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WP-44813-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&amp;

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 20<sup>th</sup> OF NOVEMBER, 2025

WRIT PETITION No. 44813 of 2025

*NATRAJ TRADERS PROPRIETORSHIP CONCERN*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Amit Sahani, Advocate with Shri Priyankush Jain, Advocate, Shri Anuj Saxena, Advocate and Shri Azan Krishan Bais, Advocate for Petitioner.*

*Shri Naman Nagrath - Senior Advocate with Shri Jubin Prasad - Advocate for Respondent.*  
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ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

1. Leave is sought by learned Senior Counsel for the Respondent to file reply and by counsel for petitioner to file supplementary affidavit.

2. Leave is granted.

3. The documents are taken on record.

4. Petitioner impugns the condition imposed by the Board of Secondary Education, Bhopal Madhya Pradesh in its Notice Inviting Tender (Second Call) dated 04.11.2025. The petitioner is aggrieved by the tender condition, whereby the tender is restricted to Public Sector Undertakings



(PSUs) and also the requirement of having a turnover of Rs.1500 Crores in 3 preceding years and a net worth of Rs.1000/- Crores.

5. Learned counsel for petitioner submits that such a high requirement is unwarranted since the tender value is only about Rs.10-15 Crores. He further submits that there is no justification as to why only PSUs are permitted to participate and private player are being excluded.

6. Per contra, learned Senior Counsel for the respondent submits that the Notice Inviting Tender itself stipulates that the project is sensitive project and its entails installation and commissioning of CCTV Surveillance System for the conduct of Board Examination for Class 10<sup>th</sup> and 12<sup>th</sup>. Learned Senior Counsel submits that in view of the past experience of the State where several issues had arisen with regard to examination held for admission to colleges and recruitment to certain posts a decision was taken by the Board for being extra cautious to exclude private players.

7. Reference may be had to the Notice Inviting Tender where under the heading about the project, the tender stipulates as under :

*"The Board of Secondary Education, Madhya Pradesh, is entrusted with the responsibility of conducting the Board Examinations for Classes 10th and 12th across the state. For this purpose MPBSE daily identifies and designates examination centres. The examination centres will be finalized by MPBSE to accommodate approximately 16 lakh students expected to appear in the Board Examinations for the Academic Session 2025-26.*

*MPBSE is responsible for ensuring that the exams are conducted in a fair, safe, and secure environment in order to uphold a transparent and effective examination process. In this regard, the MP Board has decided to install and deploy a CCTV surveillance system in the highly sensitive centres of the Board during the conduct of the 10th and 12th Board Examinations for 2025-26. Therefore, a Request*



*for Proposal (RFP) it issued to invite suitable Government PSU bidders who can provide a comprehensive surveillance system for examination centres as per the requirements of the MP Board to carry out CCTV surveillance during the conduct of exams. Under this RFP, the Board intends to establish a CCTV surveillance system across all the selected exams centers which are highly sensitive in nature, and the live feed from all these centers will be transmitted to the Command and Control Center for live monitoring at the headquarter level.*

*This project has been conceived as a pilot project where CCTV surveillance systems have to be established in Approx 100-200 number of examination centres spreaded across 06-08 districts. The project shall be executed strictly on a rental basis for the CCTV cameras and all associated equipment. The selected bidder shall be responsible for supplying, installing, and commissioning the complete surveillance system at all designated examination centres well before the commencement of examinations. Upon completion of the examinations and the contract period, the bidder shall be required to dismantle and remove all equipment from the examination centres and restore the premises to their original condition. All costs related to installation, operation, maintenance and subsequent removal shall be borne entirely by the bidder."*

8. We note that the Board of Secondary Examination is conducting Board Examination for Class 10<sup>th</sup> and 12<sup>th</sup>. The Board is responsible for ensuring that the exams are conducted in a fair, safe and secure environment to uphold a transparent and effective examination process. Board has decided to install and deploy CCTV Surveillance System in highly sensitive centers of the Board during the conduct of Class 10<sup>th</sup> and 12<sup>th</sup> Examination. The NIT also mentions that the request for proposal is sought to be invited from suitable PSU bidders who can provide comprehensive surveillance system. It also mentions that surveillance system is sought to be established across all the selected examination centers which are highly sensitive in nature and live



feed from all these centers would be transmitted to the command and control system at the headquarter level.

