E., 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. 16.04.2011.

Sir,

With reference to your application under RTI Act dt. 16.04.2011 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 appear +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 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. If a student appears and qualifies in H.S. Examination in Arts, Science and Commerce stream successfully under any recognised institution he/she cannot take admission again in vocational stream of Higher Secondary Course.

This is for your kind information.

Yours faithfully,

Attested

Public Information Officer.

Project Co-ordinator
 S. S. A. Bhadrak

KA/

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Annexure-8

To

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.

Surekha Samal

Date 8-7-15-

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

Sl. No.	Index No.	Name of the applicant	Father's/ Husband's Name	Date of Birth	Sex	Caste	Edn. Dist.	Remarks
LIST OF APPLICANTS REJECTED DUE TO STUDIED +2 COURSE BOTH ARTS/SC/COM & VOC/UPASASTRI								
1	30	BIDYUTA PRAVA KAR	BASANTA KU. DASH	01.04.84	F	GEN	BDK-II	
2	207	KABITA BEHERA	RABINARAYAN BEHERA	04.02.89	F	SEBC	BDK-II	
3	403	MANOJ KUMAR BEHERA	RATNAKAR BEHERA	25.06.90	M	OBC	BDK-II	
4	356	BAIJAYANTI DAS	BHOJENDRA PRASAD DAS	03.02.90	F	SEBC	BDK-II	
5	104/+2 UT	HARAPRIYA JENA	F-GANESH PRASAD JENA	18/06/90	F	SEBC	BDK-II	
6	281/+2 UT	SAMISKYA TRIPATHY	F-PRADEEP KU. TRIPATHY	12.05.91	F	GEN	BDK-II	
7	7	SOUDAMINI BISWAL	PRASHANTAKU ROUT	12.05.89	F	SEBC	BDK-II	
8	341	CHAKRADHAR BAL	KRUSHNA CHANDRA BAL	06.04.86	M	SEBC	BDK-I	
9	174	SASMITA DAS	F-SANYASI DAS	04.04.90	F	SC	BDK-I	
LIST OF APPLICANT REJECTED DUE TO ONE YEAR D.S.E. COURSE								
1	33	AKSHAYA KUMAR JENA	F-DIBAKAR JENA	10.01.71	M	SC	BDK-I	

+2 CT
END DIST. BHADRAK II

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

SI. NO.	INDEX NO.	NAME OF THE CANDIDATE	NAME OF THE FATHER/HUSBAND	PERMANENT ADDRESS	DATE OF BIRTH	SEX	CASTE	CASTE CERTI. NO.	RES. NO.	E. REGD. NO.	FULL MRKS IN +2	MARKS OBTAINED	% OF MARKS	FULL MARKS IN C.T.	MARKS OBTAINED	% OF MARKS	TOTAL PERCENTAGE	PH/SPORTS/EX. SERVICE MAN	REMARKS
27	61	LALITA KUMAR PUHAN	KAMINI KANTA PUHAN	AT-JAGANNATHI, PO-SUAN, VIA-ERAM, BHADRAK-756162	15.06.84	M	SEBC	924/11	1985/11	T7750/09	1000	745	74.50	1250	891	71.28	145.78		Reject due to +2 vol. 6 +3 in 2006 & 2008 respectively
28	413	TAPASWINI NAYAK	PITABASH MOHANTY	AT/PO-PANDARABATIA, VIA-DHUSURI, DIST-BHADRAK	15.03.66	F	SEBC	933/08	1426/11	1580/08	900	406	45.11				45.11		Rejected due to Hindi Teacher certificate not equivalent with CT
29	56 A	SRIDHAR SETHI	MUSI SETHI	AT/PO-KANDRAGAIDA, VIA-TIHIDI, BHADRAK	06.06.70	M	GEN		3314/06	3314/08	900	340	37.78				37.78		Rejected due to inadequate CT mark
30	380	PITABAS MOHANTY	SHYAMA SUNDAR MOHANTY	AT/PO-PANDARABATIA, VIA-DHUSURI, DIST-BHADRAK	09.09.66	M	SEBC	1192/07	1428/11	1475/08	900	369	41.00	1200	672	56.00	97.00		Reject due to ONE YEAR DSE
31	320	PRAHALAD CH. DAS	AGANI CH. DAS	AT/PO-ARASA, DIST-BHADRAK	14.02.67	M	SC	075/08	1428/11	2028/08	900	359	39.89	1000	513	51.30	91.19		Reject due to DSE QNF YEAR
32	375	PRAVAKAR DAS	MURALI DHAR DAS	AT-KHUNTA, PO-MANIPUR, VIA-TUDIGADHIA, DIST-BALASORE	04.06.68	M	SEBC	327/11	wanting	4813/10	900	412	45.78				45.78		Reject due to INADEQUATE C.T MARK
33	417	PRAVAT KUMAR NAYAK	MAHENDRA PRASAD NAYAK	AT/PO-BATI, VIA-SIMULIA, DIST-BALASORE	05.05.71	M	SEBC	487/11	2590/11	3638/10	900	358	39.78				39.78		Reject due to INADEQUATE MARK SHEET

+2 C1
END DIST-BHADRAK II

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

Sl. No	Index No	Name of the Candidate	Name of the Father/Husband	Permanent Address	Date of Birth	Sex	Caste	Caste Certi. No.	Res. No.	E. Regd. No	Full Mks in +2	Mark S Obtained	% of Marks	Full Mark S in C.T.	Mark S Obtained	% of Marks	Total Percentage	PH/SPOR TS/EX. Service Man	Remarks
1	258	SURYANARAYAN NAYAK	GAYADI LAR NAYAK	AT: POKHARIPUR (URUNIA), PO: LUNGA VIA: ERTAL, DIST: BHADRAK	08.05.84	M	SEBC	6632/10	8356/11	6348/09	1000	691	69.10	1250	862	68.96	138.06	PH (ORTHO) 65%	Reject due to double +2 pass +2 VOC
2	304	HIRANYA KUMAR BEHERA	DAITARI BEHERA	AT: RUOHUNGA, PO: ASHIA, VIA: SIMULIA, DIST: BALASORE	08.06.88	M	SEBC	423/11	2295/11	6124/08	1000	697	69.70	1250	745	59.60	129.30		Reject due to double apply Soro Ky 653 UPASASTRI
3	329	SUSANTA KU. DAS	LAXMANKUMAR DAS	AT: MUKTESWAR PUR, PO: PAKHAR, VIA: ANANTAPUR, DIST: BALASORE	18.05.92	M	SEBC	219/09	7176/11	10259/11	600	425	70.83	1250	822	65.76	136.59		Reject due to double apply Soro KY537 +2 C.M.
4	307	SASMITA BARIK	NIRMAL CH. BARIK	AT: PO: CHUDAMANI, VIA: BASUDEVPUR, DIST: BHADRAK	26.06.88	F	SEBC	94/11	7006/11	9074/11	1000	651	66.10	900	666	74.00	140.10		Reject due to BSS 1 YEAR DIPLOMA
5	110	KALPANA NAYAK	RAJESH KU. MOHANTY	AT: NEW INDIASAHU, PO: BASUDEVPUR, BHADRAK	07.03.84	F	SEBC	81/11	7298/11	308/09	1000	750	75.00	1250	748	59.84	134.84		Reject due to double +2 pass +2 VOC
6	78	PRITIRANI KAR	MAHESWAR NAYAK	AT: CHANDANPUR, PO: VIA: BETADA, BHADRAK	15.02.88	F	GEN		7274/11	7907/10	1000	662	66.20	1250	925	74.00	140.20		Reject due to double +2 pass
7	101	DHRUTIPATTA SATAPATHY	ANANTA NARAYAN TRIPATHY	AT: PO: NARASINGHAPUR, VIA: BETADA, DIST: BHADRAK	04.04.84	F	GEN		7251/11	1750/09	1000	699	69.90	1250	815	65.20	135.10		Reject due to double +2 pass
8	214	PURNA CHANDRA SAHOO	BANAMALI SAHOO	AT: PO: GHANTESWAR, VIA: GHANTESWAR, DIST: BHADRAK	22.11.80	M	SEBC	112/10	86/12	8191/09	1000	777	77.70	1250	819	65.52	143.22		Reject due to double +2 pass
9	52	NIRANJAN NAYAK	BAIKUNTHA NAYAK	AT: PO: CHUDAMANI, PS: BASUDEVPUR, BHADRAK	12.01.81	M	SEBC	6640/10	5388/11	7773/10	1000	787	78.70	1250	869	69.52	148.22		Reject due to double +2 pass +2 VOCATION
10	22	TAPASA KUMAR DHUPAL	BIMBADHAR DHUPAL	AT: SUGO, PO: GOPALJEW, SUGO, VIA: ERTAL, DIST: BHADRAK, PIN-756124	25.05.89	M	GEN		7180/11	7162/11	1000	672	67.20	1250	867	69.36	136.56		Reject due to double +2 pass +2

+2 CT
END DIST-BHADRAK II

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

SI NO	INDEX NO	NAME OF THE CANDIDATE	NAME OF THE FATHER/HUSBAND	PERMANENT ADDRESS	DATE OF BIRTH	SEX	CASTE	CASTE CERTI. NO.	RES. NO.	E. REGD. NO	FULL MRKS IN +2	MARKS OBTAINED	% OF MARKS	FULL MARKS IN C.T.	MARKS OBTAINED	% OF MARKS	TOTAL PERCENTAGE	PH/SPORTS/EX. SERVICE MAN	REMARKS
11	160	MAHESWAR BEHERA	RAMESH CH BEHERA	AT-BASATHI, PO-RADHABALLAVPUR, VIA-BASUDEVPUR, BHADRAK	04.05.88	M	OBC	141/10	5730/11	5271/89	1000	752	76.20	1250	883	70.64	146.84		Reject due to double +2 pass +2 VOC
12	274	JNANA RANJAN KABAT	GHANASHYAM KABAT	AT/PO-NUAPAN, VIA-ERAM, DIST-BHADRAK	05.06.84	M	SEBC	1014/11	8394/11	4359/09	1000	722	72.20	1250	904	72.32	144.52		Reject due to double +2 pass +2 Voc
13	315	SHASHIREKHA BEHERA	BIKARTANA BEHERA	AT/PO-KUMARPUR, VIA-ANANTAPUR, DIST-BHADRAK	05.02.84	F	SEBC	143/04	8282/11	806/11	1000	661	66.10	1250	774	61.92	126.02		Reject due to Double +2 pass UPASAST
14	354	ANASUYA MOHAPATRA	BHAGIRATHI MOHAPATRA	AT-JAYAPUR, PO-NARASINGHAPUR, VIA-BETADA, BHADRAK	05.06.90	F	GEN		7685/11	10136/11	1000	738	73.60	1250	907	72.56	146.35		Reject due to double +2 pass UPASAST
15	230	AMAR, KU. BEHERA	MARKANDA BEHERA	AT: KUAGADHIA, POVIA, BETADA, BALASORE	17.11.83	M	SEBC	33/12	2297/11	4386/10	1000	717	71.70	1250	878	70.24	141.94		Reject due to double +2 pass UPASASTRI
16	63	HEMANTA KUMAR NATH	AMULYA CHARAN NATH	AT-ARTUNG, PO-BARAPUR, VIA-ANANTAPUR, BHADRAK-756026	10.07.83	M	OBC	650/209	7338/11	7151/109	1000	772	77.20	1250	880	70.40	147.60		Reject due to double +2 pass +2 VOCATION
17	194	LAXMINARAYAN BEHERA	BHAGIRATHI BEHERA	AT/PO: GUD, VIA: ANANTAPUR, DIST: BALASORE	20.09.80	M	OBC	143/10	7973/11	9570/09	1000	658	65.80	1250	896	71.68	137.48		Reject due to Double Apply Sero KY 254 E
18	322	MADHUSMITA DAS	SARAT CH DAS	AT-CHHABARPUR, PO-SUNTAPADA, VIA-CHAKABARAPUR, DIST BALASORE	12.05.86	F	GEN		7708/11	966/11	1000	605	60.50	1250	970	77.60	138.10		Reject due to Double apply Sero KY345
24	318	CHANDRAM ANI HOTA	MANAGOBINDA HOTA	AT-TALABANDHA, PO-GHATAPUR, VIA-PIRHAT, DIST-BHADRAK	28.08.69	M	GEN		6290/11	12/09	900	334	37.11	1050	480	45.71	82.83		Reject due to Over age
25	382	SASMITA ROUT	BABULI ROUT	AT-RANKADEULI, PO-DUMASAHIA, VIA-GODIPADA, DIST-NAYAGAD.	20.06.92	F	OBC	10013/11	10074/11	7481/11	900	336	44.00				44.00		REJECTED DUE TO UNTRAINED OBC CANDIDAT
26	382	SASMITA ROUT	BABULI ROUT	AT-RANKADEULI, PO-DUMASAHIA, VIA-GODIPADA, DIST-NAYAGAD	20.06.92	F	OBC	10013/11	10074/11	7481/11	900	336	44.00				44.00		REJECTED UNTRAINED OBC CANDIDAT E.

76

140

Annexure 10 Series

ROLL NO. 302AB050
REGN.NO. 025565/2005

SERIAL NO. 261451
CER. NO: 20071002268

COUNCIL OF HIGHER SECONDARY EDUCATION, BHUBANESWAR



HIGHER SECONDARY EXAMINATION CERTIFICATE

I Certify that: **TAPASWATI JENA**
Son/Daughter of Smt. **BIMALA JENA**
& Mr. **NARAYAN CHANDRA JENA**
of **AGARPARA COLLEGE, AGARPARA**
has passed the Higher Secondary Examination in **SCIENCE**
held in the month of **MARCH 2007** and has placed in the **SECOND Division**

SUBJECTS OF EXAMINATION

COMPULSORY:	ENGLISH MIL. ORIYA
OPTIONALS	PHYSICS CHEMISTRY MATHS
EXTRA OPTIONAL	BIOLOGY
SPORTS EXPERIENCE	B



DATE
30-05-07

COMPARER

K. P. Singh
HEAD OF THE INSTITUTION

B. K. Jena
SECRETARY

Tapaswati Jena

NO. 911K4027
GN.NO. 151741/2006

SERIAL NO. 551738
CER. SN0: 7008102416

**COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA
BHUBANESWAR**



VOCATIONAL

HIGHER SECONDARY EXAMINATION CERTIFICATE

I Certify that **TAPASWINI JENA**

Son/Daughter of Smt. **BIMALA JENA**

& Sri **NARAYAN JENA**

of **GOVT VOCATIONAL JR COLLEGE HUASANI**

has passed the Higher Secondary Examination in **VOCATIONAL**

held in the **XXXXXX** YEAR 2008 and was placed in the **FIRST Division**

SUBJECTS OF EXAMINATION

COMPULSORY : ENGLISH
MIL ORIYA
GENERAL FOUNDATION COURSE

OPTIONALS : BASIC FOUNDATION COURSE

TRADE : DAIRY FARMING



DATE

09-JUN-08

COMPARER

HEAD OF THE
INSTITUTION

SECRETARY

Tapaswini Jena

N

ROLL NO. 127A8024
REGN. NO. 03261477999

SERIAL NO. 1086188

CER. SNR: 20011007166



HIGHER SECONDARY EXAMINATION CERTIFICATE

I Certify that BANAJINI MISHRA
Son/Daughter of Smt. SANTILATA MISHRA
SARAT CHANDRA MISHRA
of TRUPTI WOMEN'S COLLEGE, BASUDEVPUR
has passed the Higher Secondary Examination in ARTS
held in the month of MARCH 2001 and was placed in the THIRD Division.

