



**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.603 of 2025

- 1. Anindita Ganguly,**
D/O- Ratan Ganguly, R/O- Ram Nagar Road No. 1 near
3rd Crossing, P.O.- Agartala, P.S- West Agartala,
Dist- West Tripura, PIN- 799001.
- 2. Rekha Das,**
D/O- Rabindra Das, R/O- Barjala, P.O- Barjala,
P.S- West Agartala, Dist- West Tripura, PIN- 799002.
- 3. Ranjit Debnath,**
S/O- Khagendra Debnath, R/O- Manikya Nagar,
P.O- Rokhia, P.S- Kalamchowra, Dist.- Sepahijala,
PIN- 799102.
- 4. Amitava Das,**
S/O- Sri Ajit Das, R/O Vill- Durganagar,
P.O and P.S- Khowai, Dist- Khowai, PIN-799201.
- 5. Anup Kumar Debroy,**
S/O- Ajit Kumar Debroy, R/O Vill- Amlapara,
Puran Bazar, P.O and P.S- Khowai, Dist- Khowai,
PIN- 799201.
- 6. Susmita Nath,**
C/O- Lt. Nripendra Kumar Nath, R/O Vill- Sonarerbasa,
Dharmanagar, P.O- Sonarerbasa, Dist- North Tripura,
PIN- 799250.
- 7. Anamika Roy Choudhury,**
D/O- Lt, Ramendra Roy Choudhury, R/O- Chandrapur,
Dharmanagar, P.O- Chandrapur, Dist- North Tripura,
PIN- 799250.
- 8. Bikram Kumar Singha,**
S/O- Bijoy Kumar Singha, R/O- Churaibari,
P.O and P.S-Churaibari, Dist.- North Tripura, PIN- 799262.
- 9. Sanjoy Jamatia,**
S/O- Subhash Chandra Jamatia, R/O- Dulong Bari,
Amarpur, P.O- Chechuajamatiabari, Dist.-Gomati,
PIN- 799101.
- 10. Rahul Das,**
S/O- Lt. Anukul Das, R/O- Birendra Nagar, Jirania,
P.O. Birendra Nagar, G Dist- West Tripura, PIN- 799045.
- 11. Rakesh Das,**
S/O- Niranjana Das, R/O- Kalamkhet, P.O-Urmai,
P.S-Sonamura, Dist- Sepahijala, PIN-799115.
- 12. Chandra Shekhar Debnath,**
S/O- Nepal Debnath, R/O Vill- Sripur, Belonia,
P.O- Hrishyamukh, P.S- Belonia,
Dist.- South Tripura, PIN- 799156.

- 13. Jikra Khanam,**
D/O- Abdul Bari Khan, R/O Vill- Challish Drone,
P.O- Kadamtala, P.S- Kadamtala, Dist.- North Tripura,
PIN- 799261.
- 14. Abhijit Ghosh,**
S/O- Amiya Gopal Ghosh, R/O- Fullchari,
P.O- Kamalpur, Dist- Dhalai, PIN- 799285.
- 15. Ruma Sarkar,**
D/O- Radha Charan Sarkar, R/O- Belabar, Kalitala,
P.O- S.D Mission, P.S- Amtali, Dist.- West Tripura,
PIN- 799003,
- 16. Ajay Kumar Das,**
S/O- Swapan Das, R/O Vill + P.O- Purba Mirza,
P.S- Kakraban, Dist.- Gomati, PIN- 799105.
- 17. Smt. Ruma Das,**
D/O- Lt. Nepal Das, W/O- Sri Sumit Sutradhar,
R/O Vill- Jangalia, P.O and P.S- Bishalgarh,
Dist- Sepahijala, PIN-799102
- 18. Sri Tapas Paul,**
S/O- Sri Dulal Chandra Paul, R/O- Uttar Kalaban,
P.O- Kalaban, P.S- R.K.Pur, Dist.- Gomati, PIN-799125.

.... **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 Bhawan,
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. Dipankar Sarma, Addl. 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 Addl. G.A., Mr. D. Sarma appearing on behalf of the State-respondents and Learned Counsel, Mr. M. Laskar appearing on behalf of respondent No.7.

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. To that Learned Addl. G.A. for the State-respondents submitted that the respondent TRBT is willing to comply the judgment subject to verify of the past service rendered by the petitioners of those cases and further fairly

submitted that they shall have no objection if judgment is passed in this case in the similar direction.

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 at the time of scrutiny of documents 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 within 31st March, 2019 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

In the interim, be pleased to stay further process of issuance of TET Certificate for Paper-I and Paper-II of T-TET 2024 conducted by Respondent No.2 to 4 till disposal of the connected writ petition.

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. It was the case of the petitioners that the Ministry of Human Resource Development Department, Government of India issued a letter dated 3rd August, 2017 providing last chance to untrained in-service elementary teachers to acquire requisite minimum professional qualification mandated by Right to Education Act, 2019 failing which such untrained teachers will be dismissed from service. By the said letter, the Government of India had provided that all States and Union Territories will be responsible for ensuring that all in-service untrained teachers of Government/Government aided/unaided private schools acquire the minimum professional qualification within 31st March, 2019 through the open and distance learning programme of NIOS and was mandatory for all in-service elementary level untrained teachers to undertake D.El.Ed programme only through ODL programme conducted by the NIOS. The said letter also indicated that it would be the last opportunity to in-service untrained elementary level teachers to acquire the minimum qualification failing which their service shall be terminated w.e.f. 1st April, 2019 by Clause 4 of the

letter dated 3rd August, 2017 of the Central Government and as per the said time line the course was to commence from 3rd October, 2017 and the 2nd term of the course was to be completed by 31st March, 2019.

