

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7628 of 2020

Grassroot Empowerment and Development by Youth

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Mayuri, Advocate.
Mr. Vikash Shukla, Advocate.
For the Respondent/s : Mr.Lalit Kishore, A.G.
Mr. Ashutosh Ranjan Pandey, AAG-15

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 21-09-2020 On 16.9.2020 while issuing notice, we had directed the authorities to take appropriate action, ensuring that future and career of the children is not jeopardized in any manner.

State has chosen not to file any reply.

Bihar Board of Open Schooling and Examination (respondent No.2) is stated to have filed its response, which is not on the record. However, learned counsel appearing for respondent No. 2 informs that in the affidavit it stands averred that the date for conducting the examinations already stands notified.

On a specific query as to how much time it could take for the entire process of examination to be completed and the



result declared, no answer is forth coming.

We are concerned with the future of such of those children who are undertaking education under the Open School Examination Programme.

Ms. Mayuri, learned counsel for the petitioner, points out that other States have taken a decision for declaring the results of the students studying in Class X and Class XII, on the basis of their internal assessment. It is the State of Bihar alone which is going ahead with the process of conducting the examination and that too not by an electronic mode. Such an endeavour appears to be difficult, particularly during the current times of pandemic Covid-19.

She further points out that most of the students have already appeared in the entrance examination for different courses and disciplines, both skilled and semi skilled. If the results are not declared on the basis of internal assessment, as has been done so by other States, the students would lose out a fair chance of getting admitted. Ultimately it may turn out to be a Zero year for them.

Undoubtedly, being a policy matter, the same needs to be addressed by the State authorities, but then this has to be done at the earliest and with certainty. There has to be



categorical decision as to how much time it would take in concluding the process of conducting the examination and by what date the results would be declared. It cannot be left open with uncertainty. After all students also have to plan the career.

As such, we direct the Chief Secretary, Government of Bihar, to immediately convene a meeting of all the stakeholders, including respondent No.2 and after examining the matter file his personal affidavit of the decision taken and steps taken, including the concerns highlighted by the writ petitioner in the present petition.

Let the needful be done before the next date of hearing.

List on 28.9.2020.

(Sanjay Karol, CJ)

(S. Kumar, J)

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