SUBJECTS OF EXAMINATION

COMPULSORY : ENGLISH
MIL. OR. YAI
OPTIONAL'S : OPT. SANSKRIT
EDUCATION
POL. SCIENCE
EXTRA OPTIONAL : HISTORY

WORK EXPERIENCE : B

DATE

COMPARED

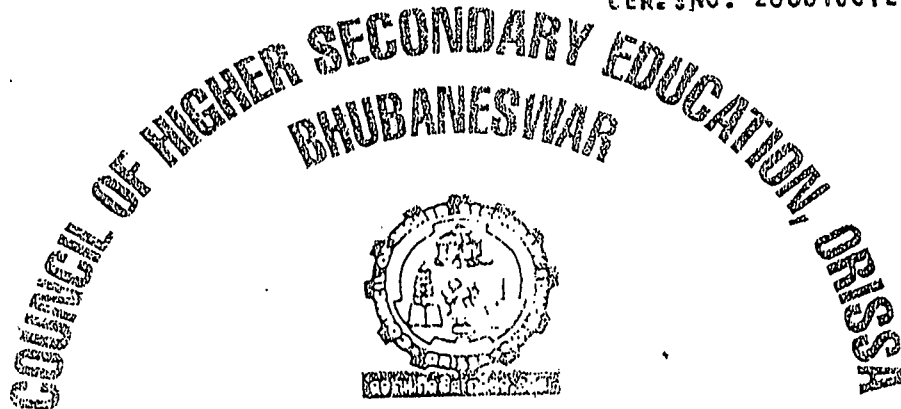
HEAD OF THE
INSTITUTION

SECRETARY

SERIAL NO. 246669

ROLL NO. 901A027
REGN. NO. 700027/1999

CER. SNO: 2006100121



VOCATIONAL

HIGHER SECONDARY EXAMINATION CERTIFICATE

I certify that **BANAJINI MISHRA**
 Son/Daughter of Smt. **SANTI LATA MISHRA**
 & Sri **SARAT CHANDRA MISHRA**
 of **GOVT VOCATIONAL JR COLLEGE BASUDEVPUR**
 has passed the Higher Secondary Examination in **VOCATIONAL**
 held in the ~~XXXX~~ YEAR **2006** and was placed in the **FIRST** Division.

SUBJECTS OF EXAMINATION

COMPULSORY	: ENGLISH
	: HIL ORIYA
	: GENERAL FOUNDATION COURSE
OPTIONALS	: BASIC FOUNDATION COURSE
TRADE	: REPAIR/MAINT. OF RADIO/STV



DATE

09/06/06

CONTROLLER

HEAD OF THE
INSTITUTION

SECRETARY

Chief

Bhubaneswar

ROLL NO. 1027012
REGN. NO. 0251567

SERIAL NO. 876386

CERT. SNO. 19991005583

COUNCIL OF HIGHER SECONDARY EDUCATION, BHUBANESWAR



HIGHER SECONDARY EXAMINATION CERTIFICATE

I Certify that **PRATIM MANJARI KAR**
of **AGARPARA COLLEGE, AGARPARA** has passed the Higher Secondary
Examination in **ARTS** held in the month of **MARCH** 1999
and was placed in the **THIRD** Division.

SUBJECTS OF EXAMINATION

COMPULSORY: ENGLISH, MITHORIYA
OPTIONALS: EDUCATION, ECONOMICS, POLITICAL SCIENCE

WORK EXPERIENCE: A

21.02
DATE

COMPARER

HEAD OF THE
INSTITUTION

SECRETARY



SRI JAGANNATH SANSKRIT VISHVAVIDYALAYA, SHRI VILLAGE, PURI, ORISSA

This is to certify that
Son/Daughter of
Examination held in

PROVISIONAL PASS CERTIFICATE - COM - MEMORANDUM OF MARKS

PRATIMAMANJARI KAK

6U07BS021

SANKARSAN KAR

has appeared

UPASEKHA

June 2006 from BS07-CHINTAMANI SANSKRIT MAHAVIDYALAYA, KATEHR

the result is as under

Compulsory Core Course				Compulsory Language Course				Shastriya Optional				Modern Optional				Extra Optional			
Subject	Paper	FM	MS	Subject	Paper	FM	MS	Subject	Paper	FM	MS	Subject	Paper	FM	MS	Subject	Paper	FM	MS
Vyakaran	1	100	90	MIL (Oriya)	6	100	71	Vyakarana	4	100	88	History	9	100	20	Education	11	75	50
Sahitya	2	100	68	English	7	100	49	Sahitya	5	100	72	History	10	100	87.55	Education	12	75	63
Darshan	3	100	75	English	8	100	70									Practical	50	45	
Total				Total				Total				Total				Total			
233				199				159				157				157			
Total Marks (Without Extra Option)				Total Marks (Without Extra Option)				Total Marks (Without Extra Option)				Total Marks (Without Extra Option)				Total Marks (Without Extra Option)			
In Words (Seventy Three)				In Words (Nineteen)				In Words (Fifty Three)				In Words (Fifty Seven)				In Words (Fifty Seven)			
N.B. Pass Marks: Theory-30%, Practical-40%, Aggregate-50%, Combined (Mod. Opt. & Extra Opt.)-50%				N.B. Pass Marks: Theory-30%, Practical-40%, Aggregate-50%, Combined (Mod. Opt. & Extra Opt.)-50%				N.B. Pass Marks: Theory-30%, Practical-40%, Aggregate-50%, Combined (Mod. Opt. & Extra Opt.)-50%				N.B. Pass Marks: Theory-30%, Practical-40%, Aggregate-50%, Combined (Mod. Opt. & Extra Opt.)-50%				N.B. Pass Marks: Theory-30%, Practical-40%, Aggregate-50%, Combined (Mod. Opt. & Extra Opt.)-50%			
Division/Class: First-60%, Second-45%, Third-55%, Extra Opt. Out of 200 FM				Division/Class: First-60%, Second-45%, Third-55%, Extra Opt. Out of 200 FM				Division/Class: First-60%, Second-45%, Third-55%, Extra Opt. Out of 200 FM				Division/Class: First-60%, Second-45%, Third-55%, Extra Opt. Out of 200 FM				Division/Class: First-60%, Second-45%, Third-55%, Extra Opt. Out of 200 FM			

Date

17.4.2006

Head of the Institution

Controller of Examination

**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) 10.1.2011 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.I.-I and D.I.-II.
- 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 2nd 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.

- 8) 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.
- 9) 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 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).
- 11) The following issues emerge to be decided
 - (A) What is **fraud** and what is **misrepresentation of fact / concealment of fact** ?.
 - (B) 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 ?.
 - (C) 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 In order to answer, the following provisions of Contract Act 1872 is quoted herein below:-

Section - 17 - "Fraud" defined - "Fraud" means and includes any of the following acts committed by a party to a contract,

- (1) - xxxxxxxxxxxxxxxx
 (2) - The active concealment of a fact by one having knowledge or belief of the fact.
 (3) - xxxxxxxxxxxxxxxx
 (4) Any other act fitted to deceive

Section - 18 - Misrepresentation means and includes

- (1) - xxxxxxxxxxxxxxxx

- (2) - 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 In order to answer the aforesaid question the relevant provisions are quoted below:-

- (1) 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.
Section-2 - Definitions

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".

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 - XXXXXXXXXXXXXXXXXXXXXXXX

Regulation -107 - "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) - " 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".

Regulation -109 (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 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 -

XXXXXXXXXXXXX

Regulation -123

"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 recognized 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".

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 **does not leave any scope for double course or double certificates** by any stretch of imagination rather it clearly imposes restrictions that no admission is possible one after another.

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.

(4) The fake Vocational/Upasastri writ petitioners in W.P.(C) No.32024/2011, W.P.(C) No.32023/2011, W.P.(C) No.32025/2011, W.P.(C) No.32026/2011, W.P.(C) No.1857/2012, W.P.(C) No.28414/2011, W.P.(C) 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 de hors 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.

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 / Upasastri certificates
- ii) in obtaining contractual engagement as Sikshya Sahayak by giving false undertakings.

Bhadrak

Date :


Advocate for Surekha Samal and others

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

MISC. CASE NO.3/2015

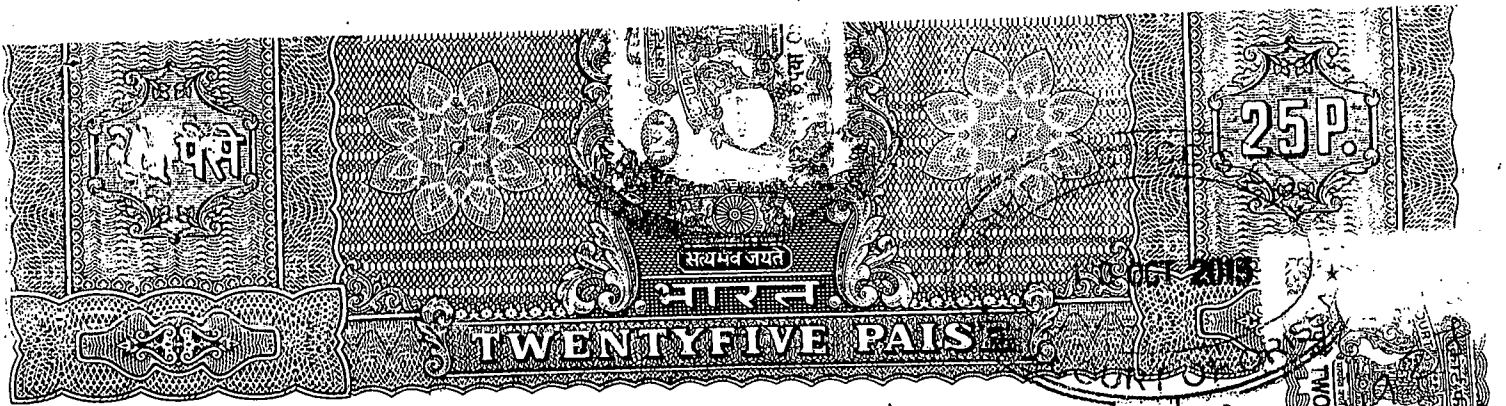
(Arising out of W.P. (C) No.5077/2014 along with a batch of cases
disposed of on vide common order dtd.5.5.2015).

**LIST OF JUDGMENTS relied by the Petitioners
(Surekha Samal and others)**

- A) 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.)
1. 2009 (II) OLR (SC), Page-229, Para-36, 37.
2. AIR 1994 (SC), Page-853, Para-
- B) Fraud & justice never dwell together.
3. JT 2005(II) (SC), Page-439, Para-15,16 & 18.
4. 2012 (II) OLR, Page-721, Para-7.
- C) Fraud & its Consequences.
5. AIR 1996 (SC), Page-686, Para-6.
6. SCALE 2011(9), Page-295, Para-11.
7. AIR 1998 (SC), Page-111, Para-6,7.
8. 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.



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक Date of copy
11-09-015	17-09-015	17-09-015	16-09-015	17-09-015

Annexure-12

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

Misc. Case No. 03/2015 arising out of W.P. (C) No.5077 of 2014 and batch
of cases disposed of on common vide order dated.05.05.2015

Surekha SamalPetitioner

-Vrs-

State of Odisha & Others Opp. Parties.

ORDER

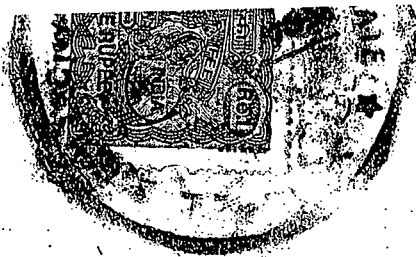
21/08.2015

With a view to complying with the order dated.05.05.2015 of the Hon'ble High Court in W.P.(C)-No.5077-of-2014 along with similar cases clubbed together, this Misc. 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.

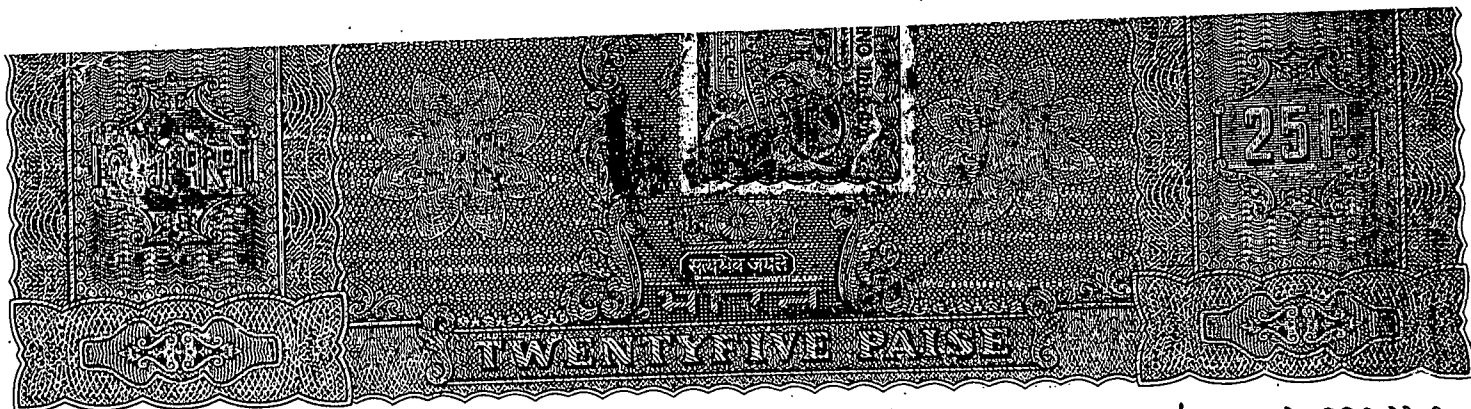
In brief, the issue involved in this case is three fold. Firstly, the claim of Surekha Samal and others in W.P.(C) No. 5077/2014, 10872/2013, 11112/2011 & 21461/2013 and in similar writ petitions that they have not been selected and engaged as Sikshya Sahayak despite the fact that they deserve consideration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

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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 entitled to get engagement order for the post of Sikshya Sahayak by virtue of their Vocational/Upasastri certificates.

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 earlier +2 Science/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

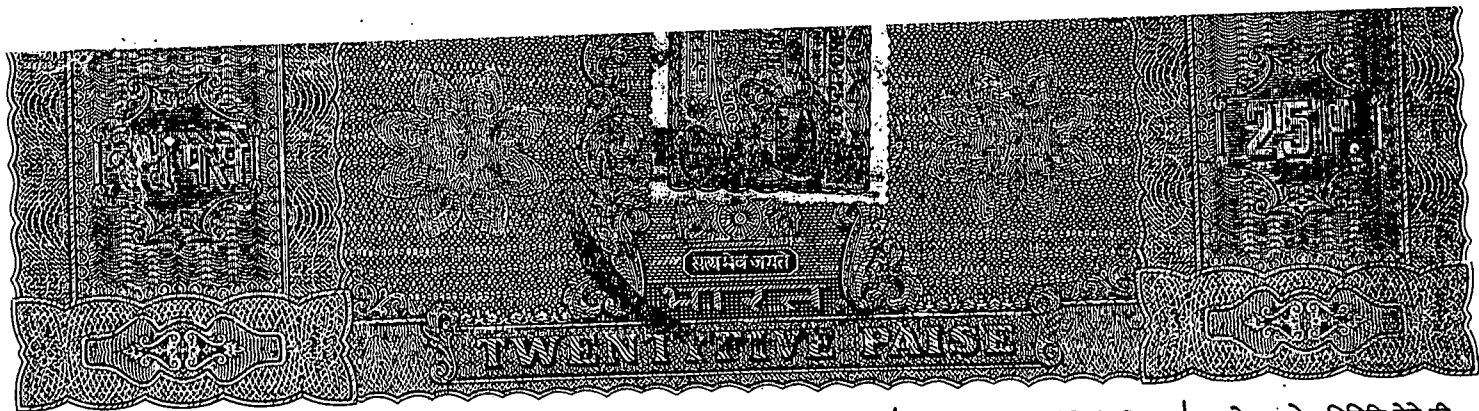
COMPARED BY
K. M. [Signature]

qualification 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 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 by misrepresentation of fact either to deceive or to gains an advantage 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 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 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 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 equivalent thereto 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

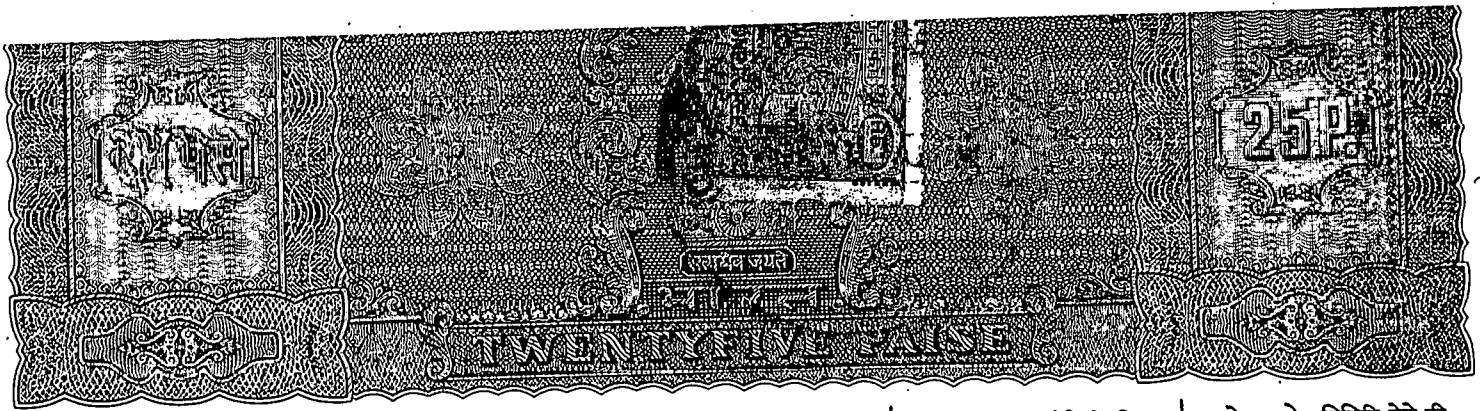


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be admitted to the annual examination in vocational courses, if he/she completed in any Higher Secondary School/Junior College recognized by the council as a vocational centre a regular course in a vocational subject for not less than two academic 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.