9. The rationale given by the learned Senior Counsel for the respondent that keeping in view the past history of infraction during examinations, a decision was taken by the Board to exclude private players and restrict the tender to suitable government PSU's appeals to reasonable. Past experience of State has shown that in several instances, there were infractions during the conduct of examinations. CCTV Surveillance System is sought by the Board in highly sensitive centers of the Board during the conduct of Class 10<sup>th</sup> and 12<sup>th</sup> Examination. Live feed from the centers is to be transmitted to the command and control center for live monitoring. There is a possibility in CCTV Surveillance Systems for access to the live feed from external sources also which can compromise the sanctity of the examination.

10. Reference may be further had to the scope of work which *inter alia* stipulates as under :

#### **4. SCOPE OF WORK.**

##### ***4.1. Artificial Intelligence-based Live CCTV Surveillance Service***

*MPBSE has decided to install a CCTV surveillance system with live monitoring command and control at all the examination centers shortlisted by the Board, across the State of Madhya Pradesh. The scope of work for the bidder involves setting up a CCTV network along with local monitoring and recording at each examination center and transmission of live feeds from the examination centers to the central command and control, which is operational at the headquarters of the MP Board, Bhopal.*

*The total number of shortlisted examination centers is Approx 100-200*



*spreaded across 06-08 districts. Number of students per center: minimum 400 and maximum 800 (The exact student strength of each center will be shared at least 20 days before the exam.)*

***At each Exam Center, the bidder shall deploy CCTV cameras across all critical locations.***

*i. Inside classrooms, one (01) AI-based colour CCTV camera shall be installed in multiple of 20 candidates per room.*

*ii. In addition, cameras shall be placed at corridors (one (01) camera for every 30 feet.*

*iii. one (01) camera each at the entry and exit points to monitor candidate movement.*

*iv. one (01) camera in the room where question papers are opened.*

*v. one (01) camera in the center-level control room for examination administration.*

***Control Command Rooms :***

*i. At Board Headquarters, Bhopal- 03 locations for live streaming.*

*ii. At each District Collector office District Education Office - 2 Locations in each 06-08 Districts.*

*iii. At Divisional Office, Board of Secondary Education - 07 Locations at 07 divisional headquarters.*

*This arrangement will enable the Board and center-level officials to monitor the examination process effectively, safeguard sensitive areas, prevent unfair practices and ensure smooth and transparent administration across all centers.*

*This project shall be executed strictly on a rental basis for the CCTV cameras and all associated equipment. The selected bidder shall be responsible for supplying, installing, and commissioning the complete surveillance system at all designated examination centers well before the commencement of examinations. Upon completion of the examinations and the contract period, the bidder shall be required to dismantle and remove all equipment from the examination centers and restore the premises to their original condition. All costs related to installation, operation, maintenance, and subsequent removal shall be borne entirely by the bidder.*



*The overall scope of work for the bidder is described as below:*

- 1. The bidder has to install the AI based colour CCTV setup in the examination center which will cover the examination rooms, corridor and entry and exit point for the monitoring of candidates and the local staff.*
- 2. The bidder should ensure that all the examination centers shall be made functional along with the Command and Control at the headquarter at least one week before the start of the exam.*
- 3. Every examination center should have one display monitor along with the recording facilities for the recording of center level events.*
- 4. Every center should have power backup of at least 60 minutes for uninterrupted CCTV operations.*
- 5. Similarly, the bidder shall arrange power backup of at least 6 hour at the command-and-control room which is already established at MP Board headquarter. Bhopal.*
- 6. The CCTV camera installed inside the class room should capture the activities of the exam room along with the movement of the candidates.*
- 7. Similarly, the cameras installed inside the corridor, entry and exit door should be able to clearly identify the candidate movement.*
- 8. The bidder has to installed one (01) AI based colour CCTV camera for every 20 candidate, in each class room. Also to cover corridor, entry and exit points of the exam center as p requirement.*
- 9. The CCTV camera must be functional at least one hour before the commencement of the exam and should remain operational one hour after the end of exam to ensure the coverage of candidates, entry and exit movements and post exam activities.*
- 10. The bidder shall maintain an adequate number of buffer stock at distinct level in case of any emergency or downtime, so that replacement can ne done immediately.*
- 11. The bidder will be responsible for arrangement of technical and administration manpower the installation of CCTV system at the examination center.*



*12. The bidder shall be responsible for ensuring at least one operator per center for uninterrupted operation of the CCTV surveillance system.*

*13. The bidder has to ensure sufficient number of technical experts at the district level for uninterrupted and smooth operation of entire network.*

