



**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.27 of 2026

- 1. Sri Dipak Datta,**
S/O- Sri Jagadindu Datta, R/O- Vill-Kanchanbari,
P.O- Kanchanbari, P.S- Fatikroy, Dist.-Unakoti, Tripura,
Aged about 32 years, Pin-799288.
- 2. Smt. Tulsi Debnath,**
D/O- Sri Brajabasi Debnath, R/O-Vill- Jalabasa,
P.O and P.S- Panisagar, Dist.- North Tripura,
Aged about 34 years, Pin-799260.
- 3. Smt. Payal Datta,**
D/O- Sri Asish Kumar Datta, R/O-Vill-Algapur, P.O- Algapur,
P.S- Dharmanagar, Dist.- North Tripura,
Aged about 32 years, Pin-799253.
- 4. Sri Amar Sarkar,**
S/O- Lt. Santi Sarkar, R/O- Melaghar, P.O- Chandigarh,
P.S- Melaghar, Dist.- Sepahijala, Aged about 32 years,
Pin-799115.
- 5. Sri Biplab Roy,**
S/O- Nanigopal Roy, R/O-Vill-Netaji Nagar,
P.O and P.S- Teliamura, Aged about 35 years, Pin-799205.
- 6. Sri Rajat Roy,**
S/O- Sri Rathindra Roy, R/O- Vill-Gamaibari,
P.O and P.S- Teliamura,
Dist. Khowai, Aged about 35 years, Pin-799205.
- 7. Sri Amit Kumar Jamatia,**
S/O- Lt. Ananta Kishore Jamatia, R/O- Vill- West Manu,
P.O- Manpathar, P.S-Shantirbazaar, Dist.- South Tripura,
Aged about 40 years, Pin-799114.
- 8. Sri Nabendu Nath,**
S/O- Sri Nripendra Kumar Nath, R/O-Vill- Sonarerbasa,
P.O- Sonarerbasa, P.S- Dharmanagar, Dist.- North Tripura,
Aged about 36 years, Pin-799251.
- 9. Smt. Manti Datta,**
W/O- Sri Abhijit Banik, R/O-Vill-Chandrapur Colony No.2,
P.O-Matabari, P.S- R.K Pur, Dist.- Gomati,
Aged about 33 years, Pin-799013.
- 10. Sri Mimu Chakraborty,**
S/O- Lt. Narayan Chakraborty, R/O-Vill- Garjee,
P.O- Garjee, P.S- R.K Pur, Aged about 32 years,
Dist.-Gomati, Pin-799125.
- 11. Smt. Gopa Rani Saha,**
W/O- Sri Jayanta Saha, R/O- Vill-Barpathari,
P.O- Barpathari, P.S- P.R Bari, Dist. South Tripura,
Aged about 35 years, Pin-799155.

- 12. Sri. Sabbir Hossain,**
S/O- Lt. Machhu Miah, R/O- Vill-Indira Nagar,
P.O- Melaghar, Dist.- Sepahijala, Age about 39 years,
Pin-799115.
- 13. Sri Amarjit Chakma,**
S/O- Sri Kalapona Chakma, R/O-Vill- East Manu,
P.O- East Manu, P.S- Shantirbazar, Dist.-South Tripura,
Aged about 33 years, Pin-799144.
- 14. Smt. Supriya Muhuri,**
W/O- Sri Sudip Kr. Bhowmik, R/O- Vill-Paschim Charakbari,
P.O- Paschim Charakbai, P.S- Baikhora, Dist.-South Tripura,
Aged about 40 years, Pin-799142.
- 15. Subrata Debnath,**
S/O- Sri Ananda Debnath, R/O- Near Noagaon,
High School, P/O- Kamalpur, Dist.- Dhalai,
Aged about 33 years, Pin-799285.
- 16. Sri Pintu Deb,**
S/O- Sri Nepal Deb, R/O- Sukantapalli, P.O- Kumarghat,
P.S- Kumarghat, Dist- Unokoti, Aged about 36 years,
Pin-799264.