COMPARED BY
Kmy 9/12/17

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 earlier 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

COMPARED BY
Ray

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,



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(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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प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
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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

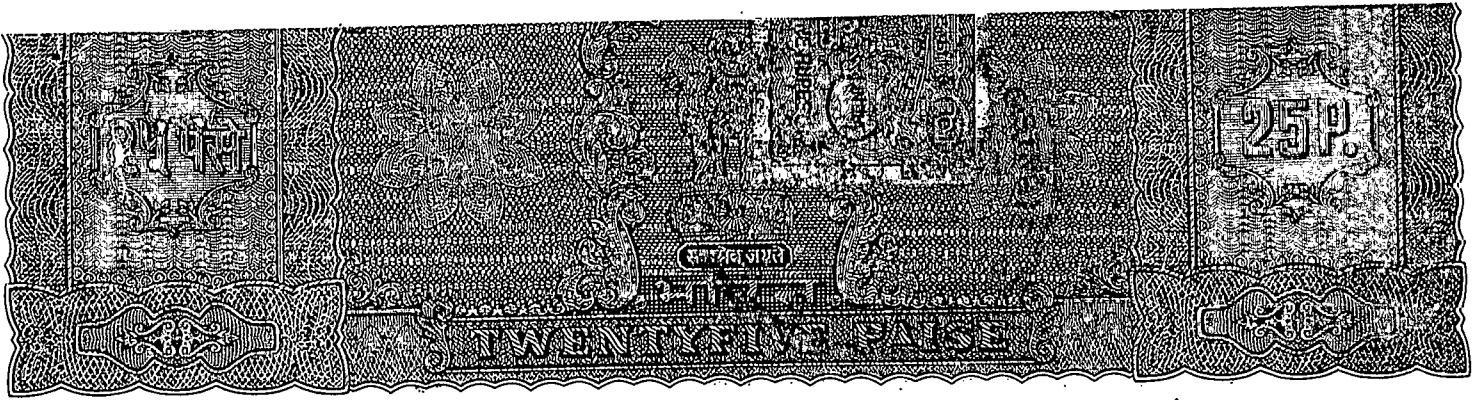
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Rajab



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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 settled 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 reached 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-Collector, 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'ble 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

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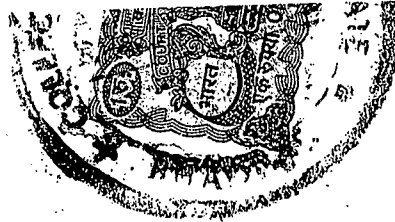
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				-101-

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 as well as today. It is a fact that, some of the candidates were recruited to the post of Shikshya Sahayaks (during the year 2011) on the basis of +2 Vocational certificate which is equivalent to +2 Arts/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.

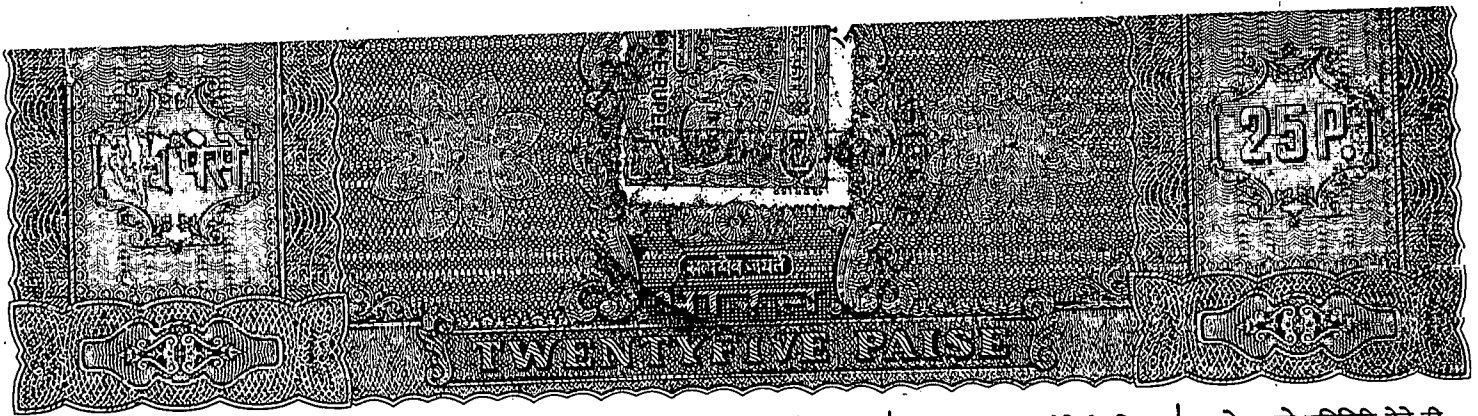
(ii) Secondly, it is the prerogative of the Examination conducting authority to cancel or withdraw the certificates issued by them and this Court has no jurisdiction to pass any comment on that.

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.

COMPARED BY
HMF/9M

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



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.

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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 BY

Km...

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

Khagendra Prasadhi
HEAD CLERK 15.9.15
RECORD ROOM
Collectorate, Bhadrak

[Signature]
Deputy Collector
Record Room, Collectorat
Bhadrak

[Signature]
Deputy Collector
Record Room, Collectorat
Bhadrak

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Annexure-13 series

BY REGISTERED POST

COUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA
PRAJNAPITHA: SAMANTAPUR: BHUBANESWAR: -13

No.

3920

RTI-157/11

/CHSE(O)..

Dt.

13/6/11

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.

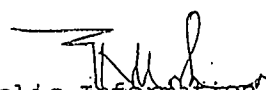
Ref:-Your letter No.6387 dt.31.05.2011.

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.

977 This is for your kind information.
10/6/2011

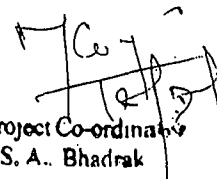
Yours faithfully,


Public Information Officer.

13.6.11

KA/-

Attested


District Project Co-ordinator
S. S. A. Bhadrak

2

-105-

BY REGD. POST BY HAND

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

No. 3142 / CHSE(O)., Dt. 4/5/11
RTI-95/11

From

Dr. Gopa Ranjan Mishra,
Public Information Officer,
C.H.S.E., 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. 16.04.2011.

Sir,

With reference to your application under RTI Act dt. 16.04.2011 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 appear in 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 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. If a student appears and qualifies in H.S. Examination in Arts, Science and Commerce stream successfully under any recognised institution he/she can not take admission again in vocational stream of Higher Secondary Course.

This is for your kind information.

Yours faithfully,

[Signature]
Public Information Officer.

[Signature]

[Signature]
Project Co-ordinator,
S. A. Bhadrak

KA/ *[Signature]*

170

-106-

By Hand

COUNCIL OF HIGHER SECONDARY EDUCATION:ORISSA
PRAJNAPITHA SAMANTAPUR LUDHASESWAR:13

-0-

No. 3630 /CHSE, Dt. 27/5/11
RTI.123/11

From,

Dr.Gopa Ranjan Mishra,
Public Information Officer.

To

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 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,


Public Information Officer.
27.5.11

Attested

G/

Project Co-ordinator
S. S. A. Bhadrak

-107-

171

By Hand

COUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA
PRANGYAPITHA: SAMANTAPUR: BHUBANESWAR-13

No. RTI. 24/11 3204 CHSE(O), dt. 31/5/11

From:-

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

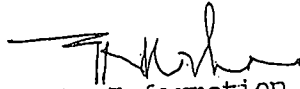
To
Ramakanta Sahoo,
C/o-Mahendra Prasad Sahoo
At-Kalidaspur, Po-Narasingshpur
Dist-Bhadrak.

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 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,


Public Information Officer
28.5.11

Attested

GCE/

7677
12/7/11
Dist Project Co-ordinator
S. S. A. Bhadrak

-108-

Annexure-14

COUNCIL OF HIGHER SECONDARY EDUCATION, ORISSA
PRANGNAPITHA, C/2 SAMANTAPUR, BHUBANESWAR-13

From :

Dr. J.K. Mahapatra,
Secretary

No. 05/SECY/DE. 14/2/11

To :

The Special Secretary to Govt.,
Deptt. of Higher Education, Orissa, Bhubaneswar.

Sub : Clarification regarding equivalence of the
H.S. Vocational Examinations conducted by the
CHSE, Orissa, Bhubaneswar.

Sir,

As desired by you, I am 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 below as Basic Foundation Course	Equivalent to Higher Secondary Examinations in
History, Pol. Science & Economics	Arts Stream
Accounting, Cost Management etc.	Commerce Stream
Physics, Chemistry, Mathematics or Biology	Science Stream

This is for your kind information and necessary action.

Yours faithfully,

Secretary

True Copy Attested
Banajendra Mishra
Appellant

3 OCT 2015

IN THE HIGH COURT OF ORISSA: CUTTACK.

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

28/10/15
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

In the matter of :

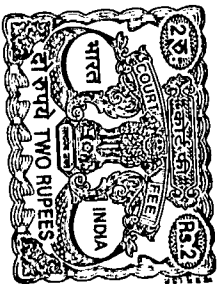


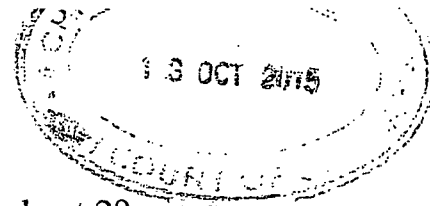
1. Surekha Samal, aged about 25 years,
D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli,
Dist. Bhadrak.
2. Kalpana Panigrahi, aged about 27 years,
D/o. Gourahari Panigrahi, At. Haripur, P.O. Sahar
Via-Sabaranga, Block/Dist. Bhadrak.
3. Jyotsnarani Giri, aged about 32 years,
D/o. Kamalakanta Giri, At. Gopalpur, P.O. Ganijanga
Dist. Bhadrak.

Petitioner

- Versus -

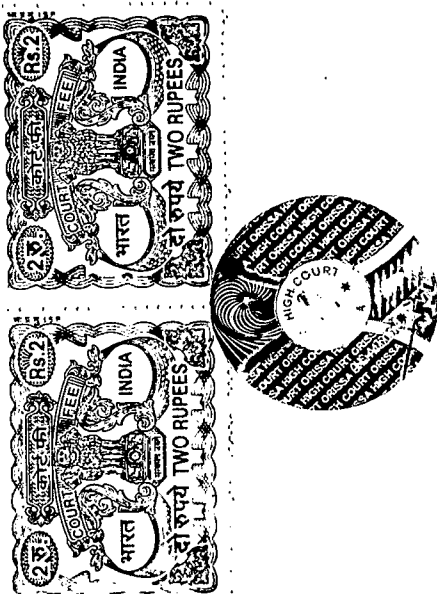
1. State of Orissa, represented through it's
Commissioner-cum-Secretary, School and Mass Education
Department, Orissa, At-Secretariat Building, Bhubaneswar,
P.O. Bhubaneswar. District. Khurda.
2. Collector-cum-Chief Executive Officer, Zilla Parishad,
Bhadrak, At/P.O/Dist. Bhadrak.
3. District Project Coordinator of Bhadrak S.S.A.
Bhadrak, At/P O/Dist. Bhadrak.
4. 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.





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.
7. Council of Higher Secondary Education, Orissa
Represented, through its Secretary,,At- Prajnapitha,
Samantapur, Bhubaneswar-13 Dist- Khorda.

.. .. Opposite Parties



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:-

For Petitioners

M/s. Mahendra Kumar Sahu,
& Mr. S.K. Rath, Advocates.

For Opp. Parties

Mr. S.N. Pattnaik,
Addl. Government Advocate

M/s. D.N. Rath & P.K. Rout.
(O.P. No.4)

Mr. P.K. Behera, Advocate
(O.P. Nos. 5 & 6)

CORAM:

JUSTICE SASHIKANTA MISHRA

JUDGMENT

28th March, 2024

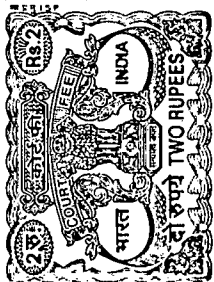
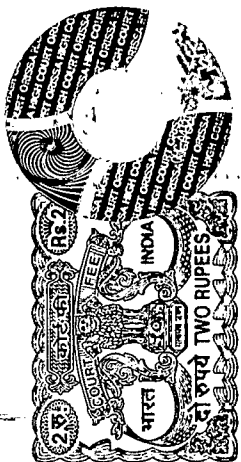
SASHIKANTA MISHRA, J.

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

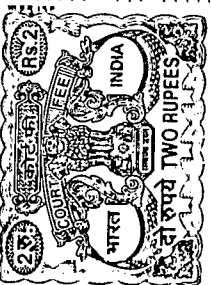
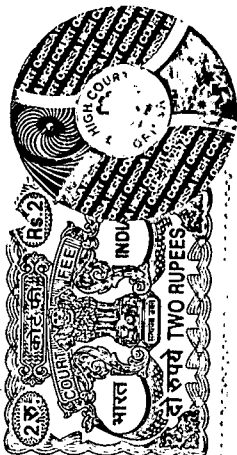
this Court in W.P.(C) No. 5077 of 2014 and batch is under challenge in the present writ application.

