GAHC040006812025 2026:GAU-AP:826

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/200/2025

Charu Tanya and 44 Ors
Son of Late Charu Doro, presently posted as BEO, DDSE Office Palin, PO and PS Palin, Kra Daadi District, Arunachal Pradesh.

2: Tassar Bapu
Age:
Occupation :
Son of Shri Tassar Tadu
presently posted as BEO cum DPC (ISSE) DDSE Office Longding
PO and PS Longding
Longding District
Arunachal Pradesh.

3: Ningmo Kodak
Age:
Occupation :
Son of Late Taniang Kodak
presently posted as BEO
DDSE Office Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

4: Tagio Liyak
Age:
Occupation :
Son of Late Aru Liyak
presently posted as BEO at Bameng Block
PO and PS Bameng
East Kameng District
Arunachal Pradesh.

5: Dai Potum
Age:

Occupation :
Son of Late Dai Tai
presently posted as BEO at Tali Block
PO and PS Tali
Kra Daadi District
Arunachal Pradesh.

6: Bamang Tach
Age:
Occupation :
Son of Late Bamang Taja
presently posted as BEO cum BRCC at Sangram Block
PO and PS Sangram
Kurung Kumey District
Arunachal Pradesh.

7: Khyoda Tagum
Age:
Occupation :
Son of Late Khyoda Tako
presently posted as BEO at Palin Block/ DDSE Office
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

8: Papik Pabing
Age:
Occupation :
Son of Late Laa Pabing
presently posted as BEO at Khenewa Block
PO and PS Khenwa
East Kameng District
Arunachal Pradesh.

9: Tadar Tachung
Age:
Occupation :
Son of Late Tadar Tariam
presently posted as BEO
DDSE Office Itanagar Capital Complex
(ICR) PO and PS Itanagar
Arunachal Pradesh.

10: Dali Tajo
Age:
Occupation :
Son of Late Tawa Tajo
presently posted as BEO at Chayang Tajo Block

PO and PS Chayang Tajo
East Kameng District
Arunachal Pradesh.

11: Smti Raja Cheda
Age:
Occupation :
Daughter of Late Takhe Cheda
presently posted as BEO
DDSE Office (HQ) Seppa
PO and PS Seppa
East Kameng District
Arunachal Pradesh.

12: Rahim Tajo
Age:
Occupation :
Son of Late Kro Tajo
presently posted as BEO at Singchung Block
PO and PS Dirang
West Kameng District
Arunachal Pradesh.

13: Shyam Dodum
Age:
Occupation :
Son of Late Kokum Dodum
presently posted as BEO at Pipu Block
PO and PS Pipu
East Kameng District
Arunachal Pradesh.

14: Kendik Kadu
Age:
Occupation :
Son of Late Mimar Kadu
presently posted as BEO at Ramle Bango Block
PO and PS Nari
Lower Siang District
Arunachal Pradesh.

15: Tai Azad
Age:
Occupation :
Son of Late Tai Tao
presently posted as BEO at Parsiparlo
PO and PS Parsi Parlo
Kurung Kumey District

Arunachal Pradesh.

16: Rikam Nabam Kina
Age:
Occupation :
Son of Lat Nabam Takar
presently posted as BEO
DDSE Office at Yupia (HQ)
PO and PS Yupia
Papum Pare District
Arunachal Pradesh.

17: Ngurang Tadik
Age:
Occupation :
Son of Late Ngurang Taking
presently posted as BEO
DDSE Office Yupia
PO and PS Yupia
Papum Pare District
Arunachal Pradesh.

18: Achiem Ngadong
Age:
Occupation :
Son of Late Sonjon Ngadong
presently posted as BEO
DDSE Office Tezu
PO and PS Tezu
Lohit District
Arunachal Pradesh.

19: P K Welly
Age:
Occupation :
Son of Late Bado Welly
presently posted as BEO at Bana Block
PO Bana
East Kameng District
Arunachal Pradesh.

20: Nangram Kayum
Age:
Occupation :
Son of Late Nangram Sangma
presently posted as BEO cum DPC (ISSE) DDSE Office Ziro
PO and PS Ziro
Lower Subansiri District

Arunachal Pradesh.

21: Pejir Gameh
Age:
Occupation :
Son of Late Tape Gameh
presently posted as BEO at Baririjo Block
PO and PS Baririjo
Upper Subansiri District
Arunachal Pradesh.

22: Tarak Natung
Age:
Occupation :
Son of Shri Tarak Hakap
presently posted as BEO
DDSE Office Koloriang (HQ)
PO and PS Koloriang
Kurung Kumey District
Arunachal Pradesh.

23: Asing Lamgu
Age:
Occupation :
Son of Late Tamang Lamgu
presently posted as BEO
DDSE Office Seppa (HQ)
PO and PS Seppa
East Kameng District
Arunachal Pradesh.

