

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

**CWP No. 2920 of 2018 (O&M)
Date of Decision: 14.02.2018**

Kiran Bala and others

..... Petitioners

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sandeep Bansal, Advocate
for the petitioners.

JASWANT SINGH, J. (ORAL)

The petitioners, thirteen in number, were engaged on contract basis to work as Assistants to Inclusive Education Research Teachers, employed by the Sarv Shiksha Abhiyan Authority, Punjab, for assisting the said teachers imparting inclusive education to disabled children studying in Government Primary Schools.

It transpires that the National Institute of Open Schooling, Delhi, an Academic Authority, established by the Ministry of Human Resources and Development, Govt. of India, has laid down the requirement of amended qualification of possessing diploma for the untrained teachers working in the Elementary Schools and such untrained teachers have been provided an opportunity to enhance their qualifications through Distant Education Mode from the National Institute of Open Schooling, Delhi.

The grievance of the petitioners is that although they are engaged as Assistant(s) to such aforesaid teachers, however, they are actually working as Teachers, who are looking after the interest of the disabled students and, therefore, should be permitted to undertake the

opportunity to upgrade their qualifications as per the aforesaid amended qualifications.

At the time of hearing, Mr. Anupam Singla, Advocate for Sarv Shiksha Abhiyan Authority, points out that the aforesaid opportunity is available only for the untrained teachers employed in the Elementary Schools of Punjab and not to the persons like the petitioners, who are engaged as Assistants to such teachers, therefore, submits that the scheme is not applicable to the petitioners, hence, no such direction for extending the benefit can be issued.

In view of the above, no ground to interfere under Article 226 of the Constitution of India for issuance of writ is made out.

Dismissed.

February 14, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>