

Court No. 17

WPA 18205 of 2021

29.04.2022

(AD 257)

(S. Banerjee)

Ananda Das

Vs.

The State of West Bengal & Ors.

Mr. Rabiul Islam
Sk. Jayed Hossain
Ms. Keya Sutradhar

... for the petitioner

Mr. Sauvik Nandy

... for the NCTE

The petitioner's grievance in this writ application is that though he joined as a Headmaster in a school namely, Bawali Gangaprosad Vidyapith High School on 18.12.2019 as recommended by the West Bengal School Service Commission and against an appointment letter issued by the West Bengal Board of Secondary Education dated 10.12.2019, his service has not been approved till date as the B.Ed degree, which the petitioner obtained in 1999, had not been approved by the NCTE. For such non-approval of B.Ed course no step could be taken as appears from page 47 (Annexure P-16) of the writ application for giving the petitioner approval in the post of Headmaster.

Annexure P-16 is a letter written by the District Inspector of Schools to the Commissioner of School Education stating the reason and inviting his instruction in this regard.

The petitioner has filed this writ application and it has been heard on several dates by this court.

Today learned advocate for the NCTE has come up with a report with one annexure which is a notification issued by the Central Government dated 12th May, 2020 wherefrom it appears that the B.Ed course of Rabindra Bharati University was accorded permission retrospectively along with other institutions one of which (at serial no. 3 of the table in the said notification dated 12.05.2020) is Rabindra Bharati University and the course B.Ed have been given recommendation retrospectively from 1998-99 to 2000-01.

The petitioner underwent the B.Ed course in Rabindra Bharati University in the year 1999. So there was a question, whether approval to the service of the petitioner can be given when he obtained the B.Ed degree from an institution not recognised by NCTE at the material point of time.

From this report of the NCTE, affirmed on 11.04.2022 and filed today, it is found that recognition has been given to Rabindra Bharati University's B.Ed course retrospectively, as has been stated above, and now it can be held safely that the petitioner obtained the B.Ed degree from the Rabindra Bharati University's B.Ed course which is recognised by the NCTE.

Therefore, now there is no impediment in giving approval to the service of the petitioner as Headmaster

in the above-named school from the date of his appointment as the Headmaster.

Therefore, I direct the concerned District Inspector of Schools to grant approval to the petitioner within a period of 10 days from the date of communication of this order in the post of Headmaster in the above-named school from the date of appointment there.

With the above observation and direction this writ application is allowed.

The report filed by NCTE is kept on record.

(Abhijit Gangopadhyay, J.)