.... **Petitioner(s).**

Versus

- 1. The State of Tripura,**
Represented by its Secretary,
School Education Department,
Govt. of Tripura, P.O- Secretariat,
P.S- New Capital Complex,
Dist- West Tripura, PIN- 799010.
- 2. The Teachers Recruitment Board, Tripura,**
Represented by its Member Secretary, Siksha Bhwan,
Office Lane, P.O- Agartala, P.S- West Agartala,
Dist- West Tripura, PIN- 799001.
- 3. The Member Secretary,**
Teachers Recruitment Board, Tripura, Siksha Bhawan,
Office Lane, P.O-Agartala, P.S- West Agartala,
Dist- West Tripura, PIN- 799001.
- 4. The Controller of Examinations,**
Teachers Recruitment Board, Tripura, Sikhsha Bhawan,
Office Lane, P.O- Agartala, P.S-West Agartala,
Dist- West Tripura, PIN- 799001.
- 5. The National Council for Teachers Education,**
Represented by its Member Secretary, Having office at G-7,
Sector-10, Dwarka, Near Metro Station, New Delhi-110075.
- 6. The Regional Director,**
The National Council for Teachers Education,
Having office at G-7, Sector-10, Dwarka,
Near Metro Station, New Delhi-110075.

7. The National Institute of Open Schooling. (NIOS),
Represented by it's Secretary, Having Office at A-24/25,
Institutional Area, Sector-62, Noida,
Dist- Gautam Budh Nagar, Uttar Pradesh-201309

.....Respondent(s).

For Petitioner(s)	:	Mr. Arijit Bhaumik, Adv. Mr. Uday Das, Adv.
For Respondent(s)	:	Mr. Pradyumna Gautam, Sr. G.A. Mr. Milan Laskar, Adv.
Date of Hearing & Delivery of Judgment and Order	:	30.04.2026
Whether fit for Reporting	:	NO

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order (Oral)

Heard Learned Counsel, Mr. A. Bhaumik appearing on behalf of the petitioners. Also heard Learned Sr. G.A., Mr. P. Gautam appearing on behalf of the State-respondents and Learned Counsel, Mr. M. Laskar appearing on behalf of respondent No.7. But none appeared inspite of service of notice upon respondent Nos.5 and 6. By this time, the State-respondents have filed their counter-affidavit.

02. At the time of hearing, Learned Counsel for the petitioners drawn the attention of this Court that this present case is squarely covered by the judgment delivered by this Court on 27.02.2026 in WP(C) No.242 of 2025 and WP(C) No.243 of 2025. In reply Learned Sr. G.A. for the State-respondents submitted that the respondent TRBT is also willing to comply the said judgment, however, those judgments would be implemented subject to verify of the past service rendered

by the petitioners of those cases and fairly submitted that they shall have no objection if this present writ petition is also disposed of in the line of said judgment.

03. The present petitioners have filed the writ petition seeking the following reliefs:-

- (i) **Issue Notice upon the Respondents.**
- (ii) **Call for the records.**
- (iii) **Issue Rule calling upon the Respondent to show cause as to why clause 1(A) and 1(B) of the Prospectus-cum-Instruction for T-TET 2024 shall not be held to be illegal and quashed so far as it does not recognize the 18 months Diploma in Elementary Education conducted through NIOS in ODL mode within 31st March, 2019 as an eligibility criteria for T-TET 2024, Paper-I and Paper-II.**

AND

Issue Rule Calling upon the Respondent to show cause as to why a writ of certiorari or any other appropriate writ shall not be issued for setting aside the rejection of candidature of the Petitioners during the process of T-TET 2024, Paper-I/Paper-II.

