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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5151/2025

MAMPI SAHU
R/O VILL- RANAIMA, P.O.- FOREST BAZAR, P.S.- KHERONI, DIST- WEST KARBI ANGLONG, PIN-782448

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM, DEPARTMENT OF EDUCATION, DISPUR, GUWAHATI-781006

2:THE DIRECTOR
ELEMENTARY EDUCATION. GOVERNMENT OF ASSAM
KAHILIPARA
GUWAHATI-781006

3:THE UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
NEW DELHI-110001

4:SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCES AND DEVELOPMENT
DEPARTMENT OF SECONDARY AND HIGHER EDUCATION (LANGUAGE DIVISION)
NEW DELHI-110001

5:NATIONAL COUNCIL FOR TEACHERS EDUCATION
REPRESENTED BY ITS MEMBER SECRETARY
G-7
SECTOR-10
DWARKA
NEAR METRO STATION

NEW DELHI-110075

6:CENTRAL INSTITUTE OF HINDI
AGRA (KENDRIYA HINDI SANSTHAN)
REPRESENTED BY ITS DIRECTOR
HINDI SANSTHAN MARG
AGRA-282005

7:CENTRAL INSTITUTE OF HINDI
AGRA (KENDRIYA HINDI SANSTHAN)
REPRESENTED BY ITS REGISTRAR
HINDI SHANSTHAN MARG
AGRA-28200

Advocate for the Petitioner : J SAHU,

Advocate for the Respondent : SC, ELEM. EDU, SC, N C T E,SC, N C T E,DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

06.10.2026

Heard Mr. B.D Das, learned senior counsel assisted by Mr. J Sahu, learned counsel for the petitioner. Also heard Mr. P.N. Sharma, learned Standing Counsel, Elementary Education and Mr. I Alam, learned Standing Counsel, NCTE.

2. The petitioner in response to the advertisement dated 26.12.2023 for filling up of 1750 vacancies of Assistant Teacher, Science Teacher, and Hindi teacher in Upper Primary Schools under the Department of Elementary Education had submitted her candidature to be recruited as a Hindi Teacher. In terms of the advertisement for a Hindi Teacher for Upper Primary School, it is the claim of the petitioner that she satisfies the essential qualification and experiences and the petitioner has obtained the Hindi Shikshan Parangat from the Central Institute of Hindi in Agra and a certificate to that effect has been issued. According to the petitioner, this course is equivalent to B.Ed. and which

is mentioned in the said certificate itself. The petitioner has also enclosed the marks obtained in various papers. However, the respondent authorities did not issue specific orders for selection and appointment of the writ petitioner. It is informed by the learned counsel for the petitioner that in the provisional list which was published by the respondents, the name of the petitioner did not figure. According to the petitioner, for the district of Dhubri and Dhemaji, the Hindi Teacher selected for the Upper Primary Schools secured 57.748 and 57.891 marks as compared to the marks obtained by the petitioner which was 58.520 notwithstanding the petitioner securing higher marks, her name did not figure in the provisional select list. Being aggrieved, the petitioner is before this court.

3. The respondents have contested the matter. According to the state, the petitioner does not satisfy the requirement of possessing 2 (two) years diploma in Elementary Education or Bachelor of Education or Bachelor of Elementary Education and that apart, the Hindi Shikshan Parangat certificate issued by the Central Institute of Agra is not a recognized institute as per NCTE list of recognized institutes published in the official website of the NCTE.

4. The NCTE on the other hand has filed an affidavit with a clear averment that the Institute is recognized by the Northern Regional Committee. However, there is no material available before the NCTE which could establish whether Hindi Shikshan Parangat degree is equivalent to B.Ed degree or not.

5. The learned Senior Counsel appearing for the petitioner, referring to the RTE Act, submits that the minimum qualification prescribed for the post of a Hindi teacher includes BT/B.Ed degree from any recognized university (Parangat) to be treated as B.Ed degree only for the purposes of Hindi teaching.

6. From the arguments made and the pleadings available before the court, it

is clear that the petitioner satisfies the essential qualifications prescribed in the advertisement dated 26th of December 2023. The only point of discord of the department and the candidate is that she does not possess B.Ed. degree and the Hindi Shikshan Parangat by the Central Institute of Hindi in Agra is not a recognized institute as per the list of recognized institutes published in the website of the NCTE.

7. Upon careful consideration of the arguments made, this court upon perusal of the provisions of the RTE Act, it is seen that Rule 15 of the Rules prescribes the minimum qualification of a person to be eligible for appointment as a teacher in elementary school shall be notified by the National Council for Teacher Education vide No. F.61-03/20/2010/NCTE(N&S) dated 23.08.2010. As per the said notification dated 23rd of August 2010 for the minimum qualification for the upper primary, a diploma/degree in teacher education recognized by the NCTE shall be considered as recognized by the NCTE. As per the order dated 10th of June 2015, issued by the NCTE at Sl. No.14, the Kendriya Hindi Sansthan, Hindi Santhan Marg, Agra offering Hindi Shikshan Parangat is recognized. The NCTE has granted permission for the said institute for the programme of Hindi Shikshan Parangat which is stated to be equivalent B.Ed. The Government of India, Department of Secondary and Higher Education, Ministry of Human Resource Development, by notification dated 25th of November 2003 has also notified the recognition of the examination of Kendriya Hindi Sansthan, Agra for the purposes of employment of Hindi teacher, where Hindi Shikshan Parangat is shown to be equivalent to BT/B.Ed degree of Indian university.

8. From a careful examination of the pleadings available and the notifications as discussed above, it does appear to the court that the Hindi Shikshan

Parangat offered by the Central Institute of Hindi in Agra, is equivalent to the B.Ed degree and is recognized by the Government of India as also the NCTE. Under the Right to Education Act 2009, the minimum qualifications are a set of qualifications which are recognized by the NCTE.

9. The NCTE in its affidavit has also made a categorical averment that the Hindi Shikshan Parangat is equivalent to the B.Ed Degree. There is a categorical averment that the institute is recognized by the NCTE.

10. In view of the above and also taking into consideration the averments made by the petitioner that she had secured high marks for the district of Dhubri and Dhamaji. There is no reason for the respondent authority to reject the claim of the petitioner. Consequently, the writ petition stands allowed, issuing a direction to the Department of Elementary Education to pass consequential orders for the selection and appointment of the petitioner, who is otherwise shown to have secured higher marks and whose candidature was rejected only on the ground that she did not hold a degree of B.Ed. or any degree equivalent to that of B.Ed. The respondent authorities will accordingly pass appropriate orders within a period of 30 days from the date of receipt of a certified copy of this order.

11. This petition accordingly stands disposed of. The interim order passed earlier will continue till such time the respondent authorities to pass the order as directed by order dated 26.09.2025 one post of Hindi teacher has already been kept vacant.

JUDGE

Comparing Assistant