

07.10.2024
Sl no. 39
Ct no. 18
P.M.

WPA 23898 OF 2024
Md. Ershad Ali Shaikh
- Vs -
The State of West Bengal & Ors.

Mr. Sudipta Dasgupta,
Mr. Sahan Shah,
Mr. Umenun Khan
... for the petitioner
Mr. Sutanu Kr. Patra,
Ms. Supriya Dubey
... for WBCSSC
Mr. Santanu Maitra,
Ms. Kakali Pal
... for the State

The matter relates to appreciation of candidature of the petitioner for 1st State Level Selection Test, 2016 (Upper Primary) under Para-Teacher category.

In terms of the order dated 25th September, 2024 a report has been filed on behalf of the West Bengal Central School Service Commission in the form of affidavit and same is taken on record.

In paragraph 5(j) of the report it has been specifically averred that the petitioner did not upload his testimonials in terms of the notices dated 11th August, 2023 and 24th August, 2023 and in addition thereto it is also averred that petitioner would not have completed uploading of testimonials since he was not eligible candidate as he was not possessing

Teacher Training qualification. While uploading documents if testimonials relating to Teacher Training qualification would not have been uploaded the process of uploading was not considered to be complete.

In support of such contention notice of this court has been drawn to online application made by the petitioner in connection with 1st State Level Selection Test for recruitment of Assistant Teachers – 2016 (Upper Primary).

Petitioner did not fill up the portion of online application form where the petitioner was required to indicate marks which he has obtained in Teacher Training qualification.

Learned advocate representing the petitioner submits that he is an untrained candidate and in terms of the advertisement of 1st SLST-2016 (Upper Primary) Teacher training is not essential qualification in order to adjudge a candidate to be eligible to apply under the said advertisement.

Having considered the submissions made on behalf of the parties this Court finds that petitioner while making online application did not indicate marks which he has obtained in training qualification and page 8 of the supplementary

affidavit goes to show that for being appointed as Assistant Teacher in Upper Primary section of a secondary school the candidate desirous to be appointed needs to obtain Teacher Training qualification being an essential qualification. However, at the bottom of page 8 of the supplementary affidavit there is a note to the extent that the trained candidates will get preference over the untrained candidates and in case of non-availability of trained candidates then only untrained candidates will be considered for appointment.

In the present case there is nothing on record which goes to show that against the vacancies earmarked for appointment in the post of Assistant Teacher in Upper Primary Section adequate number of trained candidates are not available which will give opportunity to untrained candidates to be considered for appointment.

It is also submitted on behalf of the Commission that not a single untrained candidate has been considered for appointment in the post of Assistant Teacher nor those untrained candidates were permitted to upload their documents.

It is recorded that petitioner applied under Para-Teacher category for being appointed as

Assistant Teacher in Upper Primary Section and it is specifically submitted that under the category of the petitioner no untrained candidate has been allowed to upload documents.

In view of the aforesaid scenario no relief can be granted to the petitioner and accordingly this writ petition stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Saugata Bhattacharyya, J.)