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WP-12970-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 6th OF MAY, 2026WRIT PETITION No. 12970 of 2026*SONAM AGRAIYA AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Alok Vagrecha & Shri Vishal Baghel - Advocates for the
petitioners.

Shri Ved Prakash Tiwari - Govt. Advocate for the State.

Shri Rahul Diwaker - Advocate for the respondent no.4.
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ORDER

Petitioners have filed this writ petition under Article 226 of the Constitution of India making a prayer to pass orders to Employees Selection Board to call for RCI qualification diploma certificate having unique CRR number of candidates who claimed and were granted 5% bonus marks under clause 7.7 and exclude those who do not possess Rehabilitation Council of India qualification from the merit list and thereafter revised merit list of Primary School Teacher selection test 2025 be published.

2. Counsel appearing for the petitioners submitted that petitioners appeared in Primary School Teacher Selection Test 2025. Advertisement was issued for recruitment of 13,089 post under School Education and Tribal Affairs Department. He submitted that Clause 7.7 of Rule Book provides for



5% bonus marks to those candidates who are having RCI recognized qualification in Special Education (Primary). There was option in online application form to tick box 'Yes' or 'No' in respect of RCI Diploma certificate. It is submitted that most of the candidates have selected option 'Yes' despite not possessing RCI Diploma. Employees Selection Board as per Clause 3.15 (vi) of Rule Book was required to see that certificate regarding RCI Diploma was uploaded by candidate. Clause 3.23 of Rule Book further lays down that if any candidate opts for more than one post then he has to upload certificate regarding relevant qualification for each post opted by him. It is submitted that M.P. Employees Selection Board failed in its duty by allowing 5% bonus marks only on basis of ticking option 'Yes' in application form. It was the duty of Employees Selection Board to see that relevant diploma certificate was uploaded along with application form. It is submitted that due to said error committed by Board many of the candidates who were not eligible to get 5% bonus marks were granted said marks on misrepresentation. As per information available on official website of RCI only 5271 candidates actually possess valid RCI qualification. However, in State of Madhya Pradesh 14,964 candidates claimed benefit of 5% bonus marks under Clause 7.7 of Rule Book. Due to said negligence and failure on the part of Board to check diploma certificate 5% bonus marks has wrongly been allotted to many candidates which has affected the merit list. Honest candidates who had not misrepresented having RCI diploma suffered due to inaction of Board. They were out of the merit list and not selected. Petitioners, who got 5% bonus marks due to misrepresentation in on line



application form filed writ petition before the Court and got orders permitting them for correction in application form. Windows were open for correction and they were allowed to change their option in respect of possession of RCI qualification but however merit list was not revised. Entire select list stood vitiated due to wrong allotment of marks of 5% bonus marks to candidates who were not eligible to get the same. In view of same, directions may be issued to correct the merit list.

3. Counsel appearing for the Board submitted that verification of certificate is to be done at the time of counselling by State Govt.. Selection Board do not have any role in checking the certificates filed by the candidates. Candidates are responsible for their own act if they have done misrepresentation. Board has already forwarded the merit list to State Govt. and role of Employees Selection Board is over after recommendation of select list. There was no failure on the part of Employees Selection Board in not checking diploma certificate as rule does not provide so. On clicking option 'Yes' for RCI recognized diploma certificate in Special D.El.Ed., a candidate automatically gets 5% bonus marks. With the aforesaid method, merits list was prepared consistently for all candidates and there was no discrimination exercised by M.P. Employees Selection Board. As work of M.P. Employees Selection Board after recommendation of select list is over, they cannot be forced to redraw the merit list again.

4. Govt. Advocate for the State submitted that verification of documents will take place and candidates who are not having RCI recognized qualification in Special Education will be weeded out. They will not be



selected for the post of primary teacher. In view of same, there is no reason to direct State Govt. to send the select list back to M.P. Employees Selection Board for redrawing the merit list. Writ Petition filed by the petitioners may be dismissed.

