



2024:DHC:3445



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1924/2019**

**YOGESH KUMAR SHARMA AND ORS. .... Petitioners**

Through: Mr. Anuj Aggarwal with Ms.  
Shreya Kukreti, Ms. Divya Aggarwal  
and Ms. Tanmaya Dhari Sinha,  
Advocates

versus

**CENTRAL BOARD OF  
SECONDARY EDUCATION (CBSE) .... Respondent**

Through: Ms. Seema Dolo, Advocate, for  
Respondent 1

**CORAM:**

**HON'BLE MR. JUSTICE C.HARI SHANKAR**

**JUDGEMENT (ORAL)**

**29.04.2024**

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**W.P.(C) 1924/2019**

1. The petitioners attempted the Central Teacher Eligibility Test (CTET) conducted by the Central Board of Secondary Education (CBSE) in December 2018. Passing of the CTET is mandatory for recruitment as a teacher at Primary level or as a Trained Graduate Teacher (TGT).

2. The petitioners have sought to question the correctness of the final answer key released by the CBSE with respect to several questions in the CTET. After hearing learned Counsel and going through the record, I had, on 8 March 2019, found the challenge relating only four of the questions worthy of consideration. They

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Page 1 of 6

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2024:DHC:3445



were Question Nos. 61, 66, 88 and 95.

3. Learned Counsel for both sides are *ad idem* that, with respect to Questions 66, 88 and 95, this Bench has already rejected a challenge to the correctness of the final answer key in its judgment dated 1 February 2019 in WP (C) 1068/2019 (*Surjeet v. CBSE*).

4. The only question that remains to be considered is, therefore, Question No. 61. Question No. 61 and the suggested answer thereto read thus:

“61. Who built the Golconda Fort?

- (1) Chalukya Dynasty
- (2) Kakatiya Dynasty
- (3) Pallava Dynasty
- (4) Chola Dynasty”

5. The petitioners challenge Question No. 61 not on the ground that the suggested answer in the final answer key to the question is incorrect, but that question was out of syllabus.

6. Ms. Shreya, learned Counsel for the petitioners submits that identity of the person who built the Golconda Fort cannot constitute part of the syllabus in a paper relating to environmental studies.

7. The petitioners have, however, not placed on record any syllabus for environmental studies, so as to enable the Court to test the correctness of the submission.

8. Though, in ordinary parlance, the argument may appear



2024:DHC:3445



attractive, as one does not usually identify the identity of the person who constructs a building with environmental studies, a court cannot, by exercise of its subjective discretion in that regard, arrive at such a finding. Environmental studies encompass a vast and compendious space. For example, if a particular building is constructed in violation of environmental standards, the person who constructs the building also becomes guilty of harming the environment and his identity may justifiably form subject matter of a syllabus in a paper relating to environmental studies.

9. However, one does not have to proceed on hypothesis in this case, as the CBSE has placed on record the information bulletin relating to the CTET 2018, which sets out the syllabi of various papers. The syllabus for the environmental studies paper is thus as under:

- “V. Environmental Studies 30 Questions**
- a) Content 15 Questions**
- i. Family and Friends:**
- 1.1 Relationships
  - 1.2 Work and Play
  - 1.3 Animals
  - 1.4 Plants
- ii. Food**
- iii. Shelter**
- iv. Water**
- v. Travel**
- vi. Things We Make and Do”**

10. Ms. Dolo submits that identity of the dynasty which built the Golconda Fort, would be encompassed within the heading “Travel” in

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Page 3 of 6

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2024:DHC:3445



Environmental Studies.

11. She has also handed over, across the bar, the comment of the expert, in the challenge of the petitioner to the provisional answer key apropos Question No. 61, as provided to the CBSE. The petitioners are already in possession of this communication which was made available to the petitioners even before hearing today. The said communication reads thus:

“Dear Sir/Madam,

In reference to your mail regarding subject cited case, please find below the reply from the concerned subject expert. The topic ‘Travel’ is very well mentioned in the syllabus of Paper – 1 of CTET under EVS portion. The copy of relevant page of the Information Bulletin of CTET Dec 2018 is attached for reference.

As per NCF – 2005, Environmental Studies is recommended as a core curricular area at the primary stage which is an integration of science and social science. The theme ‘Travel’ in the NCERT syllabus of EVS at class V, includes the following (Page 133-134).

| Questions                                                                                                                                                                                                                                                                                                                            | Key Concepts/Issues                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Oldest buildings</i><br><br>Is there any well-known monument/historical place in your area that people come to visit? What are the oldest buildings around your area? Have you traveled far to see any historical monuments?<br><br>Have you heard of those personalities who lived in these monuments <i>or who built these?</i> | Heritage buildings as a source of knowledge about our past; to be able to understand how they were built; materials used come from a variety of places, skills of the crafts person; Some historical personalities. |

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Page 4 of 6

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HARI SHANKAR  
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12:06:02



2024:DHC:3445



Chapter 10, in the class V textbook of EVS (Walls Tell Stories), deals with this section. The teachers are expected to be aware of such aspects of history to be able to deal the pedagogical aspects of related concepts and issues.”

**12.** Viewed from the perspective of this communication, it cannot be said that identity of the dynasty which built the Golconda Fort – whoever he may be – is irrelevant to syllabus of environmental studies.

**13.** The nature of the examination is also relevant in the present case. The CTET is not an examination undertaken for obtaining admission to an educational institution. It is a pre-recruitment examination, to be undertaken by persons who have already been trained to be teachers, for recruitment on the post of teacher (Primary as well as TGT). The scope of knowledge expected of the person attempting the CTET cannot, therefore, be likened to that of a student attempting an examination for admission to an institute of study. There is, therefore, substance in the observation of the examiner expert that a teacher is expected to be aware of pedagogical aspects of related issues, and that her, or his, knowledge cannot be restricted to the confines of the subject, as strictly understood. The scope of the syllabus, and the knowledge expected of the person attempting the examination has to be reckoned keeping in view the nature of examination, and the purpose that it intends to serve.

**14.** Insofar as the scope of interference, by Courts, with answer keys, especially in examinations which are conducted on an all India level is concerned, the Supreme Court has, time and again, advised circumspection even though there is no absolute proscription against



2024:DHC:3445



interference. It is, however, only in the rarest of cases that the Court can interfere. If the final answer key says that 2+2 is 3, then quite obviously, the Court would step in. However, in cases which are debatable, the Court would hold its hand.

**15.** It is not necessary to interfere into that arena in the present case, as the challenge to Question 61 is not based on a grievance regarding the correctness of the final answer key. The challenge is on the ground that the question is out of syllabus.

**16.** For the reasons stated hereinabove, I am not persuaded to accept the challenge.

**17.** Accordingly, the writ petition is devoid of merits and is accordingly dismissed.

**C.HARI SHANKAR, J**

**APRIL 29, 2024**

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[Click here to check corrigendum, if any](#)