

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 51 of 2017 (O&M)
Date of Decision: 27.04.2017**

Tara Rani

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.V.S. Chugh, Advocate
for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Punjab.

JASWANT SINGH, J. (ORAL)

Petitioner-Tara Rani, who belongs to General Category, has passed her 10+2 examinations in the year 2008 and also obtained a Certificate of Elementary Teachers Training (ETT) Two Years Course for the session 2008-2010 as a regular student from Singhanian University. She has also passed Punjab State Teachers Eligibility Test-I (PSTET-I) in the year 2015, by securing 94 marks.

The petitioner competed against the 2250 posts of ETT Teachers in the General Category pursuant to advertisement dated 09.11.2015 (**Annexure P-2**), supplemented by the corrigendum dated 13.01.2016 (**Annexure P-4**). The merit, as per the selection process, was to be ascertained on the basis of marks secured in the mandatory test of PSTET-I. It is a conceded case that the merit of the last candidate, appointed as ETT Teacher, in the General Category is ninety (90) marks.

The grievance of the petitioner is that inspite of having higher marks i.e. ninety-four (94) than the last candidate appointed, she has been denied appointment.

In reply, the stand of the respondent is that the petitioner was not eligible to be appointed, as the ETT Certificate produced by the petitioner from Singhanian University is not a recognized certificate by the National Council for Teachers Education (NCTE), a statutory regulatory body constituted under the Right of Children to Free and Compulsory Education Act, 2009, regulating the qualifications of teachers for imparting elementary education to the children.

During the course of hearing on the previous dates, it was contended by the counsel for the petitioner that the respondents have wrongly treated the petitioner as ineligible by treating her ETT Two Years Course Certificate of having obtained through Distant Education Mode, whereas, factually, the said certificate has been obtained by being a Regular student of the University for the said course.

In view of the aforesaid contention, the respondents were directed to verify the aforesaid fact and file the required affidavit.

At the time of hearing today, an additional affidavit dated 27.04.2017 of Smt. Kulvinder Kaur, Assistant Director, Education Recruitment Directorate, Department of School Education, Punjab, SAS Nagar, has been filed in Court, wherein it has been asserted that the NCTE had not granted any recognition for the ETT Course for the session 2008-2010 from Singhanian University, neither through a Regular Mode nor

through Distant Education Mode. The said assertion is based on a letter No. NRC/NCTE/Verification/D/C/2017/171587, dated 20.04.2017 (**Annexure R-3**) issued by the National Counsel for Teachers Education to the five specific queries raised with respect to the degree obtained by the petitioner. The same for ready reference have been reproduced as here in below;

<i>Sr. No.</i>	<i>Point of Clarification</i>	<i>Reply (Clarification)</i>
1.	<i>Whether NCTE has given recognition to Elementary Teacher Training Course, Session 2008-10 from Singhania University, Pachari, Bari (Jhunjhunu), Rajasthan through regular mode.</i>	<i>NRC/NCTE, Jaipur has not given recognition to the Singhania University, Pachari, Bari (Jhunjhunu), Rajasthan for Elementary Teacher Training Course, Session 2008-10, through regular mode.</i>
2.	<i>Whether NCTE has given recognition to Elementary Teacher Training Course, Session 2008-10 from Singhania University, Pachari, Bari (Jhunjhunu), Rajasthan through distance mode.</i>	<i>NRC/NCTE, Jaipur has not given recognition to the Singhania University, Pachari, Bari (Jhunjhunu), Rajasthan for Elementary Teacher Training Course, Session 2008-10, through distance mode.</i>
3.	<i>Whether the above mentioned course of ETT during session 2008-10 was recognized or not.</i>	<i>The Elementary Teacher Training (ETT) Course during Session 2008-10 was not recognized by NRC, NCTE, Jaipur.</i>
4.	<i>Whether the course passed by the petitioner (copy attached) is through regular or distance mode.</i>	<i>Since, the said institution/university is not recognized for ETT course by the NCTE, hence not related.</i>
5.	<i>Whether the course passed by the petitioner (copy attached) through regular or distance mode is recognized by NCTE OR NOT.</i>	<i>Petitioner through regular or distance mode is not recognized by the NRC/NCTE, Jaipur.</i>

In the light of the aforesaid established fact that the ETT Two Years Course Certificate for the session 2008-10 secured by the petitioner as a Regular Student from Singhania University not being recognized by the Statutory Regulatory Body-NCTE and hence not eligible for consideration for appointment to the post of ETT Teacher, learned counsel for the petitioner is unable to address any meaningful arguments.

In view of above, no case for interference is made out, accordingly the present petition stands dismissed.

April 27, 2017
'dk kamra'

(JASWANT SINGH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No