5. Heard learned counsel for the parties.

6. Clause 7.7 and 7.8 of Chapter I of Rule Book are quoted as under:-

"7.7 विज्ञापित पदों में विशेष शिक्षकों के पद भी सम्मिलित है। आर.सी.आई. से मान्यता प्राप्त 2 वर्षीय विशेष शिक्षा में प्रारंभिक शिक्षा डिप्लोमा धारित अभ्यर्थियों को चयन परीक्षा में उनके द्वारा प्राप्त अंकों के 5 प्रतिशत अंक बोनस अंक के रूप में प्रदान किए जायेंगे। इन अभ्यर्थियों को मेरिट क्रम में चयनित होने पर विशेष शिक्षक के पद पर पदस्थ किया जायेगा। विशेष शिक्षकों के पदों की पूर्ति न होने पर इन पदों की पूर्ति हेतु पृथक से विशेष विज्ञापन जारी कर चयन परीक्षा में अर्हताधारी अभ्यर्थियों से पदपूर्ति की कार्यवाही की जा सकेगी।

7.8 बोनस अंक से संबंधित जानकारी व अभिलेख सही नहीं होने अथवा किसी भी प्रकार की असत्य जानकारी/तथ्य प्रस्तुत करने पर अभ्यर्थी की अभ्यर्थिता किसी भी स्तर पर समाप्त की जा सकेगी। इसकी समस्त जिम्मेदारी अभ्यर्थी की होगी तथा इस संबंध में अभ्यर्थी का कोई भी दावा या आपत्ति स्वीकार्य नहीं की जायेगी।"

7. Clause 17.1 and 17.2 of Chapter II of Rule Book are quoted as under:-

17.1 यह प्रक्रिया विभाग के विहित प्रावधानों के अनुसार होगी, जिसमें चयन परीक्षा में प्राप्त परसेंटाईल के आधार पर सभी अभ्यर्थियों की एकीकृत रैंक जारी की जायेगी। अधिकतम परसेंटाईल प्राप्त करने वाले अभ्यर्थियों का नाम सूची में सबसे ऊपर दर्शाया जाएगा और इसके बाद अन्य नाम अवरोही क्रम में दर्शाये जायेंगे। समान परसेंटाईल प्राप्त करने वाले उम्मीदवारों की आपसी सह-वर्षिता पहले अनुपातिक अंक, फिर आयु (जन्मतिथि) के आधार पर अधिक आयु वाले अभ्यर्थी को वरीयता दी जाएगी.

17.2 प्रमाण पत्रों का सत्यापन और नियुक्ति की प्रक्रिया।



कर्मचारी चयन मंडल द्वारा मेरिट सूची प्रकाशित होने तक आवेदकों के किसी भी प्रकार के दस्तावेजों का सत्यापन नहीं किया जाएगा। यह आवेदक की स्वयं की जिम्मेदारी होगी कि वह भली भांति सुनिश्चित कर ले कि वह विज्ञापित पद के लिए समस्त अर्हतायें पूर्ण करता है। मेरिट सूची जारी होने के बाद विज्ञापित पदों की संख्या के समरूप उम्मीदवारों को सम्बंधित विभाग द्वारा मूल दस्तावेज की जांच हेतु बुलाया जाएगा, यदि जांच में यह पाया जाता है कि आवेदक विज्ञापन अनुसार अर्हता नहीं रखता है तो उसकी उम्मीदवारी स्वयमेव ही निरस्त मानी जाएगी। अभिलेख परीक्षण हेतु बुलाये गये आवेदक अपने पद से संबंधित समस्त मूल दस्तावेजों एवं उसकी सत्यापित छायाप्रतियों के साथ उपस्थित होना होगा।