24: Tayar Kaley
Age:
Occupation :
Son of Late Tayar Taniang
presently posted as BEO at Yangte Block
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

25: Mame Gumja
Age:
Occupation :
Son of Late Tapor Gumja
presently posted as BEO
DDSE Office Daporijo
PO and PS Daporijo
Upper Subansiri District

Arunachal Pradesh.

26: Tana Taring
Age:
Occupation :
Son of Lat Tana Sama
presently posted as BEO at Balijan Block
PO and PS Balijan
Papum Pare District
Arunachal Pradesh.

27: Obang Langkam
Age:
Occupation :
Son of Late Umang Langkam
presently posted as BEO
DDSE Office Roing
PO and PS Roing
Lower Dibang Valley District
Arunachal Pradesh.

28: Smti Toklak Pertin
Age:
Occupation :
Wife of Shri Genggong Pertin
presently posted as BEO at Dambuk Block/ Roing HQ
DDSE Office
PO and PS Roing
Lower Dibang Valley District
Arunachal Pradesh.

29: Tsering Dondup
Age:
Occupation :
Son of Late Kesang Dondup
presently posted as BEO
DDSE Office HQ Bomdila
PO and PS Bomdila
West Kameng District
Arunachal Pradesh.

30: Tenzin Chopel Atjepu
Age:
Occupation :
Son of Late ST Atjepu
presently posted as BEO at Dirang Block
PO and PS Dirang
West

Kameng District
Arunachal Pradesh.

31: Wangnai Wangsa
Age:
Occupation :
Son of Late Wangcha Wangsa
presently posted as BEO at Pongchau block
PO and PS Longding
Longding District
Arunachal Pradesh.

32: Jitu Rigia
Age:
Occupation :
Son of Late Tabu Tagio
presently posted as BEO at DDSE Office Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

33: Tadi Bagbi
Age:
Occupation :
Son of Tagbi
presently posted as BEO at Taliha Block
PO and PS taliha
Upper Subansiri District
Arunachal Pradesh.

34: Kime Tamo
Age:
Occupation :
Son of Late Kime Dule
presently posted as BEO
DDSE Office Yupia
PO and PS Yupia
Papum Pare District
Arunachal Pradesh.

35: Gyamar Main
Age:
Occupation :
Son of Late Guamar Nikia
presently posted as BEO cum DPC (ISSE) DDSE Office Yingkiong
PO and PS Yingkiong
Upper Siang District
Arunachal Pradesh.

36: Apok Pertin
Age:
Occupation :
Son of Shri Rako Pertin
presently posted as BEO at Mariyang Block
Upper Subansiri District
Arunachal Pradesh.

37: Ram Niwas Deol
Age:
Occupation :
Son of Late Risal Deol
presently posted as BEO
attached at Civil Secretariat (Education Branch) Itanagar
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

38: Kime Lasa
Age:
Occupation :
Son of Shri Kime Pai
presently posted as BEO at Itanagar Capital Region
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

39: Eraxon Tajom
Age:
Occupation :
Son of Late Tai Tajom
presently posted as BEO
DDSE Office Aalo (HQ)
PO and PS Aalo
West Siang District
Arunachal Pradesh.

40: Kendy Deru
Age:
Occupation :
Son of Late P Deru
presently posted as BEO at Nafra Block
PO and PS Nafra
West Kameng District
Arunachal Pradesh.

41: Takar Kotin Mosu

Age:
Occupation :
Son of Late Taling Mosu
presently posted as BEO at Mechuka block
PO and PS Mechuka
Shi Yomi District
Arunachal Pradesh.

42: Giogi Paih
Age:
Occupation :
Son of Late Giogi Bongchee
presently posted as BEO cum DPC (ISSE) DDSE Office Pasighat
PO and PS Pasighat
East Siang District
Arunachal Pradesh.

43: Nabam Shelly
Age:
Occupation :
Son of Late Nabam Lento
presently posted as BEO cum SPC (ISSE) SPD Office Itanagar
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

44: Diganta Mehu
Age:
Occupation :
Son of Shri Anoko Mihu
presently posted as BEO cum DPC
ISSE
Anini
PO and PS Anini
Dibang Valley District
Arunachal Pradesh.

45: Kojum Gocham
Age:
Occupation :
Son of Shri Gocham Tangom
presently posted as BEO
HQ
DDSE Office Raga
PO and PS Raga
Kamle District
Arunachal Pradesh

VERSUS

The State of AP and 3 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar.

