

# SC STAYS ORDER BARRING TEACHERS AS CONTESTANTS

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

The Supreme Court on Thursday stayed a Kerala High Court decision barring aided school teachers and non-teaching staff from contesting Assembly elections or engaging in political activities.

A Bench led by Chief Justice of India Sharad A. Bobde issued notice to the Kerala government while staying the High Court verdict in February. The High Court had declared Section 2 (IV) of the Legislative Assembly (Removal of Disqualifications) Act of 1951, which allowed aided school teachers to become legislators, as unconstitutional.

Petitioners in the High Court had challenged the 1951 law, saying their participation in politics would affect the quality of education. They had argued in the HC that since Kerala Government Servants Conduct Rules prohibits government school teachers from taking part in political activities, the rule should extend to aided school teachers also.

The government had however contended in the High Court that as per a government order issued in 1967, the teachers of aided schools had political rights. There were no Rules or Act prohibiting them from not participating in political activities or contesting polls.

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