प्राथमिक शिक्षक चयन परीक्षा स्कूल शिक्षा एवं जनजातीय कार्य विभाग के लिए संयुक्त रूप से आयोजित होने के कारण अभ्यर्थी को आवेदन करते समय विभाग का चयन करना, होगा। मेरिट कम प्रिफरेंस के आधार पर विभाग वार सूची तैयार होगी, जिस विभाग में अभ्यर्थी का चयन होगा उसे उसी विभाग के लिए मान्य किया जायेगा। उदाहरण के लिए यदि कोई अभ्यर्थी किसी एक ही विभाग का चयन करता है और उसे मेरिट क्रम में वह विभाग आवंटित नहीं होता है तो वह नियुक्ति प्रक्रिया से बाहर हो जायेगा।

प्राथमिक शिक्षक एवं प्राथमिक शिक्षक विज्ञान के पद जिला संवर्ग के हैं। अतः मेरिट सूची के अभ्यर्थियों से सर्वप्रथम प्राथमिकता के क्रम में जिलों का चयन करवाया जायेगा, तदोपरांत दस्तावेज सत्यापन में पात्र पाये गये अभ्यर्थियों के आधार पर प्रवर्गवार विज्ञापित रिक्तियों के अनुसार जिला स्तरीय चयन सूची जारी की जायेगी। विज्ञापित रिक्तियों के अनुसार जिला का चयन/आवंटन परिवर्तनशील रहेगा।

अपात्र / अनुपस्थित उम्मीदवारों के स्थान पर शेष पात्र अभ्यर्थियों में से मेरिट क्रम में उम्मीदवारों के चयन हेतु दस्तावेज परीक्षण के लिये बुलाया जायेगा। उपरोक्त के अतिरिक्त सभी पात्र अभ्यर्थियों की एकीकृत मेरिट रैंक भी जारी की जायेगी।

ऐसे अभ्यर्थी, जो नवीन सीधी भरती एवं सीधी भरती-वैकलॉग दोनों प्रकार के पदों हेतु आवेदन करते हैं, उन्हें चयन परीक्षा में प्राप्त परसेंटाईज के आधार पर पहले सीधी भरती (नवीन) पदों की मेरिट में स्थान प्राप्त होगा, तदोपरांत सीधी भरती-वैकलॉग के पदों की मेरिट में सम्मिलित किया जाएगा।

प्रवर्गवार प्रकाशित रिक्तियों के आधार पर चयनित अभ्यर्थियों के शैक्षणिक व्यवसायिक योग्यता, अनुभव, सक्षम अधिकारी द्वारा जारी आरक्षण से संबंधित वैध प्रमाण पत्र एवं अर्हता से संबंधित अन्य वांछित प्रमाण पत्र का सत्यापन उपरांत ही उनकी अभ्यर्थिता के संबंध में निर्णय



लिया जाएगा।

प्राथमिक शिक्षक चयन परीक्षा 2025 का आवेदन करते समय अभ्यर्थी द्वारा जिस विद्यालय / संस्था से शैक्षणिक / व्यावसायिक योग्यता अर्जित करना अंकित किया है उसी विद्यालय / संस्था की अंक सूची के आधार पर ही अभ्यर्थिता के संबंध में निर्णय लिया जाएगा।

8. Clause 3.2 (iii), (iv) and (viii) and Clause 3.15 of Chapter III of Rule Book is quoted as under:-

"(iii) परीक्षाओं की गोपनीयता, शुचिता एवं समस्याओं को दृष्टिगत रखते हुए आवेदन-पत्र में यदि कोई अभ्यर्थी एक से अधिक पदों के विकल्प चुनता है, तो उस अभ्यर्थी को सभी चुने गये पदों की योग्यता का प्रमाण-पत्र अपलोड किया जाना आवश्यक होगा।

(iv) किसी भी स्तर पर अभ्यर्थी द्वारा उक्त अपलोड किये प्रमाण-पत्र का बोर्ड स्तर से केवल परीक्षा आयोजन के उद्देश्य से परीक्षण किया जा सकता है एवं कोई भी गलत जानकारी दिये जाने के कारण अभ्यर्थी की अभ्यर्थिता निरस्त की जा सकती है एवं बोर्ड के पास वैधानिक कार्यवाही करने का अधिकार सुरक्षित रहेगा।