*14. The bidder has to arrange adequate number of technical experts and system administrators for the operation and maintenance of the command and control room at the MP Boards head office.*

*15. The bidder will be fully responsible for the behaviour and discipline of the manpower deployed at the examination centers. If any member is found involve in misconducted, negligence or unfair practices the bidder will be held responsible for that.*

*16. The bidder should integrate all CCTV live feeds and other IT infra with existing Command & Control room with all the necessary IT related equipment for smooth and uninterrupted functioning of Command and Control center.*

*17. The bidder shall make necessary arrangement for the Internet connectivity at every center and command & control room so that uninterrupted CCTV live feed could be transmitted to the command & control center.*

*18. The bidder has to ensure that the camera feed of each examination center should be made available at the MP Board headquarter during the entire duration of exam without any failure.*

*19. The live CCTV feed in the headquarter should be able to identify as per city, district, exam center and class room.*

*20. The bidder has to submit center wise work completion certificate duly self signed by the bidder representative and Center Superintendent/Principal Competent Authority.*

*21. The bidder has to retain complete CCTV record of all examination center on its secure stage cloud infrastructure for a minimum period of one year from the date of examination.*

*22. In case of any dispute, the examination body may ask for a hard copy at a specific record which the bidder must provide within the time frame.*

*23. During the process of system installation, execution and operation of the*



*CCTV during the tenure of exam, any external entity creates any hindrance or interrupts the functioning of CCTV functioning, the same should be reported to the MP Board head office to ensure the smooth functioning.*

*24. The bidder must ensure 99.99% uptime guarantee of all the equipment at each Exam centre during all the times during the exam duration (After Go-live till end of examinations.)*

*The examination body shall not be held responsible for any damages, losses, of discrepancies arising during the installation, operation, or maintenance of the CCTV system, and the entire responsibility shall rest with the bidder.*

11. The scope of work involves setting up of a CCTV network along with local monitoring and recording at each examination centers and transmission of live feed from examination centers to the command and control at the Headquarters of the Board at Bhopal. As per the respondents, the tender is first of the tenders as the same is a pilot project and in future the number of centers to be covered would be expanded.

12. Learned counsel for the petitioner submits that Central Board of Secondary Education has issued a policy for setting up CCTV Surveillance Camera and said policy does not restrict the same to PSUs. To counter this argument, learned Senior Counsel for the respondent submits that the Madhya Pradesh Board of Secondary Education is an independent Board under the State Government and is not bound by the direction issued by Central Board of Secondary Education, in so far as the installation of surveillance cameras is concerned. He further submits that the policy does not mandate that private players have to be permitted to participate in any installation of surveillance cameras rather the policy says that the expert Professional Installers or Security Experts should be involved. He submits





that the subject NIT does not in any manner infringe the policy of the CBSE.

13. Reference may also be had to the judgment of this Court in the case of *Symcom Exim Pvt. Ltd. and Ors. Vs. Madhya Pradesh Power Generation Com. Ltd. and Ors. (WP No.32974 of 2025)* and also to the judgment of Supreme Court in the case of *Michigan Rubber India Ltd. Vs. State of Karnataka (2012) 8 SCC 216, Airport Authority of India Vs. Centre for Aviation Policy, Safety and Research (CAPSR) & Ors. 2022 SCC OnLine 1334*, wherein it is held that the bid inviting authority is the master of determining the terms and conditions of the contract and the Court would not substitute its view merely on the ground that the Court feels some other condition is more beneficial.

14. We are of the view that the rationale given by the respondents to restrict the bidders to government PSUs is reasonable and they have given a plausible justification for excluding private players keeping in view the sensitive nature of the scope of work.

15. Since petitioner is a private entity and is not government PSU, we are of the view that petitioner is not qualified to participate in the subject tender and there is no justification to interfere with the condition imposed by the respondent in restricting private players for participating in the tender. Since we have held that petitioner is not eligible on account of being a private player, other challenges raised by the petitioner *inter alia* with regard to the high value of turnover and net worth are not being examined and same are left open. We also find no merit in the contention of learned counsel for petitioner that the Central Board of Secondary Education policy issued by



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the CBSE prescribing for standards for setting up CCTV Surveillance  
Cameras does not restrict the same to PSUs.

16. Petition is accordingly, dismissed.

**(SANJEEV SACHDEVA)**  
**CHIEF JUSTICE**

**(VINAY SARAF)**  
**JUDGE**

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