AND

Issue Rule Calling upon the Respondent to show cause as to why the 18 months Diploma in Elementary Education completed by the petitioner from National Institute of Open Schooling through ODL mode shall not be considered as valid diploma for the purpose of issuance of TET Certificate and appointment of teachers at elementary level.

AND

Issue Rule calling upon the Respondent to show cause as to why the writ of mandamus or any other appropriate writ shall not be issued mandating the Respondents to issue TET Certificate in favour of the Petitioners upon successfully completing Paper-I/Paper-II of T-TET 2024 considering the 18 months Diploma in Elementary Education conducted from NIOS as valid diploma.

- (iv) **And after hearing the parties, be pleased to make the rule absolute.**

AND/OR

Pass any other order/orders may deemed fit and proper.

AND

For this act of kindness your humble Petitioners as in duty bound shall ever remain grateful.

04. At the time of hearing, Learned Counsel Mr. A. Bhaumik for the petitioners drawn the attention of the Court that the present petitioners underwent D. El. Ed Course which was conducted by National Institute Of Open Schooling (NIOS) under the special measure or arrangement conducted by MHRD and NCTE within 31st March, 2019 and the result was published together with other candidates of other States on 22.05.2019. The present petitioners completed 18 months D.El.Ed course from NIOS being instructed by MHRD and NCTE. The Teachers Recruitment Board Tripura issued Prospectus-Cum-Instruction for Teachers eligibility Test, Paper-I and Paper-II and accordingly, the petitioners having the required academic qualifications and the professional qualification of 18 months D.El.Ed Course applied for T-TET Paper-I/Paper-II. Thereafter, the TRBT issued admit card in favour of the petitioners. The petitioners appeared in the written examination and were successful in written examination and scored above the qualifying marks. But at the time of scrutiny of mark-sheets/ certificates/ documents the petitioners appeared before the TRBT, when the TRBT refused to issue TET certificates on the ground that they have conducted 18 months D.El.Ed Programme in place of 2 (two) years. As there is specific

guidelines of the Hon'ble Supreme Court of India that as a onetime measure the present petitioners along with others completed the said course so due recognition should be given, but as the TRBT refused to issue TET certificates, so they have filed this present writ petition.

05. Learned Counsel, Mr. A. Bhaumik for the petitioners at the time of hearing further submitted that on the same issues some other cases were filed before this Court and this Court by a judgment dated 27.02.2026 in WP(C) No.242/2025 and WP(C) No.243/2025 dealt with the issues in detail in the light of the judgments pronounced by the Hon'ble Supreme Court of India and directed the TRBT to issue TET certificates. Since the period of appeal has been expired so the judgment has attained finality and as the present case is also squarely covered by the said judgments, so this case also may be disposed of in the rate of said judgments passed by this Court.

06. The State-respondents have filed their counter-affidavit denying the assertions of the petitioners, however, at the time of hearing, Learned Sr. G.A. fairly submitted that subject to verification of the previous service record, the TRBT shall implement those judgments and fairly submitted that he shall have no objection if this present writ petition is disposed of in the light of same direction passed by this Court.

07. Learned Counsel, Mr. M. Laskar appearing on behalf of respondent No.7 admitted the case of the petitioners and submitted that if this present case is squarely covered by the

said judgments, so the said respondent shall have no objection if this writ petition is disposed of accordingly.

08. I have heard both the sides at length and perused the writ petition and the documents connected with the writ petition as well as the counter-affidavit filed by the State-respondents along with the documents. Also perused the judgments passed by this Court in the aforementioned cases. In Para Nos.15-17 this Court in the aforementioned cases observed as under:-

