

29.07.2026
Court No.25
D/L No.7
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14119 of 2026
Anindita Sarkar & Ors.
Versus
The State of West Bengal & Ors.

Mr. Ratul Biswas (VC)
Mr. Kaushik Choudhury
Mr. Somesh Kr. Ghosh

...for the Petitioners

Ms. Sudipa Banerjee
Ms. Manisha Paswan

...for the State

1. The petitioners have filed the present writ application challenging the order issued by the Block Development Officer by assigning the work of collection, verification and field level validation of family data under the Annapurna Yojona Scheme.
2. The petitioners were appointed as Assistant Teacher on March 6, 2025 and after the appointment, the petitioners have reported their duties. Subsequently, several litigations have been filed with regard to the post of Assistant Teacher. When the matters being WPA 13989 of 2025 and WPA 13966 of 2025 were taken up for hearing by this Court, this Court directed that the teachers with only Madhayamik qualification:
i) they shall be permitted to pursue and complete Higher Secondary (10+2 or equivalent) qualification through recognized Open Schooling or other approved modes while continuing in serve; ii) upon enrolment and as per eligibility under NCTE regulations (with

necessary relaxation hereby granted as a special case), the petitioners shall be admitted to and complete the two years Diploma in Elementary Education (D.El.Ed) course through any Government Sponsored, Government Aided or Government Recognised Self-Financed Institutions, in regular or Open/Distance Learning (ODL) mode, without any service interruption.

3. The petitioners were not having the D.El.Ed course, the petitioners have applied before the authority to allow the petitioners to go for the D.El.Ed two-years course. The respondent authorities have released the petitioners from school on deputation for study for two years D.El.Ed course on regular mode for the session 2025-2027 in service of primary teacher. After the release of the petitioner from their respective schools, the petitioners have joined their colleges to complete their diploma course and now they are pursuing their diploma course as regular students and the said course is for two years and the two years will be completed in the year 2027.
4. The petitioners have been released from their respective schools and are pursuing their regular studies for completing the diploma course in terms of the order passed by this Court, in the mean time, the Block Development Officer has issued the impugned order by assigning the work of collection, verification and field level validation of family data under the Annapurna Yojana Scheme.

5. Learned counsel for the petitioners submits that for the work assigned to the petitioners, the petitioners have to go to the field work and to collect the data. If the petitioners will go to the field work, the petitioners will not be in a position to attend their regular classes. In the mean time, the petitioners will also apprehend that there will be an examination and the petitioners will not be in a position to appear in the examination and also to prepare properly for the examination.
6. The learned counsel for the petitioners submits that during the pendency of the writ petition, the respondent authorities on July 25, 2026 have issued a notice directing the petitioners for three days training programme with 100 nos. field enumerator icw. Census-2027 has been scheduled in SGSY Hall- 1 & 2, Swarupnagar Development Block on and from July 27, 2026 to July 29, 2026. He submits that in terms of the said notice, the petitioners have to attend the said training and if the petitioners will appear in the said training, then there will be a shortage of attendance in their regular diploma course which is for two years and will not be in a position to complete their syllabus. Learned counsel for the petitioners prays for setting aside the impugned order wherein the duty has been assigned for the completion of the Annapurna Yojana as well as the training programme of the Census-2027.
7. The respondent authorities have filed their report wherein it is mentioned that the respondent authorities have issued the impugned order for implementation of

the Government policy by issuing administrative instructions regarding distribution, collection, verification and digitisation of family level data collection forms. She further submits that the role assigned to Booth Level Officers is purely administrative and field oriented, considering that BLOs already possess booth wise familiarities with households and electoral geography, thereby ensuring speedy, transparent and efficient implementation of the welfare programme, the order has been issued.

8. Learned counsel for the State further submits that the deployment of the petitioners will neither change the cadre, designation, pay, service conditions or seniority of any employee. She submits that the authorities have issued the said order for the administrative reason and the petitioners have to comply with the direction issued by the authorities.
9. Learned counsel for the State submits that as per Section 4 Sub-Section 2 and 4 of the Census Act, 1948, it is the duty of the petitioners to go for the training and accordingly, the respondent authorities have directed the petitioner to attend the training of Census-2027.
10. Heard the learned counsel for the respective parties.
Perused the materials on record.
11. Admittedly the petitioners were appointed as Assistant Teacher and they have reported the duty. Subsequently, it is found that for the purpose of continuing the post of Assistant Teacher, the petitioner

should possess two years D.El.Ed course. This Court by an order dated August 14, 2025 permitted the petitioners to complete their diploma course and accordingly, the authorities have released the petitioners from their respective schools to complete their diploma course. Now they are pursuing the two years diploma course and the said diploma course is a regular course and if the petitioners go for the work assigned by the respondent authorities, i.e., for the implementation of the Annapurna Yojana and the training of Census-2027, the petitioners will not be in a position to attend their regular classes and they will also miss their examination. It is the mandatory for the petitioners to complete their diploma course within two years. If the petitioners will not able to complete their diploma course within two years, there will be difficulty in their services to be continued as Assistant Teacher. The respondent authorities failed to consider that the petitioners were pursuing their diploma course as per the leave granted by this Court and the authorities have also released the petitioners from the post of Assistant Teacher to complete their diploma course for two years.

12. This Court finds that by issuing the impugned orders by assigning the work to the petitioners for implementation of the Annapurna Yojana and for attending the training for Census-2027 are not in accordance with law and has been issued without considering the leave granted by this Court and the

release order passed by the authorities for completion of the two years diploma course.

13. Considering the above, the impugned order assigning the duty of implementation of the Annapurna Yojana as well as the training for the Census-2027 is set aside and quashed.

14. Accordingly, **WPA 14119 of 2026** stands **disposed of**.

15. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

16. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)