FACTS

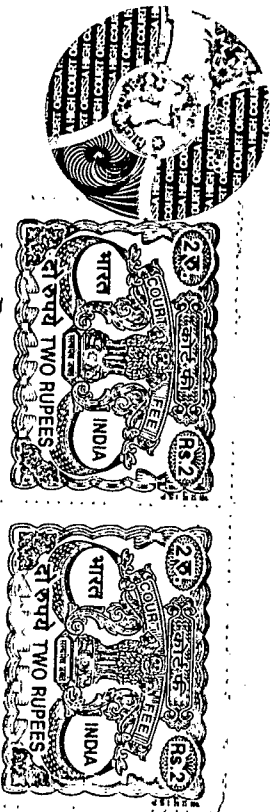
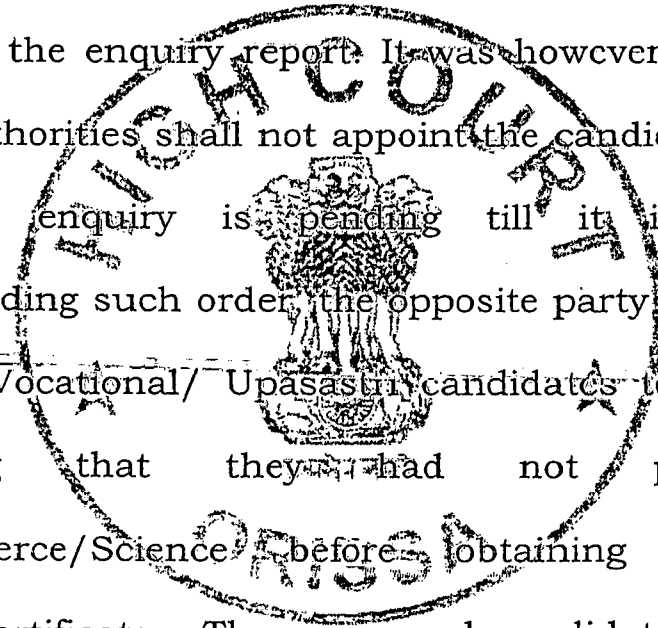
2. An advertisement was issued by the Collector, Bhadrak on 08.12.2011 inviting applications from eligible candidates for engagement as Sikshya Sahayaks. The educational qualification required was, the candidate must have passed +2 examination in Science/Arts/Commerce or its equivalent examination declared 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



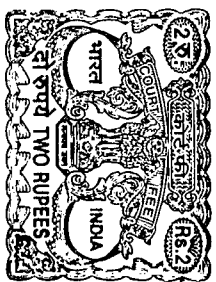
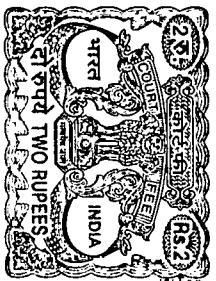
the candidates (petitioners therein), who have completed +2 Vocational course with C.T. training shall be considered by the Collector-cum-CEO, Zilla Parishad and the provisional list of selected candidates already published shall be revised accordingly. Pursuant to such order, a fresh merit list was prepared including the candidates with Vocational qualification. At this stage some of the candidates similarly situated as the petitioners submitted grievance before the authorities (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 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 the allegations regarding submission of fake 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 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 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 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



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 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



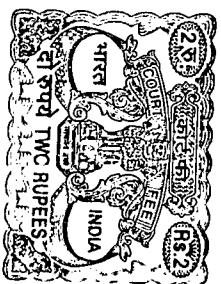
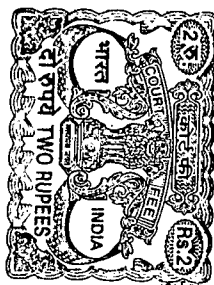
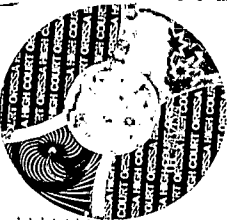
relevant facts, a coordinate Bench of this Court, inter alia, held as follows:

"In view of the above, the Collector-cum-C.E.O. 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



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. Counteraffidavit 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.

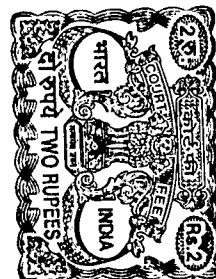


72

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.

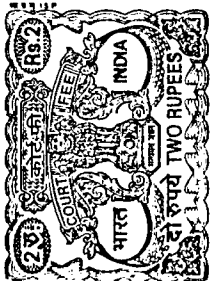
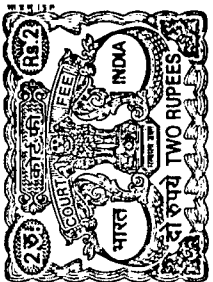
6. Heard Mr. M.K. Sahoo, learned counsel for the petitioners; Mr. S.N. Pattnaik, learned Addl. Government



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

7. Mr. Sahoo forcefully argues that having accepted that Vocational/Upasastri candidates had suppressed 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 engagement orders issued in favour of these candidates are null and void. It is for these illegal appointments that bonafide candidates like the petitioners were deprived of their legitimate right of being engaged as Sikshya Sahayaks at the relevant time.

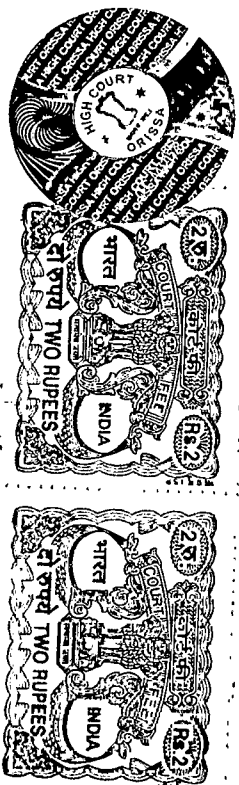
8. Mr. S.N. Pattnaik, learned Addl. Government Advocate would argue that the Collector only found that the candidates had submitted false undertakings but the



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



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/ Upasasti 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 follows:

"(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:

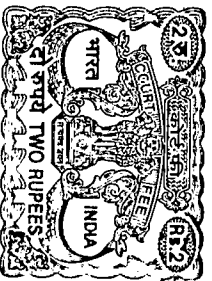
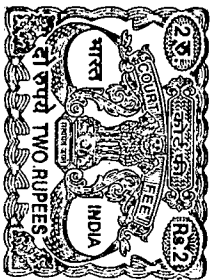
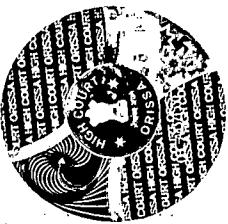
"It is a fact that, the successful candidates have given an undertaking that they have not passed the +2 ARTS/Science/Commerce stream prior to the Vocational Course. But subsequent arguments and production of documents show that this is not correct

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

(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

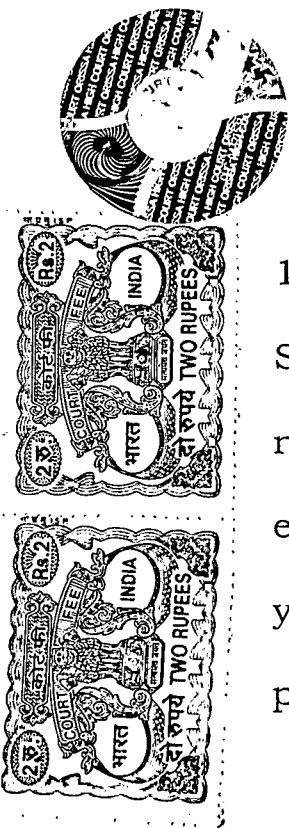


only be acquired after High School Certificate course, and therefore, are of the same level. In such view of the matter, Vocational course, which itself is a Higher Secondary course cannot be obtained after passing the +2 examination, which is also a Higher Secondary course. In this regard it would be 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



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

13. In the case of **Somasnata Rath vs. State of Odisha and others**¹ 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 a 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 passing the +2 Arts course cannot use such qualification to their benefit. Thus, there seems to be no dispute with regard 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

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

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

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.

14. 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.

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



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 Sowcar. He had, on his own volition, executed the registered release deed (Ex. B-15) in favour of Chunilal Sowcar 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 Sowcar. 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 non-suited 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]

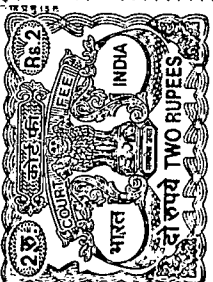
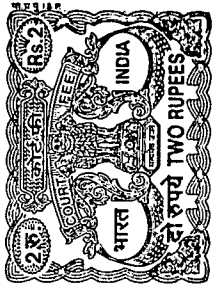
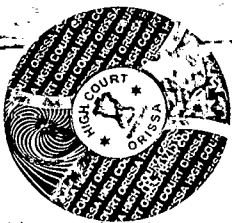
16. The ratio of **S.P. Chengalvaraya Naidu** (supra) has been relied upon in several decisions. Further, the maxim "*fraus et jus nunquam cohabitant*"- fraud and justice never

³ (1994) 1 SCC 1

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.

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 quasi-judicial 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 wrongdoers 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



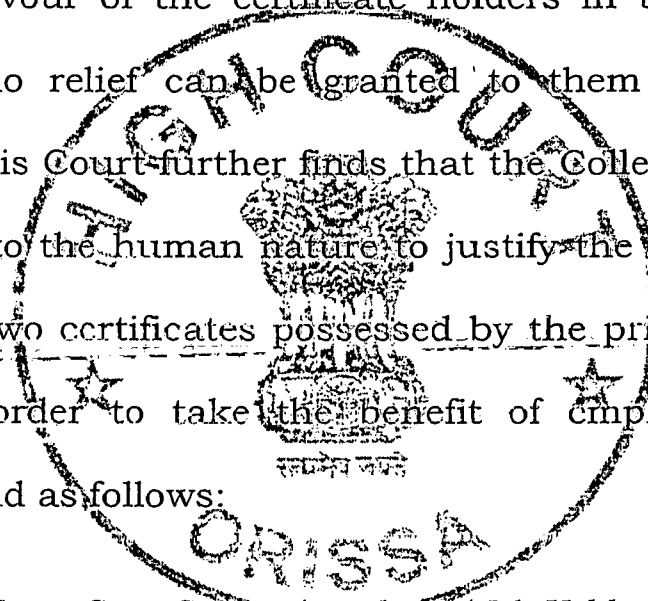
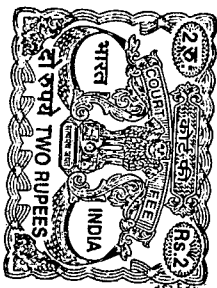
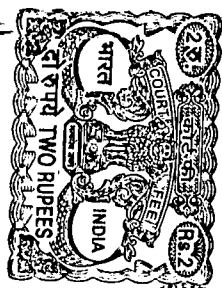
concerned authority, the same cannot be taken into consideration.

19. In the case of **Ram Preeti Yadav v. U.P. Board of High School and Intermediate Education**⁴, 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 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

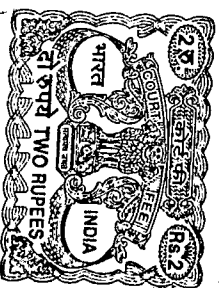
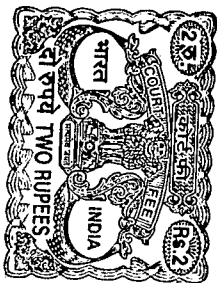


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proceeded to applaud them as 'smart enough' for doing so. This Court refrains from saying anything more in this aspect. It would suffice to say that such absurd reasoning cannot ever be countenanced in law.

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.

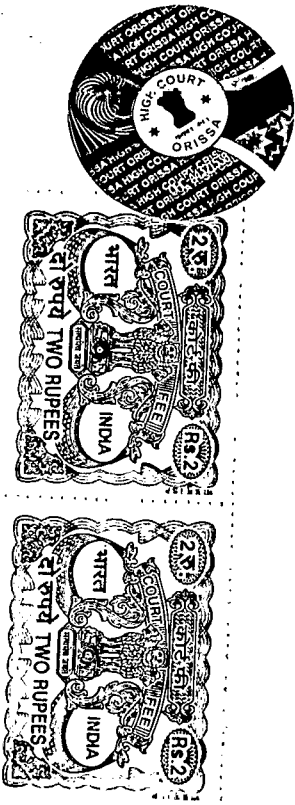
22. In the result, the writ petition is allowed. The impugned order under Annexure-12 is hereby quashed. The opposite party Nos. 2 and 3 are directed to recast the merit list by excluding the Vocational/ Upasastri candidates (opposite party Nos. 4, 5 and 6) and by issuing appropriate order of engagement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



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

Sd/- S. Mishra, J.

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



Comp. by S. Sahoo
05-04-24

True Copy Attested
Banajit Mishra
Appellant

13 OCT 2015

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ANNEXURE - II

IN THE HIGH COURT OF ORISSA: CUTTACK.

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:

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.

Presented in Court

28/10/15
B.O.

A n d

In the matter of :

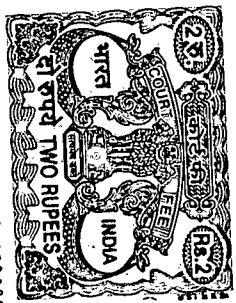


1. Surekha Samal, aged about 25 years,
D/o. Biswanath Samal, At. Bimbalbar, P.O. Patuli,
Dist. Bhadrak.
2. Kalpana Panigrahi, aged about 27 years,
D/o. Gourahari Panigrahi, At. Haripur, P.O. Sahar
Via-Sabaranga, Block/Dist. Bhadrak.
3. Jyotsnarani Giri, aged about 32 years,
D/o. Kamalakanta Giri, At. Gopalpur, P.O. Ganijanga
Dist. Bhadrak.

Petitioner

- Versus -

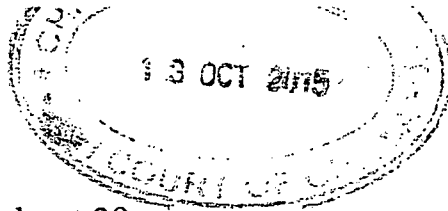
1. State of Orissa, represented through it's
Commissioner-cum-Secretary, School and Mass Education
Department, Orissa, At-Secretariat Building, Bhubaneswar,
P.O. Bhubaneswar. District. Khurda.
2. Collector-cum-Chief Executive Officer, Zilla Parishad,
Bhadrak, At/P.O/Dist. Bhadrak.
3. District Project Coordinator of Bhadrak S.S.A.
Bhadrak, At/P O/Dist. Bhadrak.
4. 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.



28/10/15

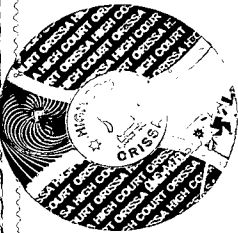
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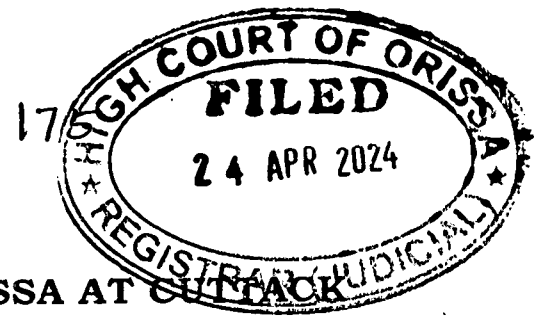


5. Banajini Mishra, aged about 29 years,
W/o. Jitendra Kumar Padhi, Vill- Chakabental,
P.O. Keshpur, Via-Gujidarda, Dist. Bhadrak.
At present working as Sikshya Sahayak,
Under Bhadrak District.
6. Pratima Manjari Kar, aged about 33 years,
W/o. Rajib Kumar Dash, At/P.O.- Mamohadapur,
Via-Similia, Dist.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

.. .. Opposite Parties



6



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:-

For Petitioners

M/s. Mahendra Kumar Sahu,
& Mr. S.K. Rath, Advocates.

