

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSWrit Petition(s) (Civil) No(s). 132/2016

RAJNEESH KUMAR PANDEY &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IA No. 74824/2021 - APPLICATION FOR PERMISSION, IA No. 50471/2021 - APPLICATION FOR PERMISSION, IA No. 37238/2021 - APPLICATION FOR PERMISSION, IA No. 249910/2023 - APPLICATION FOR PERMISSION, IA No. 123252/2020 - APPLICATION FOR PERMISSION, IA No. 146274/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 16355/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 82136/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 259386/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 190123/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 116366/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 113310/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 255605/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 23736/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 263046/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 97659/2018 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 174218/2018 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 146547/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 209948/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 141285/2023 - CLARIFICATION/DIRECTION, IA No. 115912/2018 - CLARIFICATION/DIRECTION, IA No. 21055/2018 - CLARIFICATION/DIRECTION, IA No. 97663/2018 - CLARIFICATION/DIRECTION, IA No. 221349/2025 - CLARIFICATION/DIRECTION, IA No. 255265/2025 - CLARIFICATION/DIRECTION, IA No. 208330/2025 - CONDONATION OF DELAY IN FILING, IA No. 98958/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 78979/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 2/2016 - EXEMPTION FROM FILING O.T., IA No. 16358/2020 - EXEMPTION FROM FILING O.T., IA No. 208579/2025 - EXEMPTION FROM FILING O.T., IA No. 208331/2025 - EXEMPTION FROM FILING O.T., IA No. 226489/2025 - EXEMPTION FROM FILING O.T., IA No. 259387/2025 - EXEMPTION FROM FILING O.T., IA No. 9/2017 - EXEMPTION FROM FILING O.T., IA No. 196023/2025 - EXEMPTION FROM FILING O.T., IA No. 221641/2025 - EXEMPTION FROM FILING O.T., IA No. 22022/2024 - EXEMPTION FROM FILING O.T., IA No. 179663/2025 - EXEMPTION FROM FILING O.T., IA No. 173591/2019 - EXEMPTION FROM FILING O.T., IA No. 59478/2025 - EXEMPTION FROM FILING O.T., IA No. 128163/2017 - EXEMPTION FROM FILING O.T., IA No. 252409/2025 - EXEMPTION FROM FILING O.T., IA No. 263045/2025 - EXEMPTION FROM FILING O.T., IA No. 74820/2021 - GRANT OF INTERIM RELIEF, IA No. 30082/2018 - GRANT OF INTERIM RELIEF, IA No. 86670/2016 - IA FOR IMPLEADMENT, IA No. 27854/2017 - IMPLEADMENT, DIRECTION, OT, IA No. 97652/2018 - INTERVENTION APPLICATION, IA No. 263044/2025 - INTERVENTION APPLICATION, IA No. 141284/2023 - INTERVENTION APPLICATION, IA No. 223523/2025 - INTERVENTION APPLICATION, IA No. 259385/2025 - INTERVENTION

APPLICATION, IA No. 98109/2018 - INTERVENTION APPLICATION, IA No. 255604/2025 - INTERVENTION APPLICATION, IA No. 126356/2017 - INTERVENTION APPLICATION, IA No. 166257/2023 - INTERVENTION APPLICATION, IA No. 174217/2018 - INTERVENTION/IMPLEADMENT, IA No. 146544/2019 - INTERVENTION/IMPLEADMENT, IA No. 90592/2024 - INTERVENTION/IMPLEADMENT, IA No. 252408/2025 - INTERVENTION/IMPLEADMENT, IA No. 97651/2018 - INTERVENTION/IMPLEADMENT, IA No. 89715/2024 - INTERVENTION/IMPLEADMENT, IA No. 30187/2018 - INTERVENTION/IMPLEADMENT, IA No. 129598/2018 - INTERVENTION/IMPLEADMENT, IA No. 146273/2019 - INTERVENTION/IMPLEADMENT, IA No. 16351/2020 - INTERVENTION/IMPLEADMENT, IA No. 74815/2021 - INTERVENTION/IMPLEADMENT, IA No. 128768/2022 - INTERVENTION/IMPLEADMENT, IA No. 146263/2019 - INTERVENTION/IMPLEADMENT, IA No. 74381/2021 - INTERVENTION/IMPLEADMENT, IA No. 82130/2024 - INTERVENTION/IMPLEADMENT, IA No. 107257/2018 - INTERVENTION/IMPLEADMENT, IA No. 98708/2019 - INTERVENTION/IMPLEADMENT, IA No. 190121/2019 - INTERVENTION/IMPLEADMENT, IA No. 21051/2018 - INTERVENTION/IMPLEADMENT, IA No. 221639/2025 - INTERVENTION/IMPLEADMENT, IA No. 12758/2019 - INTERVENTION/IMPLEADMENT, IA No. 173590/2019 - INTERVENTION/IMPLEADMENT, IA No. 97018/2022 - INTERVENTION/IMPLEADMENT, IA No. 246688/2024 - INTERVENTION/IMPLEADMENT, IA No. 245958/2024 - INTERVENTION/IMPLEADMENT, IA No. 131315/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 6824/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 6/2017 - PERMISSION TO FILE ANNEXURES, IA No. 3/2017 - PERMISSION TO FILE ANNEXURES, IA No. 221640/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 1/2016 - PERMISSION TO FILE LENGTHY LIST OF DATES and IA No. 3920/2024 - RECALLING THE COURTS ORDER)

