

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8589 of 2013

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1. Keshav Kumar Son Of Sri Shiv Mangal Choudhary (General Secretary, Bihar Panchayat Nagar Prarambhik Shiksak Sangh) Resident Of Village - Hanuman Nagar, P.O. Barharwa Lakhansen, Police Station - Dhaka, District - East Champaran
 2. Mukund Kumar Son Of Sri Radhe Shyam Singh (District Vice President Bihar Panchayat Nagar Prarambhik Shikshak Sangh Sheohar) Resident Of Village - Khairwa Darp, Police Station - Sheohar, District - Sheohar

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department, Govt. Of Bihar, Patna
2. The Director Primary Education, Govt. Of Bihar, Patna
3. The Director Research And Training, Govt. Of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Respondent/s : Mr. Manish Kumar, GP-VIII

Mr. Prashant Kr. Choudhary, AC to GP-VIII

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 25-04-2016

Heard learned counsel for the parties.

In the present case, a limited relief has been sought from this Court that the two years experience and six months enrichment program from the IGNOU should be considered to be a requisite qualification for the purpose of selection of Block Resource Center Coordinator and Cluster Resource Center Coordinator.

The short fact of this case is that the petitioners are Block Teachers holding qualification of M.A. and have obtained two years diploma course and six months enrichment course from the



IGNOU. Earlier the Government vide letter no. 140 dated 12.3.2013 did not recognize the qualification of training degree of two years from IGNOU and six months enrichment program on account of the fact that NCET has not given any positive communication for acceptance of the degree obtained by the petitioners being a valid degree for the purpose of selection on the aforesaid posts but, the letter dated 22.11.2013 of the NCET has informed that those teachers who have completed two years of DPE Programme from IGNOU and have undergone six months of enrichment program, are to be taken as requisite degree for appointment. It will be proper to quote paragraph no. 13 and 14 of the counter affidavit filed by the respondent no.3 which reads as follows:-

- “13. That letter no. 140 dated 12.03.2013 has been issued in pursuant to abovementioned guideline contained in letter no.87 dated 18.02.2013 whereby it has been directed that the persons who have completed 2 years DPE programme from IGNOU and thereafter undergone the six months enrichment programme would not be selected as Block Resource Centre Coordinator and Cluster Resource Centre Coordinator because till the issuance of the abovementioned letter dated 140 dated 12.03.2013 NCTE has not given recognition to this training programme despite of several communication by the State Government in this regard.*
- 14. That vide letter dated 22.11.2013 NCTE has informed that the teaches who have already completed the two years DPE programme approved by the NCTE, and*



certified by IGNOU after examination, and who have undergone the six months enrichment programme are to be taken as qualified for appointment as primary teachers without insistence on any additional qualification.”

There is no need for adjudication in the matter as the respondent no.3 himself has averred that the certificate issued from the IGNOU has been recognized by the NCTE and that too also by the State Government.

In that view of the matter, if any vacancy is notified in future, the case of the petitioner will be considered in terms of the letter dated 22.11.2013 issued by the Principal Secretary, Government of Bihar, Education Department, Vikash Bhawan, Patna.

With this observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2016
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