For Opp. Parties

Mr. S.N. Pattnaik,
Addl. Government Advocate

M/s. D.N. Rath & P.K. Rout.
(O.P. No.4)

Mr. P.K. Behera, Advocate
(O.P. Nos. 5 & 6)

CORAM:

JUSTICE SASHIKANTA MISHRA

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

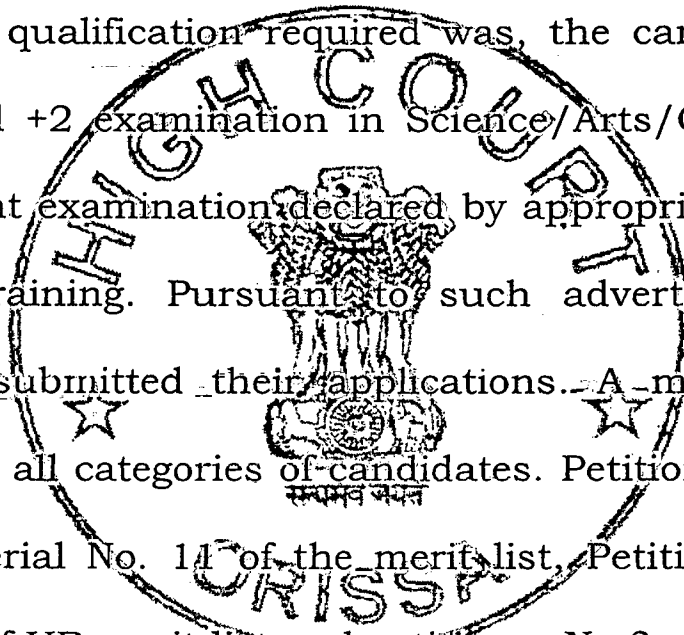


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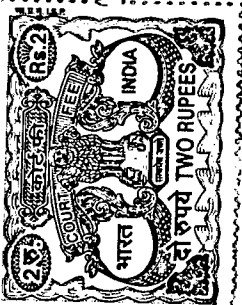
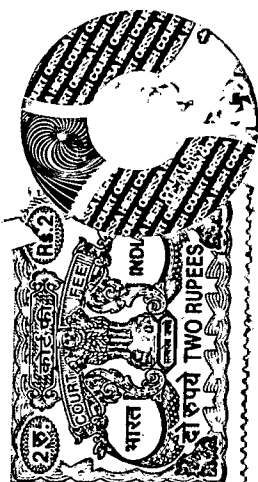
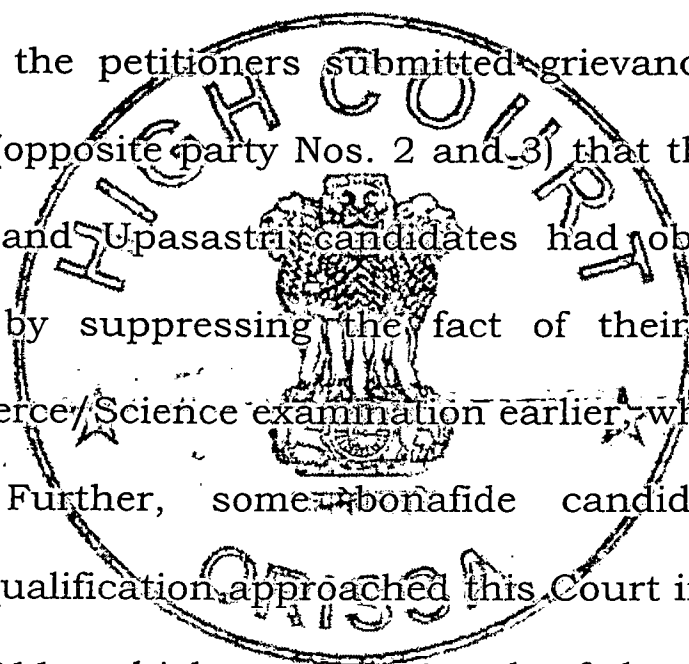
this Court in W.P.(C) No. 5077 of 2014 and batch is under challenge in the present writ application.

FACTS

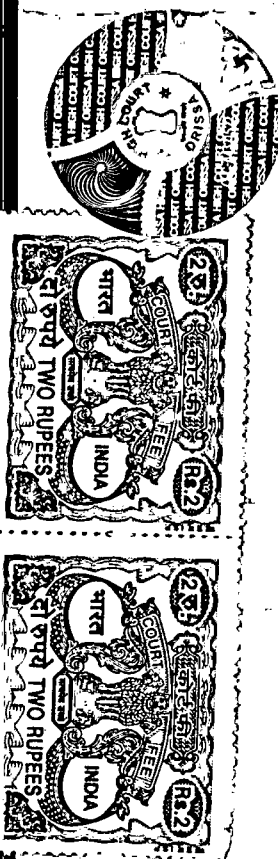
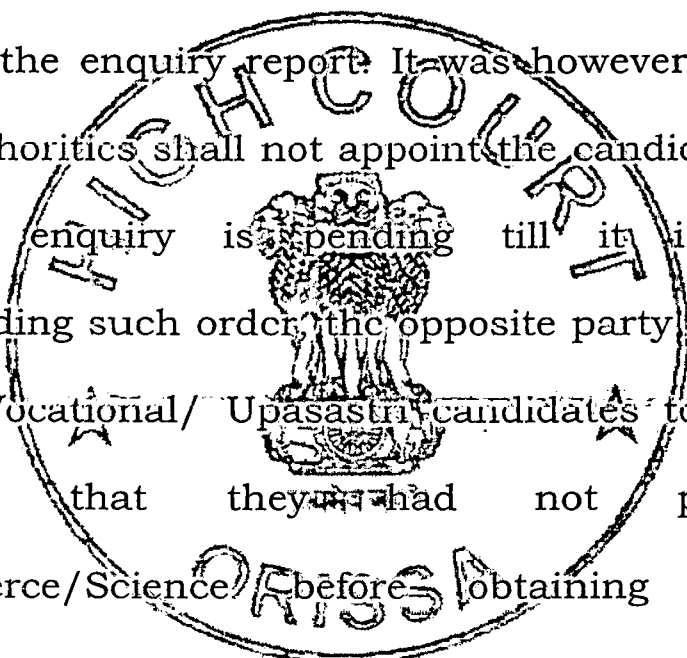
2. An advertisement was issued by the Collector, Bhadrak on 08.12.2011 inviting applications from eligible candidates for engagement as Sikshya Sahayaks. The educational qualification required was, the candidate must have passed +2 examination in Science/Arts/Commerce or its equivalent examination declared 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. 14 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



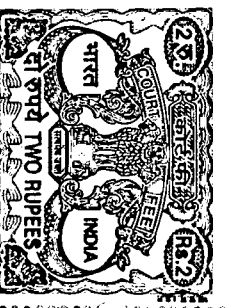
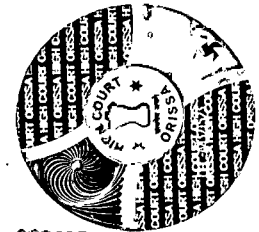
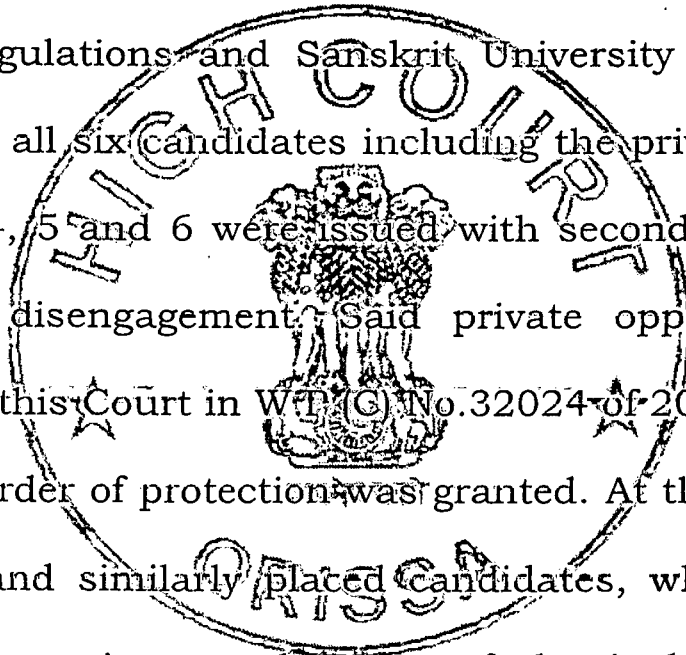
the candidates (petitioners therein), who have completed +2 Vocational course with C.T. training shall be considered by the Collector-cum-CEO, Zilla Parishad and the provisional list of selected candidates already published shall be revised accordingly. Pursuant to such order, a fresh merit list was prepared including the candidates with Vocational qualification. At this stage some of the candidates similarly situated as the petitioners submitted grievance before the authorities (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 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 the allegations regarding submission of fake 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 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 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 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



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 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. 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

years of service. Assailing the order of the Collector, the petitioners have approached this Court seeking the following relief:

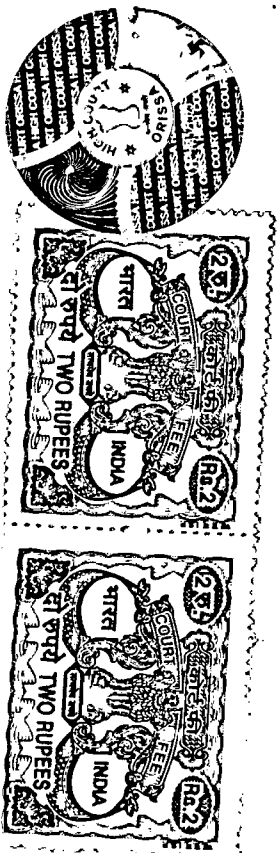
"Under the above facts and circumstances of the case, it is humbly prayed that this Hon'ble High Court be pleased to allow the writ application by granting following reliefs-

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"

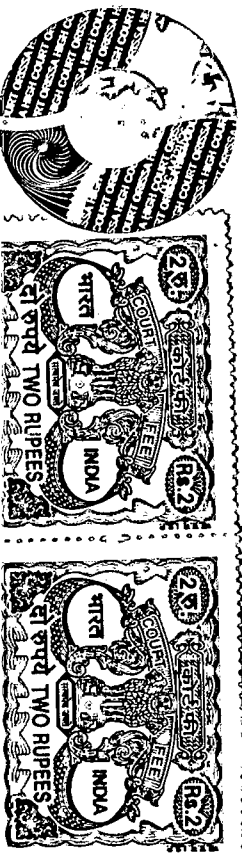
3. Counter affidavit has been filed by the opposite party Nos. 2 and 3 seeking to justify the impugned order. It was reiterated that the certificates issued by the Council of Higher Secondary Education, Odisha or Shri Jagannath Sanskrit University, Puri in favour of the Vocational/Upasastri candidates had not been cancelled and that the selection committee cannot ignore the certificates nor has authority to cancel the same.



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



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

7. Mr. Sahoo forcefully argues that having accepted that Vocational/Upasastri candidates had suppressed 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 engagement orders issued in favour of these candidates are null and void. It is for these illegal appointments that 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

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



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/ Upasasti 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 follows:

"(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:

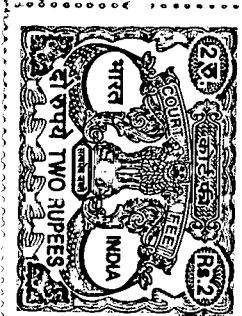
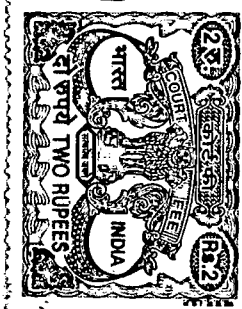
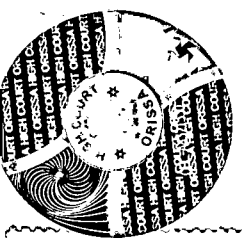
"It is a fact that, the successful candidates have given an undertaking that they have not passed the +2 ARTS/Science/Commerce stream prior to the Vocational Course. But subsequent arguments and production of documents show that this is not correct

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

(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



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

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

13. In the case of **Somasnata Rath vs. State of Odisha and others**¹ 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 a 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 passing the +2 Arts course cannot use such qualification to their benefit. Thus, there seems to be no dispute with regard

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

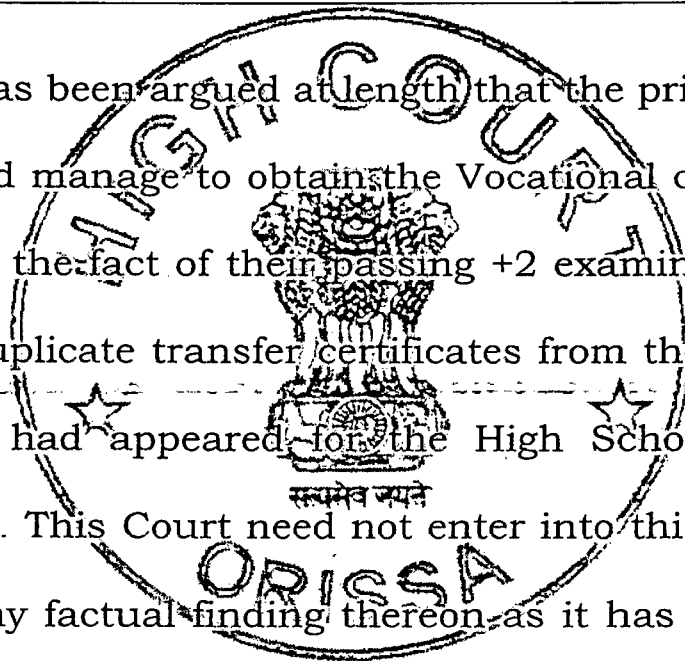
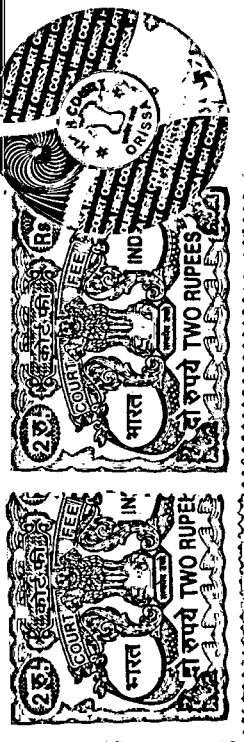
¹ W.P.(C) No. 7031 of 2016, decided on 12.05.2016

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

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.

14. 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.

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



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. Jagannath**³, 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 Sowcar. He had, on his own volition, executed the registered release deed (Ex. B-15) in favour of Chunilal Sowcar 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 Sowcar. 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 non-suited 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]

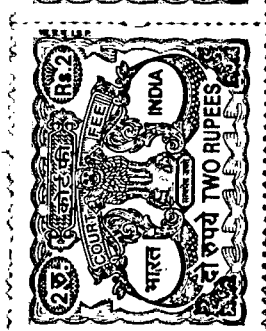
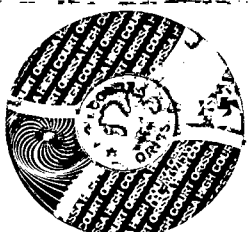
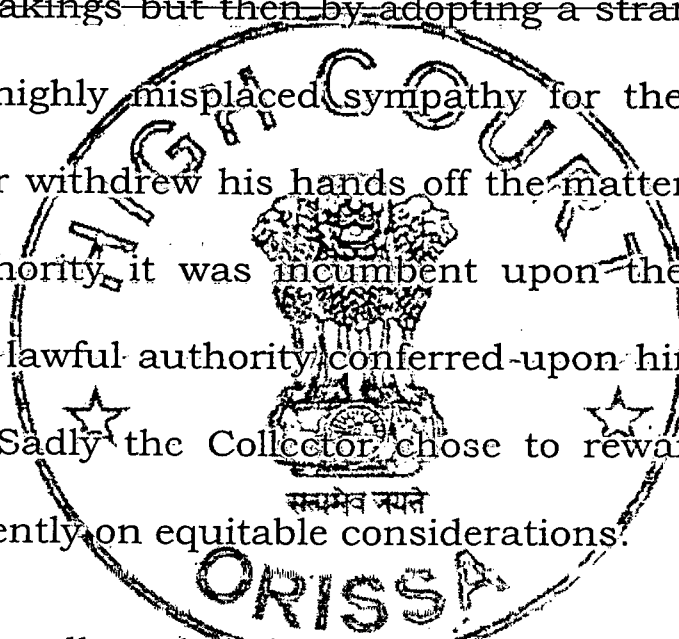
16. The ratio of **S.P. Chengalvaraya Naidu** (supra) has been relied upon in several decisions. Further, the maxim "*fraus et jus nunquam cohabitant*"- fraud and justice never

³ (1994) 1 SCC 1

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.

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 quasi-judicial 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 wrongdoers 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



concerned authority, the same cannot be taken into consideration.