WITH

Diary No(s). 51301/2025 (X)

Diary No(s). 52515/2025 (X)

Diary No(s). 54064/2025 (X)

Diary No(s). 57696/2025 (X)

CONMT.PET.(C) No. 591/2022 in W.P.(C) No. 132/2016 (X)  
(IA No. 160599/2025 - CLARIFICATION/DIRECTION, IA No. 160600/2025 - EXEMPTION FROM FILING O.T., IA No. 136828/2022 - EXEMPTION FROM FILING O.T., IA No. 156275/2024 - EXEMPTION FROM FILING O.T., IA No. 5723/2023 - EXEMPTION FROM FILING O.T., IA No. 157707/2022 - EXEMPTION FROM FILING O.T., IA No. 156274/2024 - INTERVENTION/IMPLEADMENT, IA No. 31726/2023 - INTERVENTION/IMPLEADMENT, IA No. 5722/2023 - INTERVENTION/IMPLEADMENT and IA No. 156466/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

CONMT.PET.(C) No. 856/2023 in W.P.(C) No. 132/2016 (X)

(IA No. 62867/2023 - EXEMPTION FROM FILING O.T.)

Diary No(s). 10073/2024 (X)

(IA No. 75509/2024 - CONDONATION OF DELAY IN FILING and IA No. 55972/2024 - EXEMPTION FROM FILING O.T.)

Diary No(s). 27076/2024 (X)

(IA No. 133338/2024 - CONDONATION OF DELAY IN FILING and IA No. 133339/2024 - EXEMPTION FROM FILING O.T.)

Diary No(s). 40533/2024 (X)

(IA No. 201178/2024 - CONDONATION OF DELAY IN FILING, IA No. 243939/2024 - INTERVENTION/IMPLEADMENT and IA No. 157415/2025 - INTERVENTION/IMPLEADMENT)

CONMT.PET.(C) No. 589-591/2025 in W.P.(C) No. 132/2016 (X)

(IA No. 189103/2025 - INTERVENTION/IMPLEADMENT)

CONMT.PET.(C) No. 554-556/2025 in W.P.(C) No. 132/2016 (X)

CONMT.PET.(C) No. 520-522/2025 in W.P.(C) No. 132/2016 (X)

(IA No. 156720/2025 - EXEMPTION FROM FILING O.T.)

CONMT.PET.(C) No. 603-605/2025 in W.P.(C) No. 132/2016 (X)

(IA No. 167407/2025 - EXEMPTION FROM FILING O.T.)

Diary No(s). 44233/2025 (X)

(IA No. 190229/2025 - CONDONATION OF DELAY IN FILING and IA No. 219743/2025 - INTERVENTION/IMPLEADMENT)

Diary No(s). 46686/2025 (X)

(IA No. 202571/2025 - CONDONATION OF DELAY IN FILING and IA No. 202570/2025 - EXEMPTION FROM FILING O.T.)

Diary No(s). 46953/2025 (X)

(IA No. 211158/2025 - CONDONATION OF DELAY IN FILING and IA No. 211159/2025 - EXEMPTION FROM FILING O.T.)

Diary No(s). 47542/2025 (X)

(IA No. 208201/2025 - CONDONATION OF DELAY IN FILING)

Diary No(s). 50342/2025 (X)

(IA No. 221053/2025 - CONDONATION OF DELAY IN FILING)

Diary No(s). 50639/2025 (X)

(IA No. 222174/2025 - CONDONATION OF DELAY IN FILING)

W.P.(C) No. 876/2017 (X)

(IA No. 29329/2018 - EXEMPTION FROM FILING O.T., IA No. 29969/2018 - INTERVENTION/IMPLEADMENT, IA No. 7557/2019 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 1099/2023 (X)

Diary No(s). 46243/2024 (X)

(IA No. 230583/2024 - CONDONATION OF DELAY IN FILING and IA No. 230575/2024 - EXEMPTION FROM FILING O.T.)