2:The Commissioner (Education)
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Director of Elementary Education
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

4:The State Project Director (ISSE/SSA)
Age: 0
Occupation :
Govt of Arunachal Pradesh

Advocate for the Petitioner : T T Tara, Sr. Adv, Pondit Ronya,Kirmani Lollen,Y Mugli,Terji Kamchi,Taba Tokur,Khoda Apa,Gamken Bam

Advocate for the Respondent : GA (AP), SC (Education),Taba Tagum

Linked Case : WP(C)/213/2025

Tami Lombi and 35 Ors
Age: 51
Occupation :
Address:Son of Late Manu Lombi
presently posted as BEO
DDSE Office Basar
PO and PS Basar
Leparada
Arunachal Pradesh.
2: Bharat Saring
Age: 45
Occupation :
Address:Son of late Kato Saring
presently posted as BEO under DEE Itanagar

PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

3: Jummar Kena
Age: 53
Occupation :
Address:Son of Late Tajum Kena
presently posted at DDSE Office Itanagar
Itanagar Capital Region
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh

4: Yang Yangfo
Age: 42
Occupation :
Address:Son of Late Chaku Yangfo
presently posted at DDSE Office
PO Yupia
PS Doimukh
Papum Pare District
Arunachal Pradesh.

5: Take Lusi Sorum
Age: 47
Occupation :
Address:Son of Shri Taro Sorum
presently posted at DDSE Office
PO and PS Upper Subansiri
Upper Subansiri District
Arunachal Pradesh.

6: Tapen Konia
Age: 50
Occupation :
Address:Son of Late Tadam Konia
presently posted at DDSE Office
Upper Subansiri
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

7: Smti Tadar Yaya
Age: 46
Occupation :
Address:Wife of Shri Kipa Taja
presently posted at DDSE Office Yupia

PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

8: Chello Tubin
Age: 45
Occupation :
Address:Son of Late Chella Taluk
presently posted as BEO cum District Programme Coordinator (DPC) DDSE Office
Pakke Kessang
PO and PS Pakke Kessang
District Pakke Kessang
Arunachal Pradesh.

9: Gollo Tania
Age: 52
Occupation :
Address:Son of Late Gollo Tagia
Presently posted at DDSE Office
Yupia
PO Yupia
PS Doimukh
Papum Pare District
Arunachal Pradesh.

10: Tanang Bengia
Age: 44
Occupation :
Address:Son of Late Tangia Bengia
Presently posted at DDSE Office
Koloriang
PO and PS Koloriang
Kurung Kumey District
Arunachal Pradesh.

11: Nabam Hina
Age: 43
Occupation :
Address:Son of Late Namam Takhe
Presently posted at DDSE Office
Lemi
PO and PS Pakke Kessang
Pakke Kessang District
Arunachal Pradesh.

12: Rei Doro
Age: 41

Occupation :
Address:Son of Shri Tacho Rahi
Presently posted at DDSE Office
Palin
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

13: Bei Tai
Age: 53
Occupation :
Address:Son of Shri Bei Takka
Presently posted at DDSE Office
Raga as BEO cum DPO ISSE
PO and PS Raga
Kamle District
Arunachal Pradesh.

14: Sanjay Kr Chetry
Age: 46
Occupation :
Address:Son of Late Dal Bahadur Chatry
Presently posted at DDSE Office
Yupia
PO Yupia
PS Doimukh
Papum Pare District
Arunachal Pradesh.

15: Nabam Tagio
Age: 43
Occupation :
Address:Son of Late Nabam Tagam
Presently posted under DDSE Office
Yupia
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

16: Neelam Tamin
Age: 50
Occupation :
Address:Son of Late Neelam Kapa
Presently posted at DDSE Office Itanagar
Itanagar Capital Region (ICR) Arunachal Pradesh.

17: Singku Sibey Maga
Age: 44

Occupation :
Address:Son of Late Nyath Maga
Presently posted at DDSE Office Kamel
PO and PS Raga
Kamle District
Arunachal Pradesh.

18: Smti Tadar Reema Lokam
Age: 49
Occupation :
Address:Wife of Shri Lokam Francis
Presently posted at DDSE Office
Koloriang
PO and PS Koloriang
Kurung Kumey District
Arunachal Pradesh.

19: Taba Guch
Age: 41
Occupation :
Address:Son of Shri Taba Son
Presently posted at DDSE Office Keyi Panyor
PO and PS Yachuli
Keyi Panyor District
Arunachal Pradesh.

20: Techi Tai
Age: 44
Occupation :
Address:Son of Late Techi Tarak
Presently posted as BEO Pipsorang
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

21: Gyamar Tajik
Age: 38
Occupation :
Address:Son of Shri Gyamar Tanam
Presently posted at BEO
DDSE Office Namsai
PO and PS Namsai
Namsai District
Arunachal Pradesh.

22: Smti Nangram Yadam
Age: 40
Occupation :

Address:Daughter of Shri Nangram Kahi
Presently posted as BEO
DDSE Office Kurung Kumey
PO and PS Koloriang
Kurung Kumey District
Arunachal Pradesh.

23: Shri Kago Aling
Age: 47
Occupation :
Address:Son of Kago Duri
Presently posted as BEO
DDSE Office
Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

24: Talin Sorum
Age: 46
Occupation :
Address:Son of Shri Tada Sorum
Presently posted as BEO
DDSE Office Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

25: Mrs Joram Dilli Giogi
Age: 41
Occupation :
Address:Daughter of Shri Joram Sera
Presently posted as BEO
DDSE Office Pakke Kessang
PO
PS and Dsitrict Pakke Kessang
Arunachal Pradesh.

