

Item-6. 21-09-2023

MAT 1210 of 2022
CAN 1 of 2022

sg Ct. 8

Sumanta Naya
Versus
State of West Bengal & Ors.

Mr. Shyamal Roy, Adv.
...for the appellant

Mr. Bhaskar Prasad Vaisya, Adv.
Mr. Pinaki Bhattacharyya, Adv.
...for DPSC, 24-Paraganas (N)

Mr. Jayanta Samanta, Adv.
Mr. Kushal Biswas, Adv.
...for the State

1. The District Primary School Council, North 24 Parganas notified on 23rd April, 2010 vacancies for Recruitment of Primary School Teachers, 2009 as per the provision of the West Bengal Primary School Teachers Recruitment Rule, 2001 published vide Notification No. 57-SE (Pry.) dated 15/01/2002 as amendment vide Notification No.-268-SE(P) dated 19/05/2009, 383-SE(P) dated 24/07/2009 & 276-SE (P) dated 23/04/2010 issued by the State Govt. School Education Department.
2. The Selection Committee in terms of Notification No. 286-SE(P) dated 19/05/2009 is required to prepare a Panel of candidates under General Category only comprising of the names of the candidates as Gen, SC, ST & Other Backward Class candidates qualified based on merits for Appointment against Unreserved Category.
3. The recruitment process conducted by the DPSC in respect of Primary Teacher was not treated or notified as TET. The TET was organized by West Bengal Board of Primary Education. In view thereof, the question of the appellant

claiming a TET qualified could not and does not arise. The appellant appeared as a General Category candidate in Urdu Medium in the Primary Teachers Recruitment Examination conducted by the Distrait Primary School Council, North 24 Parganas and secured 22.46 marks in aggregate, which is below the cut-off marks i.e. 30.67.

4. In view of the fact that the appellant did not secure minimum marks, his candidature could not be considered. This fact is revealed from the report filed by the Chairman, North 24 Parganas District Primary School Council.
5. Under such circumstances, the appeal fails. The appeal and the application are accordingly dismissed. However, there shall be no order as to costs.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)