(viii) आवेदक द्वारा छद्म रूप से एक से अधिक आवेदन किये जाने की स्थिति में उनका आवेदन पत्र निरस्त किया जा सकेगा।

3.15 ऑनलाईन आवेदन-पत्र के साथ संलग्न किये जाने वाले दस्तावेजों का विवरण :-

ऑनलाईन आवेदन-पत्र के साथ आवेदक को निम्नलिखित यथाआवश्यक दस्तावेज अनिवार्य रूप से स्कैन कराकर संलग्न करने होंगे। इनके अभाव में आवेदन पत्र स्वीकार नहीं होगा :-

(i) अभ्यर्थी का कलर फोटो, हस्ताक्षर एवं स्वयं की हस्तलिपि।

(ii) आवेदक की जन्मतिथि के प्रमाण हेतु आठवीं/दसवीं अथवा बारहवीं की अंकसूची।

(iii) अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़ा



वर्ग/ई.डब्ल्यू.एस. अभ्यर्थियों के जाति/श्रेणी प्रमाणीकरण हेतु सक्षम अधिकारी द्वारा जारी जाति/श्रेणी प्रमाण पत्र।

(iv) दिव्यांग अभ्यर्थियों को सक्षम अधिकारी द्वारा जारी दिव्यांगता प्रमाण पत्र।

(v) अतिथि शिक्षकों को सक्षम अधिकारी द्वारा जारी प्रमाण पत्र।

(vi) प्राथमिकता के आधार पर बोनस संबंधी प्रमाण पत्र (यथा एन.सी.सी. प्रमाण पत्र व अन्य)।

(vii) आवेदन-पत्र में आवेदक को अपनी हस्तलिपि में निम्नलिखित विवरण (टेक्स्ट) लिख कर अपलोड करना अनिवार्य होगा:

मैं घोषणा करता/करती हूँ कि मेरे द्वारा आवेदन में दी गई समस्त जानकारी पूर्णतः सत्य है। यदि मेरे द्वारा दी गई जानकारी किसी भी स्तर पर झूठी या पात्रता मापदंड की आवश्यकताओं के अनुसार संतोषजनक नहीं पाई जाती है, तो मेरी उम्मीदवारी रद्द की जा सकती है।"

9. On going through online application form and Rules for Primary Teacher Examination 2025, it is found that post was advertised for Primary Teacher and Primary Teacher (Science) for Departments of School Education and Tribal Welfare. Unified selection list is to be prepared from common examination. Post also includes appointment for Special Teachers who are having qualification to teach persons with disabilities and having RCI diploma of Special D.El.Ed. Teachers who come in merit list and having RCI recognized qualification mentioned above will be appointed as Special Teachers. Clause 7.7 of Rule Book provides that teachers having RCI recognized diploma are to be granted 5% bonus marks. A candidate can apply for more than one post i.e. for Primary Teacher and Primary Teacher (Science) and also he can be appointed for Special Education Teacher if he is having Special D.El.Ed. Clause 7.7 of Rule Book provides for 5% bonus marks if a candidate is having two years diploma in Special D.El.Ed



recognized by RCI. Clause 7.8 of Rule Book provides that if information given in application form regarding Special D.El.Ed is false then candidate himself is responsible for it and his candidature can be rejected at any stage. Further Chapter III of Rule 3.2 of Rule Book lays down that if any candidate applies for more than one post then it is necessary for him to upload certificates. Candidates who had opted yes in their application form for RCI recognized Diploma has to upload their diploma as their candidature is to be considered for Primary Teacher/Primary Teacher (Science) or for Special Teacher. Their candidature is for more than one post, therefore, it was necessary to upload the documents. Uploaded certificates as per clause 3.2(iv) are to be checked by M.P. Employees Selection Board for purposes of conduct of examination and his candidature can be rejected if he has given incorrect information. Rule 3.27 of Rule Book also lays down that if Board learns that false information has been given or any information has been suppressed then Head of the Department can cancel the candidature of a candidate.

