

05.02.2024
Court No. 13
Item No. 21
AP

WPA 25059 of 2023

Tannistha Das
Vs.
Kendriya Vidyalaya Sangathan and Ors.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumder

.... For the Petitioner.

Mr. Rabindra Nath Bag

.... For the Respondent Nos.1 to 3.

1. The writ petitioner applied for the post of Primary Teacher in the Kendriya Vidyalaya Sangathan. She was not allowed to participate in the interview and the selection process after she qualified in the written test. The reason therefor was that the writ petitioner held a B.Ed. degree.

2. Counsel for the writ petitioner would argue that his client has an integrated B.Ed.-M.Ed. degree. He, therefore, submits that his client is entitled to participate in the selection process and the respondents must be directed to allow the writ petitioner as such.

3. The Supreme Court in the recent case of **Devesh Sharma Vs. Union of India and Ors.** along with other writ petitions arising out of State of UP and Bihar reported in **2023 SCC OnLine SC 985** held that a B.Ed. candidate is not qualified to teach primary school children. The reasons therefor are that teaching primary students of Class 1 to 4 involves special training dealing

with special needs. The qualification required for teaching such children is a regular D.El.Ed. course comprising of two years.

4. The Supreme Court in another decision in the case of **Jaiveer Singh Vs. State of Uttarakhand** reported in **(2023) SCC OnLine SC 1584** has also held that even a D.El.Ed. certificate obtained from the N.I.O.S. is not recognized for the purpose of recruitment of primary teachers anywhere in the country.

5. In that view of the matter, no relief can be granted to the writ petitioner. The writ petition is dismissed.

6. There shall be no order as to costs.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)