



2025:UHC:8816

HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE SRI JUSTICE MANOJ KUMAR TIWARI

Writ Petition (S/S) No. 1399 of 2023

Smt. Parul Saini

--Petitioner

Versus

State of Uttarakhand and others

-Respondents

With

Writ Petition (S/S) No. 1400 of 2023
Writ Petition (S/S) No. 1401 of 2023
Writ Petition (S/S) No. 1402 of 2023
Writ Petition (S/S) No. 1403 of 2023
Writ Petition (S/S) No. 1404 of 2023
Writ Petition (S/S) No. 1405 of 2023
Writ Petition (S/S) No. 1406 of 2023
Writ Petition (S/S) No. 1407 of 2023
Writ Petition (S/S) No. 1417 of 2023
Writ Petition (S/S) No. 1418 of 2023
Writ Petition (S/S) No. 1419 of 2023
Writ Petition (S/S) No. 1422 of 2023
Writ Petition (S/S) No. 1423 of 2023
Writ Petition (S/S) No. 1424 of 2023
Writ Petition (S/S) No. 1687 of 2023
Writ Petition (S/S) No. 1697 of 2023
Writ Petition (S/S) No. 1704 of 2023
Writ Petition (S/S) No. 1705 of 2023

Advocates: Mr. Bharat Singh, Advocate for the petitioner (s).

Mr. Mahesh Bhatt, Advocate for the petitioner (s) in WPSS Nos. 1687/2023, 1697/2023, 1704/2023 and 1705/2023

Mr. Ganesh Dutt Kandpal, Deputy Advocate General with Mr. Narain Dutt Bhatt, Standing Counsel for the State.

Mr. Atul Bhatt, Deputy S.G. for Union of India/respondent Nos. 5 and 6

JUDGMENT

1. Since common questions of law and fact are involved in these petitions, therefore they are heard together and are being decided by a common judgment. However, for the sake of brevity, facts of Writ Petition No. 1399 of 2023 (SS) alone are being discussed and considered.

2. Petitioner was appointed as Teacher in Bhartiya Public School, Padli Guja Paniyala Road, Roorkee (Haridwar) in the year 2011; the said school was



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registered with Uttarakhand Madarsa Board; petitioner was getting Rs. 12000/- per month from State Government; however, payment of honorarium has been stopped after Financial Year 2016-17.

3. By means of Writ Petition No. 1399 of 2023 (SS), petitioner has sought following relief:

“To issue a writ order or direction in the nature of mandamus commanding the respondents to pay the salary and entire dues of petitioner since 1st April 2016 to till date forthwith as early as possible preferably within 15 days.”

4. A counter affidavit has been filed by Hira Singh, Deputy Secretary, Department of Minority Welfare, Government of Uttarakhand, in which, it is stated that Government of India, Ministry of Human Resource Development introduced a scheme known as SPQEM (Scheme for Providing Quality Education in Madarsas) for providing quality education in different modern subjects in Madarsas along with deeni taleem; under the scheme, honorarium of Rs. 12000/- is to be paid to Post Graduate/B.Ed trained teacher and Rs. 6000/- is payable as honorarium to other teachers, and the expenditure has to be borne between Central Government and State Government in the ratio of 90:10.

5. In para 6 of said counter affidavit, it is stated that for financial year 2015-16, payment was made to Sir Sayyed Educational Society which runs Bhartiya Public School, Padli Gujar Paniyala Road Roorkee (Haridwar) out of the funds received from Central Government; however, during process of verification of U-dice Code of Madararas in U-dice portal, it was found that the said school is not registered under U-dice Code 97 due to which Central Government has not released funds for financial year



2016-17 and proposal for financial year 2021-22 has also not been forwarded to the Central Government because the societies not verified and does not have U-dice Code. Para 9 and 12 of the aforesaid counter affidavit are extracted below:

“9. That the contents of Paragraph No. 11 & 12 of the writ petition are not admitted. In reply it is submitted that the petitioner is appointed under SPQEM Scheme of Government of India and at the time of verification, the Government of India has found that U-dice code of the above Society and U-dice Code 97- Madarsa Recognized (by Waqf Board/ Madarsa Board) is not registered, due to this reason the Government of India has not released the fund for financial year 2016-17.

12. That in reply to the contents of Paragraph No. 15 of the writ petition it is submitted that the order passed by Hon'ble Court in 18 writ petitions have been complied and the petitioners of the above writ petitions, the Government of India has released budget for financial year 2016-17 and as per Rules, the budget has been released to concerned Society. The request has been forwarded for the financial year 2017-18, 2018-19, 2019-20, 2020-21 and 2021-22 to Ministry of Minority Work, Government of India and whenever the budget be sanctioned, the same shall be transferred to the Bank Account of the concerned Society.”

6. Mr. Atul Bhatt, learned counsel appearing for Union of India, however, submits that a sum of Rs. 8.31 crore has been released by Central Government to Government of Uttarakhand under SPQEM scheme for financial year 2016-17. Para 15 of counter affidavit filed on behalf of respondent No. 6 is extracted below: -

“15. That it is submitted that in the Financial Year 2020-21 funds to the tune of Rs. 207.11 crore were released under the Scheme (SPQEM) to the States for the years 2013-14 to 2016-17 (till 2019-20 for the State of Tripura) by the Department of School Education and Literacy, Ministry of Education. Out of this Rs. 8.31 crore was released to the State Government of Uttarakhand for the year 2016-17.”

7. Since the Central and State Government have taken different stand in their counter affidavits, and there is no clarity regarding financial aid provided by Central Government for concerned school, in which petitioner is serving, therefore, this Court thinks that ends of justice would be met, if competent authority in the State



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Government, is directed to examine the issue of payment of honorarium/remuneration to the petitioner, as per applicable scheme.

8. The Writ petition is, accordingly, disposed of by directing the Secretary, Minority Welfare to constitute a committee consisting of not less than three officers headed by Additional Secretary to the State Government and one of the members should be an officer not below the rank of District Minority Welfare Officer.

9. The said committee shall consider the claim of petitioners for grant of honorarium including arrears, within four months. If committee opines that petitioners are entitled to honorarium, including arrears, then the amount found to be payable to them, shall be released within two months thereafter. The request made by State Government to Ministry of Human Resource Development for release of additional funds under SPQUEM shall be considered within two months from date of receipt of such representation.

10. Pending application(s), if any, also stand disposed of.

MANOJ KUMAR TIWARI, J.

Dt: 07.10.2025
Mahinder