10. In aforesaid back drop of scheme of examination and rules, it is found that 5% bonus marks are to be awarded to a candidate who is having RCI recognized diploma in Special D.El.Ed. Unified select list is to be made after granting them 5% bonus marks and they are to be considered for the post of Primary Teacher and Primary Teacher (Science) and Special teachers. There is nothing in rule book that candidates who are having special education diploma recognized by RCI will not be considered for primary teacher or Primary Teacher (science). A candidate is having RCI



recognized Special D.El.Ed is to be considered for more than one post, therefore, it was necessary for him to upload the documents and candidate himself is responsible for suppression or incorrect information if any. If option 'Yes' is clicked for qualification i.e. RCI recognized Special D.El.Ed then candidate is also required to upload his certificate. It cannot be said that option 'Yes' is clicked without intention or due to fault of M.P. online kiosk. Along with ticking option 'Yes', candidate is required to upload diploma in the said educational qualification, therefore, mistake cannot be due to non application of mind, mechanically or error was innocent in nature. All such candidates who had clicked 'Yes' are entitled to 5% bonus marks which effected unified merit list. After getting 5% bonus marks and when results are declared, candidate's found that even if 5% bonus marks are reduced, he is qualified in the merit list for being appointed on the post, therefore, they took u-turn and made prayer that option 'Yes' was exercised by them innocently, they may be permitted to amend option in application form and 5% marks can be reduced. Candidates who waited for declaration of result and thereafter filed petition for correction in their application form cannot be said to be innocent. Rules cannot be changed during recruitment process. Once last date of filling application form and doing amendment in the application is over then said facts mentioned in the application form and certificates are said to be final in nature and no change can be permitted to candidates who appeared in the examination by allowing them to click option 'No'. Act done by candidate was intentional for getting selected. After declaration of result, when they discovered that they have got very



good marks in examination they cannot take a u- turn and say that they may be permitted to change option and 5% marks may be reduced and petitioners had not gain any advantage by getting 5% bonus marks and they may be declared selected on basis of marks obtained by them after reducing 5% bonus marks. If petitioners are allowed to do the same then it will amount to giving premium on dishonesty and penalizing honest candidates who had clicked right option, therefore, no relief can be granted to petitioners.

11. On perusal of records and hearing arguments, it is found that certain candidates had approached at Indore Bench and orders were obtained on 18.4.2026 in W.P.No. 9946/2026 and on 27.4.2026 in W.P.No. 13645/2026. In the said cases, directions were issued that petitioners had made innocuous prayer, therefore, respondents were directed to verify RCC certificate of 14,964 identified candidates. Respondents were directed to identify and verify the candidates who have claimed RCC certificate during first round but do not actually possess the same. Entire verification process was directed to be completed within a period of 30 days from the date of receipt of certified copy of the order. Similar order was passed in W.P.No. 13645/2026. While arguing said case, Court was not informed that writ petition filed by the petitioners for correcting their applications form was dismissed on 6.4.2026 in W.P.No. 11655/2026 and distinction was drawn in aforesaid order from case of Deepak Parmar Vs. State of M.P. and others vide order dated 15.12.2025 in Writ Petition No. 42759/2025. If allowing petitions will amend to give

12. In view of the aforesaid facts and circumstances of the case, writ



petition is **disposed off** with following directions:-

(i) State Govt. is directed to send back the select list to M.P. Employees Selection Board.

(ii) M.P. Employees Selection Board shall consider the application form as submitted by a candidate up to the last date of submission of application form. Employees Selection Board shall check whether diploma recognized by RCI in Special D.El.Ed has been uploaded by candidate who has ticked 'Yes'. If no such diploma is uploaded then application form of such candidates be rejected as per Clause 3.2 of Chapter III of Rule Book. After rejecting their forms and weeding out such candidates who have misrepresented before the Board, revised merit list be prepared and forwarded to State Govt. Said exercise be completed within a period of 3 months.

(VISHAL DHAGAT)
JUDGE

AD/