HIGH COURT OF TRIPURA
AGARTALA
WP(C)No.210 of 2026

Sri Abhijit Chakraborty,
Son of Late Bijoy Chakraborty,
Resident of village:North Kachuchhara,
P.O. & P.S. Kachuchhara,
District: Dhalai Tripura,
PIN:799 278, Age: 40 years

----Petitioner (s)

Versus

1. **The State of Tripura,**
   Represented by its Secretary,
   School Education Department,
   Government of Tripura,
   P.S. Secretariat, P.S. New Capital Complex,
   District: West Tripura, PIN:799 010
2. **The Directorate of Elementary Education,**
   Directorate of Elementary Education,
   Government of Tripura,
   P.O. Agartala, P.S. West Agartala,
   District: West Tripura, PIN:799 001
3. **The Teachers Recruitment Board, Tripura,**
   Represented by its Member Secretary,
   Siksha Bhwan, Office Lane,
   P.O. Agartala, P.S. West Agartala,
   District: West Tripura, PIN:799 001
4. **The Member Secretary,**
   Teachers Recruitment Board, Tripura,
   Siksha Bhawan, Office Lane, P.O. Agartala,
   P.S. West Agartala, District: West Tripura, PIN:799 001
5. **The Controller of Examinations,**
   Teachers Recruitment Board, Tripura,
   Siksha Bhawan, Office Lane, P.O. Agartala,
   P.S. West Agartala, District: West Tripura, PIN:799 001
6. **The National Council for Teachers Education,**
   Represented by its Member Secretary,
   Having office at G-7, Sector-10,
   Dwarka, Near Metro Station, New Delhi-110075
7. **The Regional Director,**
   The National Council for Teachers Education,
   Having office at G-7, Sector-10,
   Dwarka, Near Metro Station, New Delhi-110075
8. **The National Institute of Open Schooling (NIOS),**
   Represented by it's Secretary,
   Having Office at A-24/25, Institutional Area,
   Sector-62, Noida, District: Gautam Budh Nagar,
   Uttar Pradesh- 201309

---- Respondents (s)

For Petitioner(s)	: Mr. Arijit Bhaumik, Adv. Ms. Ishpa Chakma, Adv.
For Respondent(s)	: Mr. Karnajit De, Addl. G.A. Mr. Milan Laskar, Adv.
Date of Hearing	: 20.08.2026
Date of delivery of Judgment and Order	: 25.08.2026
Whether fit for Reporting	: YES

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order

This writ petition is filed by the petitioners seeking following reliefs:

(i) Issue Notice upon the Respondents.
(ii) Call for the records.
(iii) Issue Rule calling upon the Respondents to show cause as to why clause 1(A) and 1(B) of the Prospectus-cum-Instruction for T-TET 2024 shall not be held to be illegal and quashed so far as it does not recognize the 18 months Diploma in Elementary Education conducted through NIOS in ODL mode within 31st March, 2019 as an eligibility criteria for T-TET 2024, Paper-I.

AND

Issue Rule Calling upon the Respondent to show cause as to why a writ of certiorari or any other appropriate writ shall not be issued for setting aside the rejection of candidature of the Petitioner at the time of scrutiny of documents during the process of T-TET 2024, Paper-I.

AND

Issue Rule Calling upon the Respondent to show cause as to why the 18 months Diploma in Elementary Education completed by the Petitioner from National Institute of Open Schooling through ODL mode within 31st March, 2019 shall not be considered as valid diploma for the purpose of issuance of TET Certificate and appointment of teachers at elementary level.

AND

Issue Rule calling upon the Respondent to show cause as to why the writ of mandamus or any other appropriate writ shall not be issued mandating the Respondents to issue TET Certificate in favour of the Petitioner upon successfully completing Paper-I of T-TET 2024 considering the 18 months Diploma in Elementary Education conducted from NIOS as valid diploma.

AND

Issue Rule calling upon the Respondent to show cause as to why the Petitioner shall not be recommended for appointment and/or appoint the Petitioner in the post of Under Graduate Teacher (Classes I-V) pursuant to Advertisement dated 21.02.2026 considering the candidature of the Petitioner against the Advertisement dated 21.02.2026.
iv. And after hearing the parties, be pleased to make the rule absolute.

AND/OR

Pass any other order/orders may deemed fit and proper.

02. Heard Learned Counsel Mr. A. Bhaumik appearing on behalf of the petitioner and Learned Addl. G.A. Mr. K. De appearing on behalf of the State-respondents and also heard Learned Counsel Mr. M. Laskar appearing for the respondent No.8. None appeared for the respondents No.6 and 7 in respect of service of notice.

03. At the time of hearing Learned Counsel for the petitioner drawn the attention of the Court that the petitioner has completed 18 months D.El.Ed course through NIOS and thereafter he applied for TET Paper-I as per advertisement issued by the authority and got qualified but at the time of verification of documents he was not allowed to participate in the process of document verification on the ground that he did not have the requisite qualification. Learned Counsel further submitted that similarly situated so many candidates were also appeared and contacted with the TRBT authority and they were informed that they will not be allowed to enter into the document verification process as they did not have 2 years D.El.Ed course. It was further submitted that this case is squarely covered by the judgment delivered by this Court in WP(C)No.603 of 2025. It was further submitted that similar other judgments have been passed by this Court on the same subject matter in WP(C)No.27 of 2026, WP(C)No.159 of 2026 and WP(C)No.603 of 2025. So in summing up Learned Counsel

submitted that this petition may be allowed and the respondents TRBT may be asked to fix the date for document verification of the petitioner and thereafter to issue the TET certificate for T-TET paper-I 2024 and to recommend his name for appointment to the post of Under Graduate Teacher, Class (I-V) pursuant to the advertisement dated 21.02.2026.