"15. I have gone through the judgment referred by the parties. By order dated 10.12.2024 in Viswanath(supra), Hon'ble the Supreme Court has very specifically mentioned that 18 months diploma obtained by such persons, who were in employment as on 10.08.2017 and who have completed the diploma course of 18 months, would be treated as valid diploma holders for the purpose of applying in other institutions or for promotional avenues and that clarification itself shows that Hon'ble the Supreme Court granted one time window to the in-service untrained teachers to acquire the minimum qualifications. Since the present petitioners were in employment on 10.08.2017 and as such, the stand of the State-respondents that the 18 months D.El.Ed course completed by the present petitioners cannot be treated as valid and also cannot be sustained in the eye of law. Furthermore, since the NCTE by recognition order dated 22.09.2017 has acknowledged the said D.El.Ed course through NIOS in respect of in-service untrained teachers at elementary level working in government/government aided and unaided private schools in the country and the same has been acknowledged by the Government of India, Ministry of Human Resource Development, as such, there is no such scope on the part of the State-respondents to take a different stand. In this regard as already stated, a communication was forwarded by Deputy Secretary to the Government of India, Ministry

of Human Resource Development to the Chairperson, NCTE wherein it was specifically mentioned that regarding training of untrained in-service elementary teachers in the Government/Government aided/unaided private schools, an amendment to Section 23(2) of the RTE Act to extend the period for such training to 31st March, 2019 has been passed by the Parliament. It was further stated that NIOS will be only singular organization responsible for conducting the online D.El.Ed programme through SWAYAM portal for all in-service untrained teachers and the tentative number of in-service untrained teachers was around 11 lakhs and the NIOS was to complete all the academic activities by 31st March, 2019. It was further mentioned that the D.El.Ed course will be from 3rd Oct, 2017 to 31st March, 2019. The duration of the course will be for 18 months. As the D.El.Ed. programme is of 2 years, NCTE shall allow subsuming 6 months internship period within the duration of the proposed Online course through SWAYAM portal as all the teachers are in-service and are/were already teaching. Also, from the contents of the communication dated 03.08.2017, it is very much specific that the decision was taken by the Parliament after amendment of Section 23(2) of the RTE Act regarding extension of training till 31st March, 2019. Since the petitioners fulfilled all the criteria and undergone training within the stipulated period as desired by NCTE, so, in the considered opinion of this Court, the respondent-authority cannot take a different stand ignoring the guidelines and decision of the Government of India as well as the NCTE being the sole academic authority to formulate academic guidelines for appointment of teachers across the country.

16. Situated thus, there was no such scope on the part of the respondent authority not to include the names of the petitioners in the final selection list as qualified/selected for appointment to the posts of Graduate and Undergraduate teachers.

17. In the result, both the writ petitions filed by the petitioners are hereby allowed. The respondent-authority is hereby asked to include the name of the petitioners in the recommended list dated 03.04.2025 for recruitment to the post of Graduate Teacher and

Under Graduate Teachers for which the petitioners have applied, within a period of 6(six) weeks from the date of passing of this judgment/order.

With this observation, both the writ petitions stand disposed of.

Pending application(s), if any, also stands disposed of.”

09. Since, the case of the present petitioners is squarely covered by the aforesaid judgments, so I have no hesitation to allow this writ petition with the following observations:-

The writ petition filed by the petitioners is hereby allowed with a direction to the respondent authority to issue TET certificates in favour of the petitioners in the light of judgments passed by this Court as stated *Supra* within a period of 6 (six) weeks from today and also to allow the present writ petitioners to appear in their recruitment process against the notification dated 21.02.2026 [**Annexure-1**] issued by TRBT vide No.F.2(1-18)GEN/TRBT/REC/2024/108 which has been allowed by order dated 24.02.2026 in I.A. No.01 of 2026. However, liberty is given to the respondents to verify the past service of the petitioners to ensure as to whether on 10.08.2017, the petitioners of this case were in employment or not in Government/ Government aided/ unaided private schools also in their respective districts.

Accordingly, the aforesaid order passed in the I.A. stands affirmed in favour of the present petitioners.

With this observation, this writ petition stands disposed of.

Pending application/s, if any, also stands disposed of.

JUDGE



Amrita

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