05. Accordingly, in pursuance of the said letter the amendment was carried out In Right of Children To Free And Compulsory Education Act, 2009 notified on 9th August, 2017. By the said amendment a proviso was inserted under sub-section 2 of Section 23 of Right of Children to Free and Compulsory Education Act 2009.

06. The amendment of the said act was notified on 9th August, 2017 and was given effect from 1st day of April, 2015. After the amendment was carried out the NCTE was entrusted to carry out the object of the letter dated 3rd August, 2017 issued by Ministry of Human Resource Development, Government of India. From 9th August, 2017 NCTE had only about 18 months till 31st March, 2019 to complete the process of training of Elementary Level in-service teachers and accordingly NCTE on recommendation of the expert committee reduced the duration of D.El.Ed Course from 2 years to 18 months relaxing the requirement of 6 months internship as the course was for teachers who are in service by recognition order dated 22nd September, 2017 the National Council for teachers education entrusted NIOS to conduct the programme of D.El.Ed through ODL mode. By the same order the NCTE reduced the duration of the course from 2 years to 18 months

by relaxing the 6 months internship which was to be subsumed within the duration of 18 months.

07. Thereafter, NIOS conducted 18 months D.El.Ed Programme through online distance mode via the SWAYAM PORTAL of MHRD for training the in-service untrained teachers by 31st March, 2019. As per the time line provided by the MHRD in its letter dated 3rd August, 2017 the NIOS conducted and completed the 18 months D.El.Ed course within 31st March, 2019. It was highlighted that as per the timeline provided by MHRD in its letter dated 3rd August, 2017 the NIOS was to complete the 2nd Term of the course within 31st March, 2019 and accordingly the second term was completed by the said period. The result for the 18 months D.El.Ed course was published on 22.05.2019.

08. The petitioners on that relevant point of time were serving in private aided/unaided schools at elementary level and as per the direction of MHRD, the petitioners had to mandatorily undergo the 18 months D.El.Ed course which was approved by the MHRD and NCTE.

09. The petitioners also underwent D.El.Ed course which was conducted by NIOS under the said special measure or arrangement conducted by MHRD and NCTE within 31st March, 2019.

10. The Teachers Recruitment Board Tripura issued Prospectus-Cum-Instruction for Teachers eligibility Test, Paper-I and Paper-II, T-TET, Paper-I is for teachers from classes I-V

and T-TET Paper-II is for Teachers for classes VI-VIII. Accordingly, the petitioners having the required academic qualifications and professional qualification of 18 months D.El.Ed Course completed by them applied for T-TET Paper-I/ Paper-II.

11. Thereafter, the TRBT issued admit card in favour of the petitioners. The petitioners appeared in the written examination on the date and venue provided by the Admit Card and the petitioners were successful in the written exam and scored above the qualifying marks.

12. After that, the TRBT issued notice dated 26.06.2025 for scrutiny of mark sheets/ certificate/ documents of the candidates who passed T-TET 2024 and accordingly as per the said notice dated 26.06.2025 the petitioners appeared before the TRBT for scrutiny of mark-sheets/ certificates/ documents. but the TRBT rejected the candidature of the petitioners stating that the result of the 18 months D.El.Ed course undergone by the petitioners was not published within 31st March, 2019. Hence, the petitioners filed this writ petition, seeking the reliefs as stated above.

13. The State-respondents contested the case by filing counter-affidavit denying the assertions of the writ petitioners.

14. However, at the time of hearing, Learned Counsel for the petitioners relied upon a judgment passed by this Court in WP(C) No.242/2025 and WP(C) No.243/2025. For the sake

of convenience, the operative portion of the same judgment runs as follows:-

"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."

15. At the time of hearing, as already stated Learned Counsel for the petitioners further submitted that this present

case is squarely covered by the aforesaid judgments of this Court and urged for passing judgments in this writ petition in the same way.

16. Learned Addl. G.A. appearing for the State-respondents although admitted the said fact and produced an office note and referring the same Learned Addl. G.A. drawn the attention of the Court that the TRBT has to verify the past service of the candidates by visiting the concerned districts where their institutions belong and urged before the Court to pass a direction in that regard.

17. I have heard both the sides and perused the relevant papers submitted with the writ petition as well as the counter-affidavit and the documents submitted by the State-respondents and respondent No.7 as well as the rejoinder filed by the petitioners. Respondent No.7 did not separately file any counter-affidavit but fairly submitted that he stands agree with the judgment passed by this Court in the aforementioned case.

18. So, after hearing both the sides this present writ petition is allowed with a direction to the respondent authority to issue TET Certificates in favour of the petitioners in the light of the judgments passed by this Court as stated *supra* within a period of 6 (six) weeks and also to allow the present writ petitioners to appear in the 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 passed by this Court in I.A.

No.02 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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