19. In the case of **Ram Preeti Yadav v. U.P. Board of High School and Intermediate Education**⁴, 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 Collector held as follows:

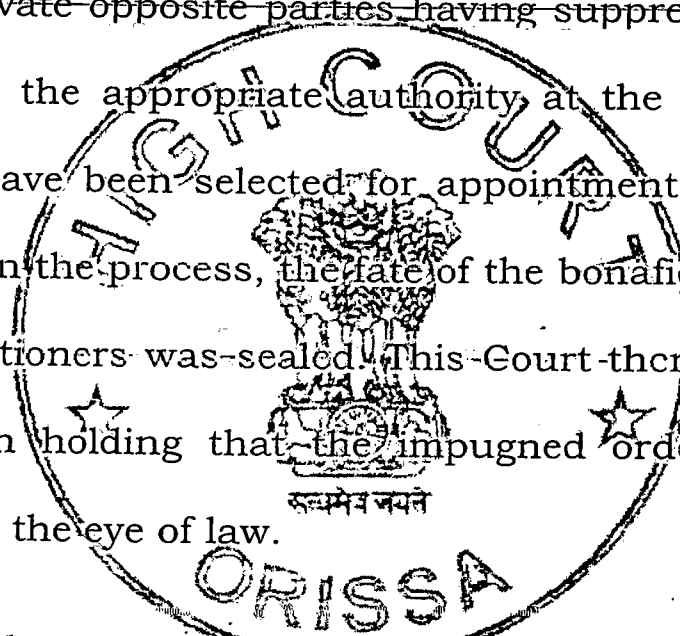
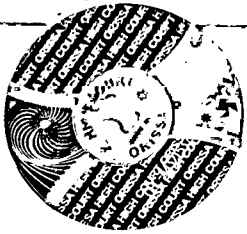
"Every Govt. Servant/Employee/Job Holder of this country is considered to be a privileged person. If one gets a Govt. Job/Service and thereby secures his daily bread it is like enjoying the early dawn after coming out of the perpetual groom. When he/she comes so nearer to get a Govt. job/service, it 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

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.

Sd/- S. Mishra, J.

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



Comp. by S. Sahoo
05-04-24

Date of Application :- 5
 Date of Notification :- 5
 Date of Supply :- 5
 Date of Ready :- 5
 Date of Delivery :- 5

4.2024

C.A. No- 31198/2024		
MEMO OF COSTS		
	Rs.	P.
Application Fee.....	10	00
Searching Fee.....	—	—
Folios / No. Pages... 22x 2	44	00
Hologram Fees... 22x 1	22	00
Photo Copier Fee... 22x 1	22	00
For Typed Copies... x 5	—	—
Total	98	00
(Rupees... <i>only Eight</i> 5/4/2024only)		
<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;"> <i>5/4/24</i> ASO </div> <div style="text-align: center;"> EXAMINER OF COPIES CUM SUPERINTENDENT COPYING SECTION </div> </div>		

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5/4/24
 Assistant Registrar (Estt.)
 ORISSA HIGH COURT
 Authorised Under Section-76, Act-1 of 1872



COUNCIL OF HIGHER SECONDARY EDUCATION: ORISSA
PRANGYAPITHA: SAMANTAPUR: BHUBANESWAR-13

No. 1395 / CHSE(O).dt. 15/2/11
From: - Secy P 223/09

Dr J.K.Mahapatra,
Secretary.

To:

Addl. Secretary to Government,
Govt. of Orissa, School & Mass
Education Department, Bhubaneswar.

Sub: - Clarification regarding equivalence of the H.S.
Vocational Examinations conducted by the CHSE
Orissa, Bhubaneswar.

Ref: - Letter No. 2562 /SME dt: 04.02.2011
II-SME(R)-41/09(Pt.II)

Sir,

With reference to the letter on the subject cited above, I am 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 below as Basic Foundation Course.	Equivalent to Higher Secondary Examination in
History, Pol. Science and Economics	Arts Stream
Accounting, Cost Management etc.,	Commerce Stream
Physics, Chemistry, Mathematics or Biology.	Science Stream

This is for your kind information and necessary action.

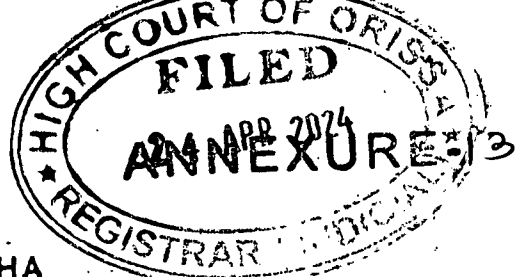
Yours faithfully,

[Signature]
Secretary

[Signature]
22/2/11
Public Information Officer,
C.H.S.E. Orissa,
Bhubaneswar.

True Copy Attested
Banerjee Mishra
Appendant

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**GOVERNMENT OF ODISHA
DEPARTMENT OF SCHOOL AND MASS EDUCATION.**

No. 25070 /SME dt. 19-12-11
II-SME(B)139/11

From :

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

To

All Collector-cum-CEOs,
Zilla Parishads.

Sub : Engagement of SS during 2011-12.

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.

1. Whether candidates having Sikshya Sashti qualification shall be considered against BA/B.Sc. B.Ed. vacancies?
The Hon'ble High Court in order dt.10.05.11 in WPC No.7000/2011 Jitendra Kumar Panda & Others Vrs. State and Others have passed order to the effect that candidates having B.A. degree from a University and thereafter, 'Sikshya Sashti' 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 Sashti with Sikshya Sashti qualification are not eligible.
2. Whether candidates having upasashti with CT qualification shall be considered as +2 CT candidates?
Govt. of Odisha in erstwhile Education Deptt. Notification No.4399 dt.31.01.92 (copy enclosed) have decided that institutions imparting education up to Upsashti level are equivalent to Higher Secondary Schools. On the basis of this equivalency, the candidates have undergone CT training. Therefore candidates having upshashti with CT qualification shall be considered as +2 Arts C.T. candidates.

3. Whether candidates having +2 Vocational pass with CT qualification shall be considered for selection as Sikshya Sahayaks. If so they will be treated as Science or Arts candidates?
- The Council of Higher Secondary Education in their Letter No.6657, CHSE dt.14.08.08 (copy 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 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.
4. Whether candidates after passing +2 Arts/Science/ Commerce course and then passed +2 Vocational stream are eligible for selection?
- No, because as per rule-2(1) of CHSE Act & Regulation 1982, the candidate after passing +2 Arts/Science/Commerce can not take admission again in Vocational Stream of Higher Secondary Course.
5. Whether candidates of other universities having BA/B.Sc. qualification are eligible or not?
- The BA/B.Sc. certificates which are equivalent to the certificates of Utkal University, Berhampur University, Sambalpur University, Fakir Mohan University and North Odisha University shall be considered.
6. Whether candidates having B.Ed. qualifications from other institutions / outside Odisha are eligible or not?
- Candidates having B.Ed. qualification from other institutions recognized by NCTE shall be considered provided the candidates must satisfy other conditions of advertisement.
7. Whether candidates passed Oriya examination (ME Standard) conducted by NIOS (National Institute of Open School) are eligible?
- The Board of Secondary Education Odisha has not declared the Oriya Examination (ME) Standard conducted by NIOS as equivalent.
8. Procedure to be followed for filling up vacancies for sports man?
- 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.

Whether Applications of Untrained candidates shall be received?

Only the applications of untrained candidates who belong to SC, ST & PH category candidates shall be received.

10 Whether candidates having +3 Science/ Arts with BHE from Utkal University will be considered for BA/B.Sc. B.Ed. posts.

No.

11. Whether candidates having qualification of Sikshya Bisarad from Hindi Sikshya Sammilan Allahabad will be considered?

-No.

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.

19/12/11

Memo No. 25071 /SME, Date 19-12-11

Copy along with copy of the enclosures forwarded to all DPCs for information and necessary action.

Additional Secretary to Govt.

Memo No. 25072 /SME, Date 19-12-11

Copy to State Project Director, OPEPA for information and necessary action.

Additional Secretary to Govt.

True Copy Attested

Banajit Mishra
Appellant

R.T. 1.278/14

PROCEEDINGS OF THE MEETING OF THE EXAMINATION COMMITTEE HELD ON
DT. 20.11.2015 AT 11.30 A.M.

Members present

01.	Prof. (Dr.) Basudev Chhatoi, Chairman, CHSE. Odisha, Bhubaneswar.	Chairman
02.	Sj. Bhujabala Majhi, Hon'ble MLA, Dabugaon.	Member
03.	Dr. Madhusudhan Mishra, Controller of Exams. S.S.J. Sanskrit Viswa vidyalaya, Puri.	Member
04.	Dr. Pradeep Ku. Upadhaya Principal, MPC Jr. College, Baripada.	Member
05.	Sj. Muralidhar Pradhan, Principal, Khemundi College, Digapahandi, Ganjam.	Member
06.	Sri Gangadhar Dash, Lect. in Botany, Kandakhai College of Sc & Arts Bajrakote, Puri	Member
07.	Sri Radhyashyama Palai, Lect. in Geography, Surajmalsaha College, Puri.	Member
08.	Dr. Biranchi Narayan Mishra, Controller of Exams. CHSE. Odisha, Bhubaneswar.	Non-Member (Convenor)

Item No. 01.

To consider and confirm the Proceeding of the meeting of the Examination Committee held on Dt. 23.07.2015 and Dt. 27.07.2015.

Resolution No. 2942 :

The Committee confirmed the proceeding of the meeting of the Examination Committee held on Dt. 23.07.2015 and 27.07.2015.

Contd...page-2/-

Item No. 02 :

To consider and decide the disposal of MP cases of 21 candidates of Kaptipada College, Kaptipada, Mayurbhanja who were booked under MP in the Annual HS Examination, 2015.

Note :

MP cases of 21 candidates of Kaptipada College, Kaptipada was placed before the Examination Committee for disposal of the cases. But, after due deliberation the Committee has deferred the matter because of subjudice under Hon'ble High Court, Odisha.

In the meantime, the Hon'ble High Court has disposed of the writ petition of the petitioners directing the authority of the Council to dispose of the MP cases within a period of 3 (three) months from the date of communication of order.

In pursuance to the order of the Hon'ble High Court, Odisha vide w.p.(c) No. 11570/2015, No.03/28.08.2015, the matter may be placed before the Examination Committee for consideration and decision.

Resolution No. 2943:

The 21 (Twenty One) MP cases of Kaptipada College, Kaptipada, Mayurbhanja consequent upon receipt of orders of the Hon'ble High Court, Odisha w.p.(c) No.11570/15 passed on 28.08.2015 (Order No.-03), the cases of Malpractice pertaining to 21 candidates of Kaptipada College Kaptipada were referred to the subject expert to ascertain the utilisation of incriminating material. Since, the Subject Experts have certified that, the material has been used by the examinees, it is resolved that, the cases be disposed of making them as RC (Result Cancelled).

Item No. 03 :

To consider and decide the criteria for fixation of Examination Centre for the Annual HS Examination, 2016.

Notes :

Like previous Years the Examination Committee decides, the criteria for fixation of Examination Centres are as follows :

- a) The Colleges/High Schools/Govt./Aided and Unaided Colleges should present at least 50 (fifty) nos. of Regular candidates for the Annual HS Examination, 2016.
- b) The Colleges/HS Schools must have adequate infrastructural facilities (Own Building, Boundary Wall, Furniture, Steel Almirah with Locker facility, Teaching and Non Teaching Staff and own security arrangement) for conduct of Examination.

Contd... page-3/-

- c) The Colleges/HS Schools should not have any adverse report in last HS Examination, 2014 and 2015.
- d) The Colleges/High Schools should be affiliated to the CHSE, since 2012-13.
- e) The self financing Colleges be not selected as Independent Examination Centres.
- f) The Examination Centre in which papers/sitting were cancelled for adoption of unfair means in the last Examination 2015 be not declared as independent Examination Centres.
- g) The Colleges/HS Schools should not have any dispute relating to Principalship or any kind of dispute between the Principal, Staff and Management which may hinder the smooth conduct of the Annual HS Examination, 2015.

Resolution No. 2944 :

The Examination Committee discussed the matter and resolved to abide by the criteria as laid down from "a" to "h" with certain modification at "e" and "h" for fixing criteria for Examination Centre of AHS Exam. 2016.

- a) The Colleges /HS Schools/ Govt./ Aided and unaided Colleges should present at least 50 (fifty) nos. of Regular candidates for the Annual HS Examination, 2016.
- b) The Colleges/HS Schools must have adequate infrastructural facilities (Own Building, Boundary Wall, Furniture, Steel Almirah with locker facility, Teaching and Non teaching staff and own security arrangement) for conduct of Examination.
- c) The Colleges/ HS School should not have any adverse report in last HS Examination 2014 & 2015.
- d) The Colleges/High Schools should be affiliated to the CHSE since 2012-13.
- e) The self- financing Colleges be not selected as Independent Examination Centres, but their infrastructure can be utilised for sub-centres for other Colleges.
- f) The Examination Centres in which papers/sitting were cancelled for adoption of unfair means in the last Examination 2015 be not declared as independent Examination Centre.
- g) The Colleges/He schools should not have any dispute relating to Principalship or any kind of dispute between the Principal, Staff and Management which may hinder the smooth conduct of the Annual HS Examination-2015.

-4-

- h) The Chairman, Council of Higher Secondary Education, Odisha with consultation of Controller of Examinations and Examination Committee be authorised to take steps regarding any addition, alteration, cancellation and Tagging of Examination Centres etc. taking the prevalent condition into account.

Item No.04:

To consider and finalise the Examination Programme for the Annual HS Examination-2016.

Note:

It has been proposed to hold the Examination-2016 from 02.03.2016 in Arts/Science/Commerce/Vocational and Distance Education. The prepared provisional Examination Programme has been enclosed herewith at Annexure (A) for kind perusal.

Now, the matter is placed before the Examination Committee Meeting for approval.

Resolution No.2945:

The Examination Committee approved the Examination Programme for the AHS Exam.2016 to be held from 02.03.2016 to 29.03.2016 in Arts/Science/Commerce/Vocational and Distance Education.

Item No.05:

To consider and finalise the facilities for the physically handicapped students/examinees for Annual Hs.Exam.2016 as per the order of the Chief Secretary vide letter No.18357 Dt.17.09.2013.

Resolution No.2946:

The Committee resolved to strictly follow the guidelines issued by the Women & Child Development Department vide their letter No. 10485/WCD, Dt.17.05.2013 read with the Chief Secretary's letter No. WCD-DWI-misc-1/2013, 18357/CS (W & CD) Dt.17.09.2013 and clause iii of Resolution No.2887 dt.15.10.2014 of the Examination Committee in the case of candidates with disabilities.

Item No. 06:

To consider and dispose the Hon'ble High Court w.p:(c) No. 15319/2015 Dt.28.08.2015 and representation of Annexure - 8.

Notes :

The Hon'ble High Court has given the orders, opposite party No. 2 to consider and dispose of the representation in Annexure-8 and pass appropriate orders within a period of three months from the date communication of the order.

E.C.-I Section has verified the following Roll Nos. of 08 nos. of candidates those who have obtained two nos. of certificates, qualifying one is Arts/Science and another in Vocational Course each.

As per the CHSE Rule 2(1) of the CHSE Act and Regulation 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 either in a College or a Higher Secondary School and includes Arts/Science/Commerce and Vocational Course.

Therefore, decision may be taken if a student appears and qualifies under any Recognised Institution he/she cannot take admission in Vocational stream of Higher Secondary Course.

Two certificates can not be issued to the students in +2 Course.

The first certificate obtained from the Council will be treated as genuine and other certificate will be rejected/cancelled.

Resolution No: 2947

Resolved that the Committee after careful consideration and thread-bare discussion for 08 (Eight) nos of cases referred to CHSE (O) in w.p.(q) No. 15319/15 in its order dt. 28.08.2015, the certificates awarded to the candidates in Vocational stream be cancelled and withdrawn. Hence the first Certificate obtained from the Council be treated as genuine and the Certificate issued later in any stream be rejected/cancelled. Further resolved that all candidates seeking admission to any Higher Secondary course in any stream of the CHSE by depositing duplicate CLC/SLC shall furnish an affidavit that he/she has not obtained any Higher Secondary Degree before hand.

Item No. 07.

To consider and approve the proposal for inclusion the name of Yogamaya Nayak bearing Roll No. 335CC160, Regn. No. 180555/10 of N. C. Jr. College, Jaipur in the merit list of best twenty in Science stream for Annual HS Examination, 2012.

Note : After Re-addition of marks of the candidate bearing Roll No. 335CC160, Regn. No. 180555/10 of Annual HS Examination 2012, the total marks of the said candidate has been enhanced from 520 to 535 vide Notification No.8898 Dt. 12.06.2013. Consequent upon revision of marks, the said candidate comes to 10th position in the Provisional merit list of Annual HS Examination, 2012 in Science stream.

It is pertinent to mention here that the Examination Committee in its Resolution No. 2800 dt. 13.09.2011 resolved that the tenure of merit list stands for one year of next result. The date of next result (Annual HS Examination, 2013) is published on 29.05.2013.

As per direction of the Chairman the matter may be placed before the Examination Committee for consideration.

