

21.06.2024
Sl. No.29
Ct. No. 13
Sws.M

W.P.A. 15237 of 2024

Akchhar Ali Mondal and Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Piyush Chaturvedi
Mr. Bhagbat Chowdhury
Ms. Priyanka Saha
Ms. Maitrayee Chatterjee

..For the petitioners

Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for the WBBPE

1. Evidence of full court fees paid and affidavit-of-service filed in Court, are kept on record.
2. The petitioners are holding a regular 2 years D.El.Ed. training certificate. They had participated in the Teacher Eligibility Test (TET) examination conducted on 24th December, 2023 pursuant to notification issued by the West Bengal Board of Primary Education (WBBPE) on 13th September, 2023.
3. Prior to the examination, the Supreme Court on 28th November, 2023 in the case of ***Jaiveer Singh & Ors. vs. The State of Uttarakhand & Ors.*** reported in **2023 SCC OnLine(SC) 1584** has held that a D.El.Ed. qualification

obtained via the ODL mode through NIOS of 18 months duration does not constitute a valid training qualification for the purpose of teaching primary students in the country.

4. It appears that in terms of the notification dated 13th September, 2023 read with the notification of the National Council for Teacher Education (NCTE) dated 22nd September, 2017 several persons, possessing a D.El.Ed. 18 months course obtained in the ODL mode through NIOS participated in the TET 2023 examination on 24th December, 2023.
5. This Court has already by order dated 29th February, 2024 passed in WPA 16118 of 2023 held that the WBBPE shall not recruit any teachers holding D.El.Ed. training certificate issued by NIOS under ODL mode comprising a 18 months course.
6. In view of the above, this Court directs the WBBPE to segregate the candidates having a regular 2 years D.El.Ed. training qualification from those candidates having D.El.Ed. 18 months training certificate obtained from NIOS through ODL mode and publish their respective TET results under separate and independent heads.

7. Consequently, the candidates who sat in the TET examination with the 18 months D.El.Ed. qualification obtained through ODL mode from NIOS shall not be entitled to a TET certificate.
8. With the aforesaid observations, the instant writ petition shall stand disposed of.
9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)