26: Linko Tara
Age: 50
Occupation :
Address:Son of Late Linko Tacho
Presently posted as BEO
DDSE Office Changlang
PO
PS and District Changlang
Arunachal Pradesh.

27: Taniang Kumo
Age: 41
Occupation :
Address:Son of Late Rei Taku
Presently posted as BEO
under DEE Itanagar
PO and PS Itanagar
Itanagar Capital Region
Arunachal Pradesh.

28: Smti Chera Sheela
Age: 43
Occupation :
Address:Daughter of Shri Chera Taki
Presently posted as BEO under DDSE Yupia
PO and
PS Doimukh
Papum Pare District
Arunachal Pradesh.

29: Bijoy Kipa
Age: 44
Occupation :
Address:Son of Shri Kipa Talar
Presently posted as BEO at Bordumsa Block
PO and PS Bordumsa
Changlang District
Arunachal Pradesh.

30: Hilang Agung
Age: 46
Occupation :
Address:Son of Late Hilang Tari
Presently posted as BEO at DDSE Office Anjaw
PO and PS Anjaw
Anjaw District
Arunachal Pradesh.

31: Tamchi Taniang
Age: 44
Occupation :
Address:Son of Late Tamchi Tai
Presently posted as BEO cum DPC under DDSE Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh.

32: Taring Kaha

Age: 40
Occupation :
Address:Son of Late Taring Sicki
Presently posted as BEO
under DDSE Kra Daadi
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

33: Smti Tadar Kaku
Age: 44
Occupation :
Address:Daughter of Late Tadar Epo
Presently posted as BEO
under DDSE
Kurung Kumey
PO and PS Sarli
Kurung Kumey District
Arunachal Pradesh.

34: Dariak Nabam Hina
Age: 83
Occupation :
Address:Son of Shri Tatik Nabam Hina
presently depute as District Program Coordinator (DPC) cum BEO
under DDSE Itanagar Capital Region
PO and PS Itanagar
ICR
Arunachal Pradesh.

35: Ajay Tayeng
Age: 52
Occupation :
Address:Son of Late Malo Tayeng
Presently posted as BEO
under DDSE Yingkiong
PO and PS Yingkiong
Upper Siang District
Arunachal Pradesh.

36: Tajong Darang
Age: 52
Occupation :
Address:Son of Late Tagong Darang
Presently posted as BEO under DDSE Lohit
PO and PS Tezu
Lohit District
Arunachal Pradesh.

VERSUS

The State of AP and 2 Ors
Age: 0
Occupation :
Address:represented by the Commissioner (Education) Govt of Arunachal Pradesh
Itanagar.
2:The Director of Elementary Education
Age: 0
Occupation :
Address:Govt of Arunachal Pradesh
Itanagar.

3:The State Project Director (ISSE/SSA)
Age: 0
Occupation :
Address:Govt of Arunachal Pradesh

Advocate for : T T Tara
Sr. Adv
Advocate for : Taba Tagum appearing for The State of AP and 2 Ors: Advocate ,

, appearing for 2,

3, respectively.

:::BEFORE:::

HON'BLE MR. JUSTICE KARDAK ETE

Date on which judgment is reserved : N/A

Date of pronouncement of judgment : 24.08.2026

Whether the pronouncement is of the operative of the judgment? : No

Whether the full judgment has been pronounced? : Yes

JUDGMENT & ORDER (ORAL)

Heard Mr. T. T. Tara, learned Senior Counsel, assisted by Mr. G. Bam, learned counsel for the petitioners. Also heard Mr. T. Tagum, learned Standing Counsel, Education Department, for the respondent.

2. By filing these writ petitions, the petitioners have put to challenge the order dated 11.04.2025, issued by the Commissioner (Education) Government of Arunachal Pradesh, whereby their regularization/appointment as Block Education Officers (BEOs) has been revoked and consequent to which they have been reverted to their original posts of Trained Graduate Teachers (TGTs). The petitioners have also prayed for a direction upon the respondent authorities to treat them at par with the 32 BEOs who were regularized by order dated 12.09.2017 and for restoration of all consequential service benefits, including salary, allowances, seniority and other service conditions.

3. Having considered the similitude of the issues involved in both these writ petitions on facts and law, same are heard analogously and disposed of by this common judgment and order.

4. The petitioners in both the writ petitions are serving as Block Education Officers (BEOs) under the Department of Elementary Education, Government of Arunachal Pradesh. The petitioners were initially appointed as Junior Teachers, subsequently re-designated as Trained Graduate Teachers (TGTs), and thereafter came to be appointed/functioning as Assistant District Education Officers (ADEOs)/Block Education Officers (BEOs) at different points of time.