Resolution No. 2948.

Since, inclusion of the name of Yogamaya Nayak bearing Roll No. 335CC160, Regn. No. 180555/10 of N. C. Jr. College, Jajpur in the merit list of best twenty in Science stream for Annual HS Exam. 2012 jointly with subasis Biswal bearing Roll No. 345CA004 of Ravenshaw Jr. College, Cuttack does not affect the merit list of other candidates placed in best twenty, it is resolved that the name of Yogamaya Nayak be reflected in the merit list in best twenty of Science stream of Annual HS Exam. 2012.

Item No. 08.

To consider and decide the representation made by Susandhya Sahoo, bearing Roll No. 901PA073, Regn. No. 260833/10 of Vocational stream for issue of Original Certificate for the Higher Secondary Examination, 2013 as Compartmental passed.

Note :

Susandhya Sahoo, bearing previous Roll No. 901PA093 Regn. No. 260833/10 had appeared the Higher Secondary Vocational Examinations, 2012 in all papers and failed with eligibility to appear as Compartmental for the next H. S. Voc. Exams 2013 in three papers, i.e. Chemistry, Mathematics and Audio Visual Tech. Paper-II. But, the said candidate had appeared in two subjects i.e., Chemistry and Mathematics and inadvertently declared as passed in Compartmental at the H.S. Voc. Exams, 2013.

Now, the matter is placed before the Committee for consideration and suitable decision.

Resolution No. 2949.

Resolved that, the case of Susandhya Sahoo, bearing Roll No. 901PA073, Regn. No. 260833/10 and Roll No. 901PA093 Regn. No. 260833/10 who has been declared pass due to inadvertent Computer Programming error, though not passing out in Audio Visual Technology (AVT) Paper-II considered to have passed taking into account the marks secured in AVT-I and AVT-II together and not individually. This may not be cited as a precedence in future. Simultaneously, the confidential Computer Firm be called upon to insert the relevant provision in the programming for detecting such mistakes in case of Compartmental candidates.

Item No. 09.

Other items, if any :-

Resolution No. 2950.

Arising out of discussion, it is resolved that, the marks secured by candidate bearing Roll No. 408DA0031 of Annual Higher Secondary Examination 2013 and Roll No. 408DA075 of Annual Higher Secondary Exam 2014 in the 1st Compartmental Examination be carried forward to next Compartmental Examination results for computation of the final result for the candidate due to inadvertent computer error. Since, this is not permissible under Regulation in vogue, the same be not cited as a precedence in future.

This modification of Resolution No. 2929 passed by Examination Committee in its meeting held on 20.06.2015.

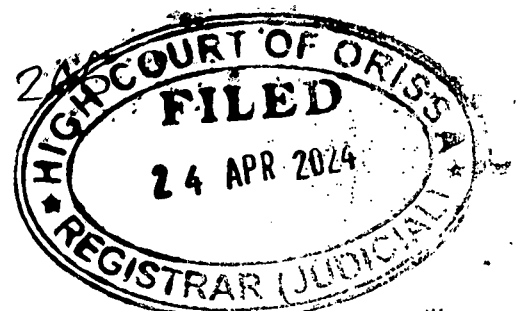
Item No. 10.Resolution No. 2951 :

Arising out of discussion, it is resolved that, date of application for re-addition of marks may be reduced from 30 days to 07 (Seven) days from the date of publication of Results of all streams keeping in view, the decision arrived at All India Level meeting of all Boards (Secondary and Higher Secondary) convened by HRD ministry at Vigyan Bhawan, New Delhi and necessary steps may be taken by the Chairman to obtain the permission by Govt. for amendment of the relevant clause by the Regulation.

Item No. 11Resolution No. 2952 :A-

Arising out of discussion, it is resolved to in-corporate the following modification in Zonal Valuation Manual 2014.

1. In clause 13 (vi) after the last sentence, the following be inserted.
Deputy Chief Examiners are entitled to get remuneration for valuing an Answer Script at the applicable rate and also at half the rate admissible to Assistant Examiners for Re-examining Answer Scripts in fail cases securing 25% marks and above.
 2. In clause 14 (B)(iii) Note - v after the words Chief Examiners the following be inserted "
(1) and Deputy Chief Examiners".
 3. An enhancement to the Notification No.84 dated 31.03.2014 be made in the following manner. In place of " date of issue " it be substituted as " for the Valuation of Annual Higher Secondary Examination, 2014"
- B- The Zonal Valuation Manual 2015 be revised as follows :



1. In clause 18(1) (c) the last sentence be substituted as " under no circumstances one will be paid more than one TA/DA to and fro journey during the entire period of Valuation".
2. After clause 13 (h), it be inserted that, " (i) No remuneration shall be paid to the non-examining Chief Examiners for Valuing Answer Scripts ".

Item No. 12.

Resolution No. 2953 :


Arising out of discussion, the Committee resolved to approve proposal of the Chairman to go for e-valuation of all subjects in Commerce stream and Science stream for the Annual HS Examination, 2016.

The meeting ended with a vote of thanks to the Chair.


Sd/- B.Chhatoi,
Chairman.

Sd/- BN Mishra
Controller of Examinations.

Memo No. 8232 /CHSE. Dt. 24.11.2015
Copy forwarded to all Members of the Examination Committee for information and necessary action.

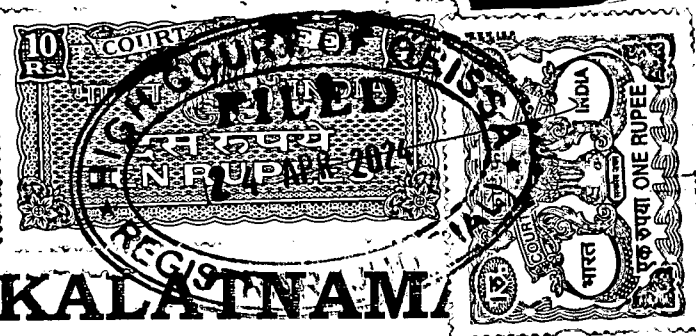
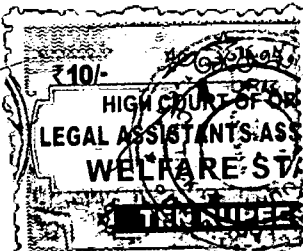
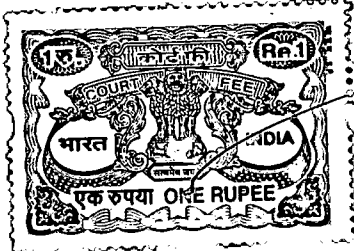

24/11/15
Controller of Examinations.

Memo No. 8233 /CHSE. Dt. 24.11.2015
Copy forwarded to all Officers/all Sections/all Zones for information and necessary action.


24/11/15
Controller of Examinations.

True Copy Attested

* Banajini Mishra
Appellant



6868

FORM OF VAKALATNAM

IN THE HIGH COURT OF ORISSA OF JUDICATURE: CUTTACK

W.A. NO. 1326 OF 2023

Banajini Mishra

Applicant/Petitioner

Between

VERSUS

State of Odisha & others Respondents/ O.P.S

Know all men by these presents, that by this Vakalatnama

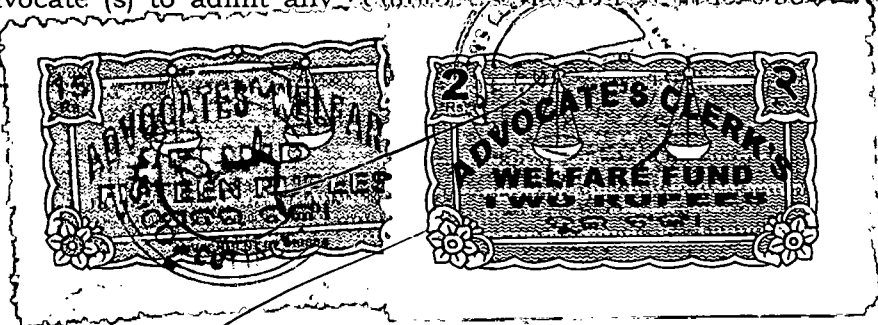
I/We

Banajini Mishra, aged about 40 years o/p.
Jitendra K.V. Padhi A.I. Chakabental, P.O. Keshpur.
Gutidara, Dist-Bhadrak at present working on Level-VA
A.M.T. teacher in K.C. Education High School, Uttar Bahini
Dist-Bhadrak.

Appellant/ Respondent/ Petitioner/ Opposite Party in the aforesaid Revision/
Appeal Case do here by appoint and retain M/S KUNAL KUMAR SWAIN, P.N. MOHANTY,
S.C.D. DASH, U. CHHOTRAY, P.K. MOHAPATRA, K. SWAIN, J.R. KHUNTIA, A. MISHRA
for me/us, in the above case and 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
degree or order passed therein including all applications for return of documents or receipt of
any money that may be payable to me/us in said case and also in application for review,
appeals under Orissa High Court order and in application for leave to appeal to Supreme
Court. I/We authorise my/our Advocate (s) to admit any compromise lawfully in the said
case.

Dated the 21/1/2024 -
Received from the executants (s)
Satisfied and accepted I hold
no brief to the other side.

Kunal Kumar Swain
Advocate
Accepted as above
(KUNAL KUMAR SAWIN)
OBCE NO. O-421/1984
PH. NO. 9238608207



Banajini Mishra

Kaashik

Advocate

Accepted as above

OBCE-NO-0-707/2013
PH-8596879915

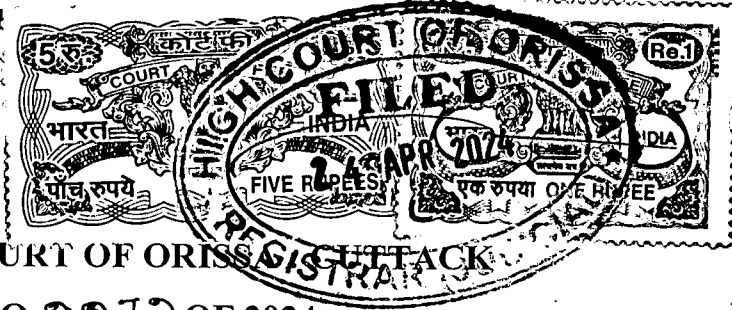
SIGNATURE OF THE EXECUTANT

Jyoti Ranjan Khuntia

Advocate

Accepted as above

OBCE-NO-0-265/2016
PH-9337797399



IN THE HIGH COURT OF ORISSA, CUTTACK

I.A NO. 2272 OF 2024
(Arising out of W.A No. 326 OF 2024)

IN THE MATTER OF:

An application for appropriate orders;

A n d

IN THE MATTER OF:

An application under Rule-27(A),
Chapter-VI of Orissa High Court
Rules, 1948;

A n d

IN THE MATTER OF:

Banajini Mishra ... Appellant

Versus

State of Odisha and others

... Respondents

To

The Hon'ble the Chief Justice of Orissa High
Court and His Lordship's companion Judges
of the said Hon'ble Court;

The humble petition of
the appellant named
above;

13
15-04-24
AMBIKA P. S. S. RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004


MOST RESPECTFULLY SHEWETH:

1. That the appellant (Banajini Mishra), who was opposite party No.5 in W.P.(C) No.18706 of 2015 has filed the aforesaid writ appeal challenging inter alia the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 quashing the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No.3 of 2014 and directed for recasting of the merit list by excluding the Vocational / Upasastri candidates (opposite party Nos.4, 5 and 6) i.e. the present appellant and proforma respondent Nos.7 and 8 by issuing appropriate order of engagement in favour of the present respondent Nos.4, 5 and 6 either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

2. That for better appreciation of facts, the averments made in the accompanying writ appeal may be read as part of this petition.

3. That the appellant has a *prima facie* case and the balance of convenience lies in her favour and there is every likelihood of the writ appeal being allowed.

4. That pending finalization of the writ appeal, the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 may be stayed or in the


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO. 015612004

alternative the appellant may not be terminated from service otherwise the appellant will be highly prejudiced and the writ appeal would become infructuous.

P R A Y E R

Under the above circumstances, it is humbly prayed that in the interest of justice, pending finalization of the writ appeal the impugned judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 under Annexure:11 may be stayed or in the alternative or in the alternative the appellant may not be terminated from service;


Any other order / orders or direction / directions may be issued so as to give complete relief to the appellant;

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

Cuttack
Date: 21.4.2024

By the Appellant through


Advocate


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-CN-36/2024

IN THE HIGH COURT OF ORISSA: CUTTACK

W.A. NO. OF 2024

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

IN THE MATTER OF:

Banajini Mishra

.....

Appellant

Vs.

State of Odisha and others

.....

Respondents

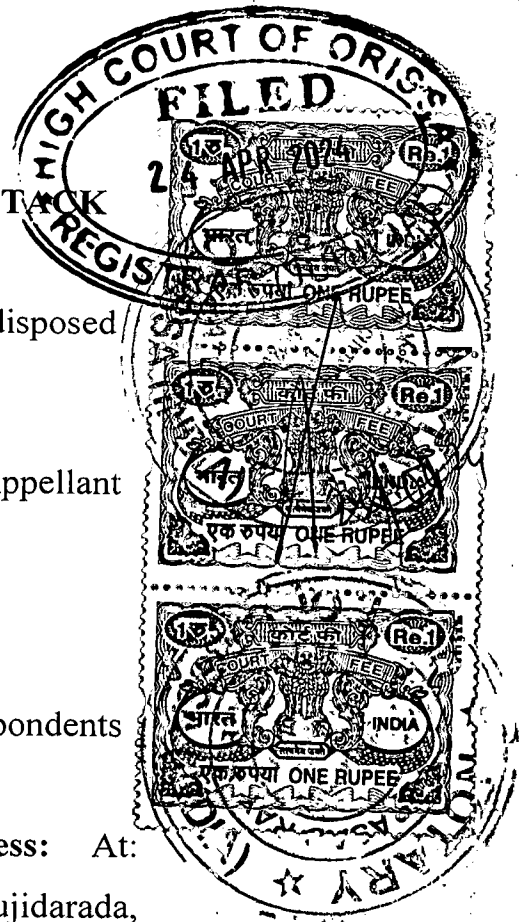
AFFIDAVIT

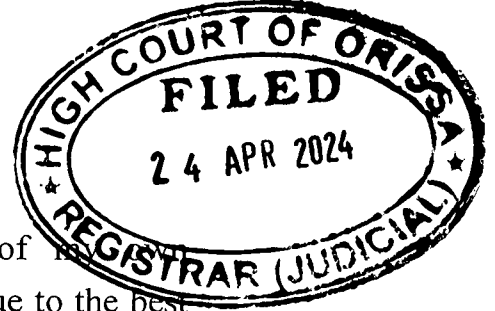
1. **Name :** Banajini Mishra, **Address:** At:
Chakabental, P.O.: Keshpur, Via: Gujidarada,
Dist.: Bhadrak, **Occupation:** Level-V Assistant
Teacher, **Age:** about 40 years.
2. **Husband's Name:** Jitendra Kumar Padhi
3. Number of proceeding(s) pending in the High
Court or would be instituted (Caveat): No
4. Statement of facts: As mentioned in the above
noted application.
5. That the facts stated above are true to the best of
my knowledge and belief.

DECLARATION

I, Banajini Mishra, aged about 40 years,
wife of Jitendra Kumar Padhi, At: Chakabental, P.O.:
Keshpur, Via: Gujidarada, Dist.: Bhadrak, at present
working as Level-V-A Assistant Teacher in K.C. Co-
Education High School, Uttar Bahini in the district of
Bhadrak, being the Appellant/ Deponent above named
do hereby solemnly affirm that the facts stated in

AMBIR
NOTARY
REGD. NO. 1133/2004





Paragraphs: 1 to 4 are true to best of my knowledge and in Paragraphs: 1 to 4 are true to the best of my information I obtained from the Following sources: own sources.

I believe the information to be true for the following reasons; because of my personal knowledge.

Solemnly declare at Cuttack the above said this 24 day of April, 2024.

Identified by

Kunal Kumar Swain
Advocate

Banajini Mishra
Signature of the Deponent

Solemnly affirmed before me by Banajini Mishra, who is identified before me by Kunal Kumar Swain, Advocate, whom I personally know.