Diary No(s). 51158/2024 (X)

(IA No. 252704/2024 - CONDONATION OF DELAY IN FILING and IA No. 272685/2024 - INTERVENTION/IMPLEADMENT)

Diary No(s). 10426/2025 (X)

(IA No. 52265/2025 - CONDONATION OF DELAY IN FILING, IA No. 52273/2025 - EXEMPTION FROM FILING O.T. and IA No. 72760/2025 - INTERVENTION/IMPLEADMENT)

Diary No(s). 12749/2025 (XVI)

(IA No. 164101/2025 - CLARIFICATION/DIRECTION, IA No. 85261/2025 - CONDONATION OF DELAY IN FILING, IA No. 85262/2025 - EXEMPTION FROM FILING O.T. and IA No. 164103/2025 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16838/2025 (XIV)

(IA No. 146998/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 147198/2025 - INTERVENTION/IMPLEADMENT)

Date : 04-11-2025 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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UPON hearing the counsel the Court made the following

O R D E R

1. In terms of our earlier order, we are considering the cases of the States of Manipur, Kerala, Rajasthan and Uttar Pradesh today.

Manipur

2. An affidavit dated 3<sup>rd</sup> November, 2025 has been placed on record. It appears from the affidavit that there are 125 RCI qualified teachers, who are appointed on substantive basis to impart education to the children with special needs. It is further stated in such affidavit that 680 posts have been created/redesignated and the draft recruitment rules are presently under consideration of the Department of Personnel.

3. Learned counsel appearing for the State of Manipur assures the Court that the draft recruitment rules shall be finalised by the end of this month. Upon finalisation of the recruitment rules, advertisement for recruitment shall be issued within a month whereafter the concerned department shall make sincere endeavour to ensure that the recruitment of teachers is made on the posts notified without wasting any further time.

4. By 31<sup>st</sup> March, 2026, a further affidavit shall be filed pleading compliance of the directions contained in this order and the status of the recruitment process indicated therein.

5. We record the submission of learned counsel appearing for the State that no teacher has been appointed in the State of Manipur on contractual/ad-hoc basis.

#### Kerala

6. We are informed that there are approximately 6307 teachers discharging duty as special teachers on contractual basis. Mr. P.V. Dinesh, learned senior counsel for the State of Kerala has made extensive submissions and presented certain concerns, which need to be addressed at the appropriate level.

7. Be that as it may, for the present, we are of the considered opinion that the State should initiate an exercise to find out how many of the 6307 teachers are RCI qualified and competent to be appointed as Special Educators with the appropriate pay scale as referred to in the order dated 7<sup>th</sup> March, 2025 passed by a coordinate Bench of this Court. We require the State of Kerala to file a better affidavit by 31<sup>st</sup> January, 2026 and report developments that might take place in the meanwhile.

#### Rajasthan

8. The affidavit dated 25<sup>th</sup> August, 2025 of the State of Rajasthan does not say in so many words how many RCI qualified special teachers are in presently position. The State of Rajasthan is directed to file a better affidavit indicating what steps have been taken, post filing of the said affidavit dated 25<sup>th</sup> August, 2025. Such affidavit should also indicate clearly how many substantive appointees are in position and what is the position of contractual teachers with RCI qualification, who have been employed. We need to verify the correct factual position since, paragraph 15 of the said affidavit, it has been averred

that there is only one special teacher who is continuing on contractual basis. The State must inquire and confirm the position on the ground. Let such better affidavit be filed by 30<sup>th</sup> November, 2025.

Uttar Pradesh

9. An updated affidavit shall be filed indicating the status of the process of recruitment within ten days.

10. We propose to consider the matter relating to recruitment in the State of Uttar Pradesh on 18<sup>th</sup> November, 2025.

NCT of Delhi and State of Odisha

11. Insofar as the States of Delhi and Odisha are concerned, we propose to hear the versions of the parties on 11<sup>th</sup> November, 2025 at 3.30 p.m.

West Bengal

12. The steps taken by the State of West Bengal will be considered on 18<sup>th</sup> November, 2025.

**(NITIN TALREJA)**  
**ASTT. REGISTRAR-cum-PS**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**