The dispute in the present proceedings essentially relates to their regularization/appointment in the BEO cadre and the subsequent decision of the respondent authorities to revoke such regularization/ appointment.

5. It is the case of the petitioners that initially there were 32 sanctioned posts of BEOs in the Directorate of Elementary Education. Pursuant to a meeting held on 19.06.2012 in the office of the Director of Elementary Education, wherein the requirement of additional 135 posts of BEOs was considered, the State Government issued Notification dated 28.04.2015, providing, *inter alia*, for the classification of the post of BEO, eligibility for recruitment and promotion, pay scale and other conditions relating to the said post. Thereafter, pursuant to the said notification dated 28.04.2015, the State Government appointed 102 individuals as BEOs. In the meantime, a number of persons serving as TGTs and functioning as BEOs sought regularization in the BEO cadre. However, the process of regularization did not proceed as contemplated, which led to the institution of WP(C) No. 447(AP)/2015, wherein this Court, by order dated 10.02.2016, directed the authorities to adhere to the notification dated 28.04.2015 and to implement the decision taken in the meeting dated 19.06.2012 in its letter and spirit. In the said proceedings, it was also brought to the notice of the Court that steps were being taken for regularization of 32 BEOs and the services of the other similarly situated BEOs would also be regularized in due course.

6. Pursuant to the aforesaid order, the respondent authorities processed the regularization of 32 senior most BEOs against the 32 sanctioned posts, consequent to which they were regularized by order dated 12.09.2017. The remaining 114 BEOs, including the present petitioners, continued to await their regularization. In the meantime, the State Government issued the Block

Education Officer (Group-B Gazetted) Recruitment Rules, 2017 (hereinafter referred to as "BEO Recruitment Rules, 2017" for short), which, *inter alia*, prescribed the method of recruitment to the post of BEO, including recruitment by promotion/regularization. Thereafter, the petitioners, having exercised their option for being considered in the BEO cadre, approached this Court by filing WP(C) No. 596/2018, seeking implementation of the earlier decision and their regularization in the BEO cadre.

7. The said WP(C) No. 596/2018 was disposed of by this Court by order dated 22.04.2021, on the basis of the written instructions placed by the learned Standing Counsel for the Education Department, indicating that the Department had no objection to implementation of the notification dated 28.04.2015 and the decision taken in the meeting dated 19.06.2012. As the said order was not implemented within the stipulated period, contempt proceedings came to be initiated, including Contempt Case (C) No. 27/2021. The respondent authorities also sought extension of time for compliance by filing I.A.(C) No. 177/2022 in the connected writ proceedings. However, the prayer for extension was declined by this Court by order dated 04.11.2022.

8. Thereafter, the State Government, by notification dated 06.01.2023, notified the approval of the Governor for conversion of 114 posts of TGTs into posts of BEOs under the Directorate of Elementary Education, pursuant to the Cabinet decision dated 21.12.2022. Thereafter, the matter regarding continuation of the process of regularization of the functioning BEOs was considered in a meeting held under the chairmanship of the Commissioner (Education) on 21.11.2023. Pursuant thereto, the respondent authorities issued the notification dated 03.01.2024, published in the Arunachal Pradesh Gazette dated 31.01.2024, whereby 114 TGTs were regularized in the BEO cadre against

the converted posts. The said notification records that the action was being taken in compliance with the order dated 22.04.2021 passed in WP(C) No. 596/2018 and pursuant to the Cabinet-approved conversion of the posts.

9. Subsequently, the Commissioner (Education), Government of Arunachal Pradesh, issued show-cause notices to the petitioners questioning the validity of their appointment/regularization as BEOs, on the ground that the provisions of the BEO Recruitment Rules, 2017 had not been complied with and their appointment was not pursuant to a recommendation of a duly constituted Departmental Promotion Committee (DPC). Accordingly, the petitioners submitted their replies, stating, *inter alia*, that their regularization had been effected in accordance with the applicable Recruitment Rules and the judicial directions of this Court.

10. Thereafter, the Commissioner (Education), Government of Arunachal Pradesh, issued the impugned order dated 11.04.2025, whereby the petitioners' regularization/appointment as BEOs was revoked and they were reverted to their original posts of TGTs. Aggrieved thereby, the petitioners have approached this Court by filing the present writ petitions.

11. Mr. T. T. Tara, learned Senior Counsel for the petitioners, submits that the impugned order dated 11.04.2025, whereby the petitioners' regularization as BEOs has been revoked and they have been reverted to their original posts of TGTs, is arbitrary, illegal and unsustainable in law inasmuch as the impugned order does not disclose any specific violation of the BEO Recruitment Rules, 2017 or the notification dated 28.04.2015, which provides that the then incumbent BEOs would form part of the newly created cadre, and the same has been issued only on the ground that their regularization was not preceded by a recommendation of a duly constituted DPC.