This the 24 Day of April, 2024.

COMMISSIONER OF OATH/NOTARY
PUBLIC: CUTTACK

Advocate

(KUNAL KUMAR SWAIN)
ENROLL. NO. O-421/1984
PH. NO. 9238608207

AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004

CERTIFICATE

Certified that due to non-availability of cartridge papers this petition is being typed in thick white papers.

Place : Cuttack

Date : 24.4.2024

Advocate



②

SCANNED

COMPUTERISED FILING COUNTER
ORISSA HIGH COURT,CUTTACK
ACKNOWLEDGEMENT SLIP

Seat No :

Branch No :

Receipt No : 66111/2024

Date Of Receiving : 17/05/2024

Time : 03:01:54 PM

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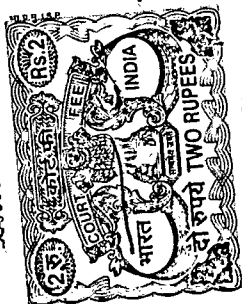
Case No : WA /0

Received From : Petitioner

Filed By: ADVOCATE FOR PETITIONER

Document(s) Filed :

2- RECEIPT (GOVT) --- Court Fee -Rs.2 (16398/2024)



IN THE HIGH COURT OF ORISSA, CUTTACK
RVWPET/FAO/WA/WP(C)/CONTC/IA NO-
D-RVWPET/ D-FAO/ D-WA/ D-CONTC/ D-WP(C)-

18631/24

Banjini Mishra

PETITIONER

VRS

16398

STATE OF ORISSA

For me

OPP.PARTY

RECEIPT MEMO

RECEIVED THE WRIT PETITION/CONTEMPT/FAO/WA/IA/ADDITIONAL/COUNTER/ 2024
REJOINDER AFFIDEVIT/ EXTRA COPIES _____ SET WITH ANNEXURE.

CUTTACK
DATE

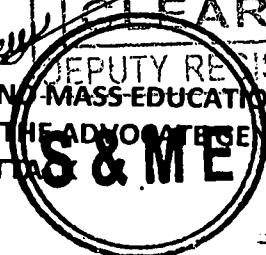
17/5/2024

ORISSA HIGH COURT
2ND.

CLEARANCE

DEPUTY REGISTRAR (J&E)

SCHOOL AND MASS EDUCATION
OFFICE OF THE ADVOCATE GENERAL
CUTTACK



SCANNED



**COMPUTERISED FILING COUNTER
ORISSA HIGH COURT,CUTTACK
ACKNOWLEDGEMENT SLIP**

Seat No :

Branch No :

Receipt No : 66053/2024

Date Of Receiving : 17/05/2024

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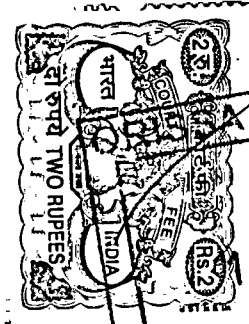
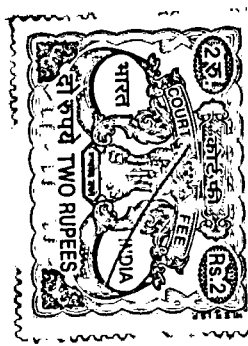
Case No : **WA /0**

Received From : Petitioner

Filed By: ADVOCATE FOR THE PETITIONER

Document(s) Filed :

1- Court Fee --- Court Fee -Rs.4 (16381/2024)



99 The high court of Odisha Cuttack

D. WA- 110 - 18631/2024

BANAJINI Mishra Appellant

- v -

State of Odisha & others Respondents

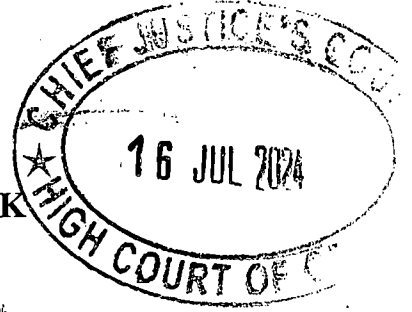
MEMO

Copy of deposit counter filed here with
Removal of defect no. 18631/24
in filed here with in defect upon
By the SA.

Cuttack
Date - 17.05.2024


Advocate for
Appellant

SCANNED



IN THE HIGH COURT OF ORISSA : CUTTACK

I.A NO. 5765 OF 2024
(Arising out of W.A No.1326 OF 2024)

Banajini Mishra

.....

Appellant

Vrs.

State of Odisha and others

.....

Respondents


INDEX

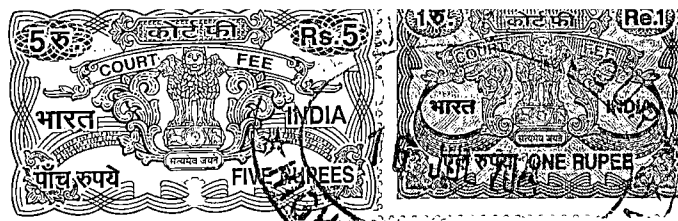
Sl. No.	Description of documents	Pages
01.	Interim Application for appropriate orders	1-
02.	<u>Annexure:15</u> A copy of the order dated 05.07.2024 passed by the Collector & District Magistrate, Bhadrak in Misc. Case No.23 of 2024	7-9

Cuttack

Date: 14.07.2024

By the Appellant through


Advocate
(KUNAL KUMAR SWAIN)
ENROLL. NO.O-421/1984
PH. NO. 9238608207



B

IN THE HIGH COURT OF ORISSA : CUTTACK
I.A NO. 5165 OF 2024
(Arising out of W.A No.1326 OF 2024)

IN THE MATTER OF:

An application for appropriate orders;

And

IN THE MATTER OF:

An application under Rule-27(A),
Chapter-VI of Orissa High Court
Rules, 1948;

And

IN THE MATTER OF:

Banajini Mishra ... Appellant

Versus

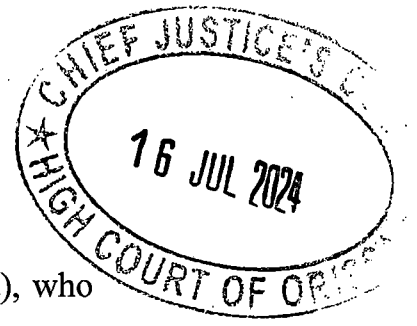
State of Odisha and others
... Respondents

To

The Hon'ble the Chief Justice of Orissa High
Court and His Lordship's companion Judges
of the said Hon'ble Court;

The humble petition of
the appellant named
above;

h
17.4.07.24
AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004




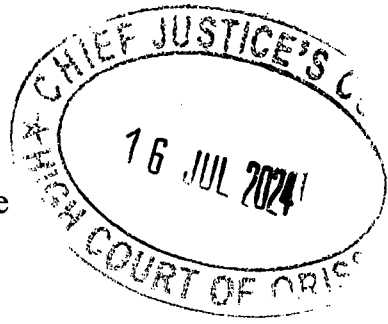
MOST RESPECTFULLY SHEWETH:

1. That the appellant (Banajini Mishra), who was opposite party No.5 in W.P.(C) No.18706 of 2015 has filed the aforesaid writ appeal challenging inter alia the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 quashing the order dated 21.08.2015 passed by the Collector-cum-Chief Executive Officer, Zilla Parishad, Bhadrak in Misc. Case No.3 of 2014 and directed for recasting of the merit list by excluding the Vocational / Upasastri candidates (opposite party Nos.4, 5 and 6) i.e. the present appellant and proforma respondent Nos.7 and 8 by issuing appropriate order of engagement in favour of the present respondent Nos.4, 5 and 6 either as Sikshya Sahayaks or in any equivalent post without any further delay and in any case, not later than four months.

2. That for better appreciation of facts, the averments made in the accompanying writ appeal may be read as part of this petition.

3. That during pendency of the aforesaid writ appeal, the Collector & District Magistrate, Bhadrak vide his order dated 05.07.2024 passed in Misc. Case No.23 of 2024 has directed for implementation of the judgment and order dated 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015. A copy of the order dated 05.07.2024 passed by the


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004




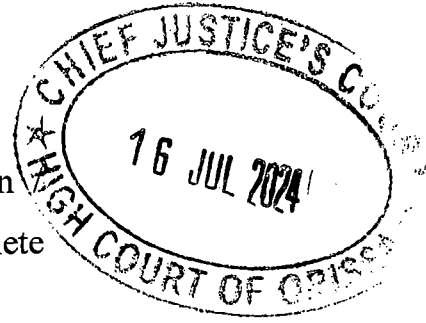
Collector & District Magistrate, Bhadrak in Misc. Case No.23 of 2024 is filed herewith as ANNEXURE:15.

4. That it is pertinent to mention here that during pendency of the aforesaid writ appeal, if the judgment and order 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 is implemented, the present writ appeal would become infructuous. Therefore, pending finalization of the aforesaid writ appeal, the order dated 05.07.2024 passed by the Collector & District Magistrate, Bhadrak in Misc. Case No.23 of 2024 for implementation of the judgment and order 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 may be stayed and/or may not be given effect to, or else the appellant will be highly prejudiced and the writ appeal would become infructuous.

P R A Y E R

Under the above circumstances, it is humbly prayed that in the interest of justice, pending finalization of the writ appeal the order dated 05.07.2024 passed by the Collector & District Magistrate, Bhadrak in Misc. Case No.23 of 2024 under Annexure:15 for implementation of the judgment and order 28.03.2024 passed by the Hon'ble Single Judge in W.P.(C) No.18706 of 2015 may be stayed or in the alternative;


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004



Any other order / orders or direction
directions may be issued so as to give complete
relief to the appellant;


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

Cuttack

Date: 14/7/2024

By the Appellant through

Advocate


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004

IN THE HIGH COURT OF ORISSA: CUTTACK

I.A NO. _____ OF 2024
(Arising out of W.A No.1326 OF 2024)

IN THE MATTER OF:

Banajini Mishra Appellant

Vs.

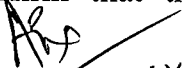
State of Odisha and others Respondents

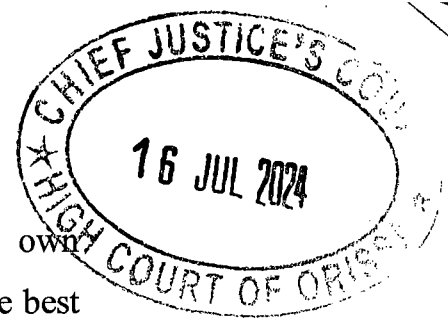
AFFIDAVIT

1. **Name** : Banajini Mishra, **Address**: At: Chakabental, P.O.: Keshpur, Via: Gujidarada, Dist.: Bhadrak, **Occupation**: Level-V Assistant Teacher, **Age**: about 40 years.
2. **Husband's Name**: Jitendra Kumar Padhi
3. Number of proceeding(s) pending in the High Court or would be instituted (Caveat): No
4. Statement of facts: As mentioned in the above noted application.
5. That the facts stated above are true to the best of my knowledge and belief.

DECLARATION

I, Banajini Mishra, aged about 40 years, wife of Jitendra Kumar Padhi, At: Chakabental, P.O.: Keshpur, Via: Gujidarada, Dist.: Bhadrak, at present working as Level-V-A Assistant Teacher in K.C. Co-Education High School, Uttar Bahini in the district of Bhadrak, being the Appellant/ Deponent above named do hereby solemnly affirm that the facts stated in


AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004



Paragraphs: 1 to 4 are true to best of my own knowledge and in Paragraphs: 1 to 4 are true to the best of my information I obtained from the Following sources: own sources.

I believe the information to be true for the following reasons; because of my personal knowledge.

Solemnly declare at Cuttack the above said this 14th day of July, 2024.

Identified by

Kunal Kumar Swain Advocate Banajini Mishra
Signature of the Deponent

Solemnly affirmed before me by Banajini Mishra, who is identified before me by Kunal Kumar Swain, Advocate, whom I personally know.

This the 14th Day of July, 2024.

COMMISSIONER OF OATH/NOTARY
PUBLIC: AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO-ON-56/2004

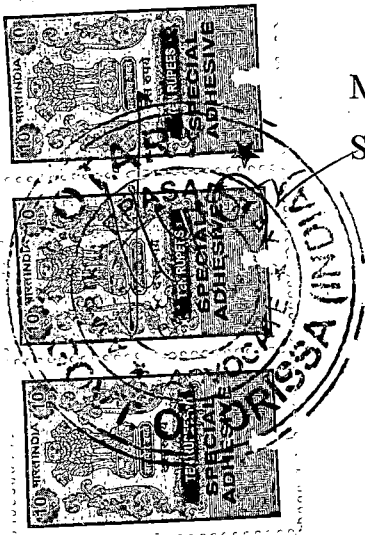
Advocate
(KUNAL KUMAR SWAIN)
ENROLL. NO. O-421/1984
PH. NO. 9238608207

CERTIFICATE

Certified that due to non-availability of cartridge papers this petition is being typed in thick white papers.

Place : Cuttack
Date : 14.07.2024


Advocate





प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
05.07.24	11.07.24	11.07.24	12.07.24	12.07.24

IN 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 Court
of Orissa in WP(C) No.18706/2015)

In the matter of:-

Surekha Samal & others

.....Petitioner

COMPARED BY.

-Vrs-

State of Odisha & others

.....Opposite Parties

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
further delay and in any case, not later than four months.*

ORDER

05.07.2024

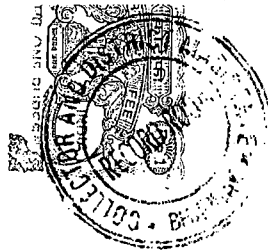
Order No

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



8

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.

[Signature]
Collector, Bhadrak

COMPARED BY

Bosnu Shaw
18/12/24

Certified to be True copy
Katan Singh
HEAD CLERK - CUM-RECORD KEEPER
Authorised U/S 76/10/24

Xerox Copy
Attested

[Signature]
Assistant Collector Record Room
Collectorate, Bhadrak

SCANNED

**COMPUTERISED FILING COUNTER
ORISSA HIGH COURT,CUTTACK
ACKNOWLEDGEMENT SLIP**

Seat No : 4

Branch No : WRIT APPEAL

Receipt No : 88624/2024

Date Of Receiving : 23/07/2024

Time : 11:24:56 AM

Filing No : D- WA 18631/2024

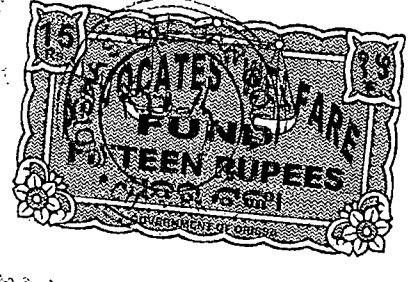
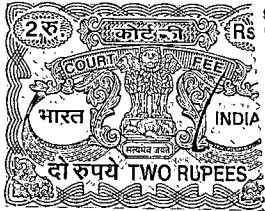
Case No : WA 1326/2024

Received From : Respondent

Filed By: M/S MAHENDRA KUMAR SAHOO

Document(s) Filed :

3- Vakalatnama --- Court Fee -Rs.12 (21285/2024)



IN THE STATE EDUCATION TRIBUNAL ODISHA, BBSR.

W.A. NO. 16/2024

Banajoni Mishra

Appellant/Petitioner/Applicant

-Versus-

State of odisha and others FOR RI-4,5,6

Know all men by these presents, that by this Vakalatnama.

I/We... Surekha Samal, aged about 33 years, D/o - Birwanath Samal, At - Bimalba, Po - Patui, Dist - Bhubaneswar

2. Tyotsarani Girci, aged about 40 years, D/o - Kalpana Panigrahi, At - Gopalpur, Po - Gajilanga, Dist - Bhubaneswar

3. Kamalaganta Panigrahi, aged about 35 years, D/o - Kamalaganta Girci, At - Gopalpur, Po - Gajilanga, Dist - Bhubaneswar

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, En.R. No- 1315/2006 (9937167681)

(Advocates) to appear 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.

Dated the 23/7/2024

Received from the executant(s) satisfied and Accepted as I hold no brief for the other side.

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Advocate Accepted as above

Surekha Samal

Kalpana Panigrahi

Tyotsarani Girci

Signature of the Executants

