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WP-15363-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE JAI KUMAR PILLAI

ON THE 29th OF APRIL, 2026

WRIT PETITION No. 15363 of 2026

DR. SMT. SAVITA MARU AND OTHERS

Versus

*THE DIRECTORATE OF CENSUS OPERATIONS MADHYA PRADESH
AND OTHERS*

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Appearance:

Shri L. C. Patne - Advocate for the petitioner.

Ms. Pranjali Yajurvedi - Dy. Advocate General for the
respondent/State.

Shri Vivek Patwa - Advocate for the respondent no.3 &4.
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ORDER

1. The present writ petition is filed by the petitioners, who are aggrieved by the allegedly illegal, arbitrary, and malafide action of the respondents in employing them in Census 2026-27 duties as Enumerators and Supervisors. The petitioners contends that this assignment is contrary to the provisions of the Census Rules, 1990, overlooks their official hierarchy, pay scale, and classification, and forces them to perform duties meant to be discharged by Class-III employees of the State Government, thereby causing a serious dent to their dignity.

2. The factual matrix reveals that all the petitioners are working against Class-I posts of Professor, Associate Professor, and Assistant Professor in Ujjain Engineering College, Ujjain, an autonomous engineering college. These posts are



classified as Class-I under the M.P. Technical Education (Gazetted) Service Recruitment Rules, 1990, and the M.P. Technical Education Engineering College (Teaching Cadre) Service (Recruitment) Rules, 2004, drawing salaries in Level-13A1 and Level-14.

3. The grievance of the petitioners arose when, pursuant to Gazette Notifications by the Ministry of Home Affairs declaring the Census of India 2027 and house listing operations between 01.04.2026 and 30.09.2026, they began receiving text messages on their mobile phones assigning them census duties. They were directed to attend training scheduled from 24.04.2026 to 26.04.2026 and to subsequently work as Enumerators and Supervisors under the subordination of Charge Officers.

4. Upon perusal of the Census Rules, 1990 (Annexure P/6), Rule 3 empowers the State Governments and Union Territory Administrations to appoint Census Officers from specific categories to aid in the taking of the census. The appended Table under Rule 3 reads as under:

Designation	Officer to be appointed
1. Principal Census Officer	District Collectors/ Magistrates/ Commissioners of administrative heads of Corporations or any nominated Officer.
2. District/Additional District/ Deputy District/ Sub-Divisional District/ City/ Additional City Census Officer	District Collectors/ Magistrates/ Officer assisting District Collectors/ Magistrates/ Commissioner/ District Sub-Divisional Officers or Revenue Divisional Officers.
3. Charge Officer/ Assistant Charge Officer/ Additional Charge Officer and Sub-Charge Officer	Tehsildars/ Additional Tehsildars/ Mamlatdars/ Block Development Officer/ Chief Administrative Officer of towns/ Executive Officers and other Officers.
4. Supervisor	Officers generally of a rank higher than enumerators or any person.

**5. Enumerator**

Teachers, Clerks or any official or any person.

5. A bare perusal of the aforementioned statutory table manifestly reveals that Enumerators are generally drawn from teachers, clerks or any person. Here any person would mean an employee of same class i.e. class III. Resultantly the petitioners here who are class I officers could not have been assigned the work either as enumerator or supervisor.

6. Furthermore, the petitioners have placed reliance on Annexure P/10, the General FAQ on Census 2027 published on the official web portal of the Government of India. At Serial No. 13, the following clarification is provided regarding the appointment of field functionaries:

"13. Who is appointed as an Enumerator and Supervisor in Census? The field functionaries for carrying out the enumeration work are appointed by the State/District Administration as per the provisions of Census Act 1948 and Rules thereof. Enumerators are generally appointed from amongst Teachers, Revenue officials, like Patwari, Gram Sevak, Health workers, Other Government/semi-government staff, Sub-staff of municipalities in urban areas. The Supervisor appointed by the State Government is generally a rank higher to the Enumerators."

7. The petitioners rightly contend that forcing Class-I officers to work under the supervision of Charge Officers—who belong to Class-II or Class-III executive cadres of the State Government—creates a severe administrative anomaly. Subjecting Level-13A1 and Level-14 officers to the subordination of junior-ranking officers offends both the spirit of the Census Rules, 1990, and the explicit guidelines issued by the Registrar General and Census Commissioner.



8. Apart from the hierarchical anomaly, the petitioners have highlighted severe practical impediments. The End Semester (Main Examination) for BE/B.Tech degree courses commenced on 24.04.2026, followed by practical examinations scheduled from 19.05.2026 to 23.05.2026. Furthermore, the college must facilitate the NEET-2026 examination conducted by the National Testing Agency on 03.05.2026. Relieving the entire cadre of 51 Class-I teaching faculties for census duties would effectively mandate the closure of the institution, adversely affecting thousands of students.

9. The record demonstrates that Respondent No. 3 initially sought a list of employees for census operations on 07.04.2026. In response, on 09.04.2026, the Principal erroneously forwarded a list that included these 51 Class-I officers. However, upon realizing the mistake and after a telephonic conversation with Respondent No. 4, an amended communication was sent on 10.04.2026 containing only the names of regular subordinate employees.

10. Subsequently, vide order/communication dated 13.04.2026, the Principal of Ujjain Engineering College formally modified the submission, expressly stating:

"It is noteworthy that the above-referenced letter No. 1 only sought a list of employees working in the organization, but by mistake, a list of Class I officers was also included, information about which has been communicated to you in the above-referenced letter No. 2. In view of the above facts, please provide appropriate instructions to cancel the Census 2026-27 duty of a total of 51 Class I officers of the organization."

11. Having meticulously examined the statutory provisions under Rule 3 of



the Census Rules, 1990, the clarifications provided in the General FAQs, and the modified order of the Principal dated 13.04.2026, this Court is of the considered opinion that the deployment of the present petitioners is legally and administratively unsustainable. Consequently, this Court deems it fit to intervene and dispose of this petition in light of the modification made by the Principal.

12. It is hereby directed that the respondents shall immediately issue appropriate instructions to cancel the Census 2026-27 duty of the 51 Class-I officers of the said organization strictly as per the amended order dated 13/04/2026 send by the principal of the petitioner's college.

13. The writ petition is accordingly **allowed and disposed of** with the aforesaid directions. It is made unequivocally clear that this order is passed as an exception, taking into account the specific rules regarding hierarchy, the imminent threat to academic activities, and the explicit withdrawal letter by the Principal. Therefore, this order shall be treated as confined to its own peculiar facts and shall not apply as a precedent for other cases.

(JAI KUMAR PILLAI)
JUDGE

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