12. Learned Senior Counsel submits that the respondent authorities have failed to appreciate the distinction between appointment and regularization. The petitioners had already been functioning as BEOs and their services were subsequently regularized pursuant to the orders passed by this Court in WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018, the conversion of 114 TGT posts into BEO posts pursuant to the Cabinet decision and the applicable Recruitment Rules. Therefore, the requirement of a DPC applicable to promotion cannot be invoked to invalidate their regularization. He submits that the petitioners had exercised their options for the BEO cadre pursuant to the communication dated 13.06.2017 and were already functioning as BEOs.

13. Mr. Tara, learned Senior Counsel, submits that 32 similarly situated BEOs had earlier been regularized by order dated 12.09.2017 without constitution of a DPC and as such, the petitioners, who are similarly situated, cannot be treated differently without any rational basis. He submits that the impugned order has serious civil consequences, as it results in reversion of the petitioners from BEOs to TGTs, affecting their rank, pay and other service benefits. Although the petitioners had submitted their replies to the show-cause notices, the same were not duly considered before passing the impugned order. Therefore, the impugned order is liable to be quashed and set aside and the petitioners be permitted to continue as BEOs with all consequential service benefits.

14. On the other hand, Mr. T. Tagum, learned Standing Counsel, Education Department, submits that the impugned order has been passed after due consideration of the report of the Committee constituted to examine the legality of the appointments/regularization of the BEOs made in the year 2024. The Committee found that the appointments were not made in accordance with the provisions of the BEO Recruitment Rules, 2017, particularly as no DPC was

constituted and the prescribed requirements relating to length of service and educational qualification were also not adhered to. He submits that the said BEO Recruitment Rules, 2017 constitute the existing statutory framework governing appointment to the post of BEO and the notification dated 28.04.2015 cannot override the statutory Rules. Convening of a DPC is a statutory requirement, particularly since the post of TGT is a Group-B Non-Gazetted post, whereas the post of BEO is a Group-B Gazetted post.

15. Learned Standing Counsel further submits that the petitioners cannot claim parity with the 32 BEOs,who were regularized by order dated 12.09.2017, merely on the ground that no DPC was held in their case, as any procedural irregularity in the earlier regularization cannot constitute a precedent for continuing the same illegality. The impugned order has been passed after examining the Committee's report and accepted by the competent authority as well as after following due process and no legal or constitutional right of the petitioners has been infringed.

16. Due consideration has been extended to the submissions of learned counsel for the parties and also perused the materials placed on record, including the relevant recruitment rules, notifications and the earlier orders of this Court passed in WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018.

17. The issue involved in these writ petitions relates to the regularization of the petitioners, who had been serving as Block Education Officers (BEOs) for a considerable period and the subsequent decision of the respondent authorities to revoke such regularization on the ground that their appointment was not in accordance with the BEO Recruitment Rules, 2017. The petitioners were initially serving as Trained Graduate Teachers (TGTs) and were thereafter allowed to function as BEOs. The record reveals that the issue relating to regularization of

such functioning of BEOs had been the subject matter of earlier proceedings before this Court.

18. In WP(C) No. 447(AP)/2015, several persons similarly situated to the present petitioners had approached this Court seeking, *inter alia*, regularization in the BEO cadre. The said writ petition came to be disposed of by order dated 10.02.2016, whereby this Court directed the authorities to adhere to the notification dated 28.04.2015 and to implement the decision taken in the meeting held on 19.06.2012 in its letter and spirit. It was also noticed by the Court that steps were being taken by the Department for regularization of 32 BEOs and the services of the other similarly situated BEOs would also be regularized accordingly. For ready reference, the order dated 10.02.2016, passed in WP(C) No. 447(AP)/2015, is reproduced herein below:-

> "*Heard Mr. D. Mazumdar, learned senior counsel assisted by Mr. R. B. Yadav, learned counsel for the petitioners. Also heard Mr. T. Jamoh, learned standing counsel, Education Department.*
>
> *The basic case of the writ petitioners in the instant petition is that the petitioners numbering 102 in total, appointed as Block Education Officer (BEO, in short), are all trained graduate teachers who were allowed to function as BEO.*
>
> *According to the petitioners, they have the requisite qualification and experience to function as BEO and are entitled to be considered for regularization in the posts included in the cadre of BEOS. However, on the basis of the letter dated 08.09.2015, issued by the Private Secretary to the Minister of Education, Government of Arunachal Pradesh, Itanagar (Annexure-T of the writ petition), the process for up-gradation of the incumbent in the post of BEOs had been halted without any valid reason.*
>
> *It is the case of the petitioners that in the meeting of the committee headed by the Director of Elementary Education, Government of Arunachal Pradesh, Itanagar, held on 19.06.2012, a decision was inter-lia taken to the effect that on the basis of government approval for retention of all the BEOs in the same place of posting, the Board was of the opinion that the existing BEOS will function in their posts till the creation of other post of BEOS. Further, in the Notification dated 28.04.2015 issued by the Chief Secretary to the Government of Arunachal Pradesh,adopting the recommendations made by the NUEPA sufficient emphasis has been laid on the role and responsibility of the BEO in restructuring the Education system at the Block level. However, ignoring the said decisions of the Government, an attempt was being made*

to shift the petitioners from the post of BEO to TGT which is a post not only belonging to a different cadre but also lower in rank.

