

## BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.272/14

**Subject: Arbitrary stoppage of pay of a Teacher for fourteen months.**

**Case of:** - Sh. Shashikant Paswan, Principal, Higher Secondary School, Sherpurdih (Nalanda)

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Sh. ShashiKant Paswan, Principal, Higher Secondary School, Sherpurdih,distt. Nalanda had complained to the Commission that he was denied pay for **fourteen months** by the Block Education Officer, Harnaut for refusing to pay illegal gratification of Rs. 25,000 (Twenty five thousand).

2. Commission called for a response from the District Magistrate, Nalanda. Sh. Raviendra Ram, Senior Deputy Collector, Nalanda conducted a detailed inquiry which indicated that Sh. M.S Varun, Block Education Officer, Harnaut had stopped the pay of the petitioner on arbitrary pretext of not handing over charge of some civil works entrusted to him during his previous posting as Assistant Teacher, Higher Secondary, School, Pakar. During inquiry it came out that the petitioner had already made over charge to his successor. When the aggrieved petitioner sent petitions to highups in the Education Deptt. and Bihar Human Rights Commission , his withheld pay was released by the B. E. O, Harnaut.

3. Commission is, therefore, of the view that pay of the petitioner was arbitrarily withheld by the B.E.O, Harnaut. This adversely affected treatment of the ailing wife of the petitioner.

4. Commission, therefore, directs following actions in the matter :-

(a) A compensation of Rs. 25,000/- (Rs. Twenty five thousand) be paid to the petitioner by the Education Deptt. within two months for the Human Rights Violations he has suffered.

(b) Education Deptt. should take disciplinary action against the B.E. O, Harnaut for his arbitrary/mala fide act.

(c) Education Deptt. should ensure that powers for stopping salary is not arbitrarily used. It is liable to be misused for gratification. Education Deptt. should issue necessary guidelines to the field formations .

5. Commission would be expecting a report, on the above points, from the Principal Secretary, Education Deptt., Govt. of Bihar by 15<sup>th</sup> April, 2015.

6. Complaint filed in BHRC at Pg. (2-1), the report from DM, Nalanda at Pg.(9-7) and the response from the petitioner at Pg. (32-11) be sent to the Principal Secretary, Education Deptt. , Govt of Bihar along with a copy of this order.

7. A copy of this order be also sent to DM, Nalanda & to the petitioner for information .

Date: 12.02.2015

S.P/DS

Sd/-  
(Neelmani)  
Member