Mr. Mazumdar, learned senior counsel submits that policy decisions have been taken by the government from time to time indicating that there is need for permanent Retention of the BEOs so as to realize the goals and objectives of Right of Children to Free and Compulsory Education Act, 2009 and accordingly, the matter was being proceeded at the governmental level for retention and/or regularization of the post of BEOs including those held by the petitioners. In addition to that there is also a proposal to create additional posts in the rank of BEOs so as to further strengthen the cadre. However, acting on the impugned note put up by the Private Secretary to the Education Minister, the entire process is now being halted to the detriment of the interest of the petitioners without their being any valid ground for doing so.

Mr. T. Jamoh, learned standing counsel, Education Department submits that although no counter-affidavit has been filed by the department in the matter, yet he has received instructions from the Director of Elementary Education. On such instructions Mr. Jamoh submits that steps are already afoot for regularizing the services of as many as 32 (thirty two) BEOs, as soon as the Recruitment Rules governing their services is framed. The services of the other BEO can also be regularized as and when the post are made available. As such, submits Mr. Jamoh the apprehension expressed by the petitioners is without any basis as the government has not taken any decision contrary to what has been announced on the basis of successive government Notifications issued from time to time.

I have considered the submissions made by and on behalf of the parties. Having regard to the nature of grievances expressed in the writ petition and considering the submission made by Mr. Jamoh, I am of the opinion that no practical purpose would be served by keeping the writ petition pending as there is no such decision on the part of the government either to discharge the BEOs from the post held by them or to shift them to the post of TGT.

Consequently this writ petition is disposed of with a direction to the authorities to follow the Notification dated 28.04.2015 as well as the decision taken in the Board meeting dated 19.06.2012, in letter and spirit. As and when the Recruitment Rules are brought into effect by the department, the cases of the BEOs be considered for regularisation in accordance with the provisions of rules and as per their entitlement under the law.

This writ petition stands disposed of, accordingly."

19. Pursuant to the aforesaid order, 32 senior-most BEOs were regularized by the respondent authorities vide order dated 12.09.2017. However, the petitioners continued to await their regularization. In the meantime, the Block Education Officer (Group-B Gazetted) Recruitment Rules, 2017 were notified

vide Notification dated 29.08.2017 and published in the Extraordinary Gazette of Arunachal Pradesh on 30.08.2017, which prescribed the method and conditions for recruitment to the post of BEO, including the manner in which eligible persons could be considered for appointment/ regularization.

20. As the petitioners' claim for regularization was not acted upon, WP(C) No. 596/2018 came to be filed. The said writ petition was disposed of by this Court on 22.04.2021 on the basis of the instructions placed by the learned Standing Counsel for the Education Department, indicating that the Department had no objection to implementation of the notification dated 28.04.2015 and the decision taken in the meeting dated 19.06.2012. The non-compliance of the said order thereafter led to contempt proceedings. The prayer made by the respondent authorities for extension of time for compliance was also declined by this Court vide order dated 04.11.2022.

21. Thereafter, pursuant to Cabinet Decision dated 21.12.2022, the respondent authorities issued Notification dated 06.01.2023, whereby approval of the Governor of Arunachal Pradesh was notified for conversion of 114 posts of TGTs into BEOs under the Directorate of Elementary Education, Government of Arunachal Pradesh. The notification itself refers to the Cabinet decision dated 21.12.2022 as well as the order passed by this Court in WP(C) No. 596/2018. The relevant portion of the notification reads as under:

> "*The Governor of Arunachal Pradesh is pleased to accord for conversion of 114 Post of TGTs to BEOs under the Directorate of Elementary Education Government of Arunachal Pradesh as per Cabinet decision vide No. CAB/M-27/12/2022, dated 21st December 2022 in compliance with the directions of the Hon'ble High Court order WP (C) No. 596 (A.P) 2018 dated 22/04/2022.*"

22. The record further reveals that, thereafter, the respondent authorities consciously proceeded with the process of regularization of the petitioners and

ultimately, vide notification/order dated 03.01.2024, the petitioners, along with other similarly situated persons, were regularized in the BEO cadre against the converted posts. The said notification specifically records that the regularization was being made in compliance with the order dated 22.04.2021, passed by this Court in WP(C) No. 596/2018, and in terms of the Cabinet-approved conversion of 114 TGT posts into BEO posts.

23. It is an admitted position that the petitioners were allowed to serve and function as BEOs and in the year 2024, the respondent authorities themselves proceeded to regularize/appoint them in the BEO cadre. However, subsequently, the Commissioner (Education), Government of Arunachal Pradesh, issued show-cause notices questioning the validity of their appointment/regularization, primarily on the ground that the same had not been made in accordance with the BEO Recruitment Rules, 2017 and that no duly constituted DPC had recommended their appointment. The petitioners submitted their respective replies to the show-cause notices.

24. Thereafter, the impugned order dated 11.04.2025 has been issued by the Commissioner (Education), whereby the appointment/ regularization of the petitioners as BEOs has been revoked and they have been reverted to their original posts of TGTs. The basis for such action, as emerges from the impugned order and the stand taken by the respondents, is that the appointment of the petitioners as BEOs was not made in accordance with the BEO Recruitment Rules, 2017, particularly in the absence of a recommendation of a duly constituted DPC.

25. At this stage, it would be appropriate to take note of the relevant provisions of the Block Education Officer (Group-B Gazetted) Recruitment Rules, 2017, which prescribe the method of recruitment to the post of BEO. The

relevant provisions are extracted hereinbelow:

10.	*Method of recruitment whether by direct recruitment or by promotion and by regularization and percentage of the vacancies to be filled.*	*100% by promotion.* *(Initial constitution:- By regularization of existing Block Education Officer as on date of order of Hon'ble High Court order dated 10th February, 2016 passed in WP(C) No. 447(AP) 2015)*
11.	*In case of recruitment by promotion or by regularization to be made*	*By promotion from the post (s) of Trained Graduate Teacher (non-Gazetted) who have rendered 10 years of regular service in the grade with Master's Degree from recognized University and B.Ed or Diploma in Elementary Education or equivalent from recognized Institute.*

26. A plain reading of the aforesaid provisions makes it evident that although Rule 10 prescribes promotion as the method of recruitment to the post of BEO, it specifically curves out the manner of initial constitution of the cadre by regularization of the existing BEOs as on 10.02.2016, i.e. the date of the order passed by this Court in WP(C) No. 447(AP)/2015. Rule 11, on the other hand, prescribes the eligibility for recruitment by promotion or regularization from the post of TGT, subject to the conditions stipulated therein.

27. Thus, the BEO Recruitment Rules, 2017 themselves recognize regularization as a mode for the initial constitution of the BEO cadre. Therefore, the said provision has to be considered along with the notification dated 28.04.2015, the subsequent conversion of 114 TGT posts into BEO posts pursuant to the Cabinet decision and the orders passed by this Court in WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018.

28. Upon consideration of the materials placed on record, this Court finds that the case of the petitioners cannot be viewed in isolation from the earlier proceedings before this Court and the subsequent conscious decisions taken by the respondent authorities themselves. The petitioners had been permitted to function as BEOs; their claim for regularization had been the subject matter of WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018; and pursuant to the aforesaid proceedings, the State Government converted 114 TGT posts into BEO posts by notification dated 06.01.2023. Thereafter, the respondent authorities themselves proceeded to regularize the petitioners in the BEO cadre against the converted posts.

29. In the conspectus above, it is evident that the regularization of the petitioners was not an action independently initiated by them or obtained by any misrepresentation or suppression of facts. Rather, the record discloses a conscious decision of the competent authorities to proceed with their regularization in the backdrop of the earlier orders passed by this Court, the conversion of the posts and the BEO Recruitment Rules, 2017. In such circumstances, the subsequent decision to revoke their regularization merely on the ground that the process was not preceded by a recommendation of a DPC requires to be considered in the light of the specific provision contained in Rule 10 relating to the initial constitution of the BEO cadre by regularization.

30. In view of the foregoing discussion, this Court is of the considered view that the petitioners are entitled to have their cases considered for regularization in the BEO cadre in terms of the notification dated 06.01.2023 and the BEO Recruitment Rules, 2017, as well as the earlier directions issued by this Court in WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018. The subsequent decision of the respondent authorities to simply revoke the petitioners' regularization on the

ground that the earlier process was not preceded by a DPC, without undertaking the exercise of considering their cases for regularization in terms of the applicable statutory framework and the converted posts, cannot, in the considered opinion of this Court, be sustained.

31. Consequently, the impugned order dated 11.04.2025, issued by the Commissioner (Education), Government of Arunachal Pradesh, is hereby set aside. The respondent authorities are directed to reconsider the cases of the petitioners for regularization to the post of BEO in accordance with the BEO Recruitment Rules, 2017 and the notification dated 06.01.2023, keeping in view the earlier orders passed by this Court in WP(C) No. 447(AP)/2015 and WP(C) No. 596/2018 and the fact that 114 TGT posts have already been converted into BEO posts. The aforesaid exercise shall be completed within a period of 30 (thirty) days from the date of receipt of a certified copy of this judgment and order.

32. Writ petitions stand allowed and disposed of in terms above. No order as to cost(s).

JUDGE

Lipak Rime, Private Secretary

Comparing Assistant