04. The respondents have contested the proceeding by filing counter-affidavit. In para-7 of the counter-affidavit it has been stated as under:

> **7.That, with regard to para 23 to 25, I say that, according to the Prospectus cum Instruction and also as per Notice No.F.4 (1-11)/COE/TRBT/2020/478 dated 26.06.2025 issued by TRBT, all the candidates of the Examination must be present physically on the date of verification of documents/certificates. The Prospectus categorically indicates: "If a candidate doesn't turn up during scrutiny of mark-sheets/certificate/document or any discrepancy is found during scrutiny, her/his candidature will be treated as cancelled." The petitioner did not turn up in the verification process held on 23.07.2025 which is evident from the attendance sheet. So, he is disqualified as a candidate of Teachers Eligibility Test (TET) 2024 for which TET certificate was not issued to him. Advertisement dated 21.02.2026 for filing up the posts of Under Graduate Teachers (Classes I-V) and Graduate Teacher (Classes VI-VIII) was published by TRBT was for those who have minimum academic and professional qualifications and secured TET qualified certificate on or before the publication of the advertisement. The petitioner does not belong to this category."**

Referring the same Learned Addl. G.A. Mr. K. De submitted that the petitioner did not appear before the authority of TRBT in pursuance of notice dated 26.06.2025 on 23.07.2025. So he was disqualified.

05. Learned Addl. G.A. Mr. K. De further drawn the attention of the Court referring the attendance sheet of the candidates wherein the petitioner remained absent on the

date of document verification. So according to Learned Addl. G.A. the petitioner thus become disqualified himself from issuing of T-TET Paper-1 certificate and also to recommend his name for the post of Under Graduate Teacher.

06. To that, Learned Counsel for the petitioner referring the rejoinder further submitted that from Annexure-R/10 it will also be transpire that not only the present petitioner so many other candidates also remained absent on that day because they were not allowed to enter into the premise where the documents verification was held on the ground that they had 18 months D.El.Ed course but since there is a binding judgment of this Court so the petitioner cannot be denied the said benefit.

07. Learned Counsel Mr. M. Laskar appearing for the NIOS also submitted that since there is a covered judgment so there is no scope to dismiss this writ petition.

08. I have also gone through the said judgment i.e. WP(C)No.27 of 2026. In para-8 and 9 of the said judgment this Court observed as under:

> **"08. I have heard both the sides at length and perused the writ petition and the documents connected with the writ petition as well as the counter-affidavit filed by the State respondents along with the documents. Also perused the judgments passed by this Court in the aforenoted cases. In Para Nos.15-17 this Court in the aforenoted cases observed as under:-**
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> > **"15. I have gone through the judgment referred by the parties. By order dated 10.12.2024 in Viswanath(supra), Hon'ble the Supreme Court has very specifically mentioned that 18 months diploma obtained by such persons, who were in employment as on 10.08.2017 and who have completed the diploma course of 18 months, would be treated as valid diploma holders for the purpose of applying in other institutions or for promotional avenues and that**

clarification itself shows that Hon'ble the Supreme Court granted one time window to the in-service untrained teachers to acquire the minimum qualifications. Since the present petitioners were in employment on 10.08.2017 and as such, the stand of the State-respondents that the 18 months D.El.Ed course completed by the present petitioners cannot be treated as valid and also cannot be sustained in the eye of law. Furthermore, since the NCTE by recognition order dated 22.09.2017 has acknowledged the said D.El.Ed course through NIOS in respect of in service untrained teachers at elementary level working in government/government aided and unaided private schools in the country and the same has been acknowledged by the Government of India, Ministry of Human Resource Development, as such, there is no such scope on the part of the State respondents to take a different stand. In this regard as already stated, a communication was forwarded by Deputy Secretary to the Government of India, Ministry Page 8 of 10 of Human Resource Development to the Chairperson, NCTE wherein it was specifically mentioned that regarding training of untrained in-service elementary teachers in the Government/Government aided/unaided private schools, an amendment to Section 23(2) of the RTE Act to extend the period for such training to 31st March, 2019 has been passed by the Parliament. It was further stated that NIOS will be only singular organization responsible for conducting the online D.El.Ed programme through SWAYAM portal for all in-service untrained teachers and the tentative number of in-service untrained teachers was around 11 lakhs and the NIOS was to complete all the academic activities by 31st March,2019. It was further mentioned that the D.El.Ed course will be from 3rd Oct, 2017 to 31st March, 2019. The duration of the course will be for 18 months. As the D.El.Ed. programme is of 2 years, NCTE shall allow subsuming 6 months internship period within the duration of the proposed Online course through SWAYAM portal as all the teachers are in-service and are/were already teaching. Also, from the contents of the communication dated 03.08.2017, it is very much specific that the decision was taken by the Parliament after amendment of Section 23(2) of the RTE Act regarding extension of training till 31st March, 2019. Since the petitioners fulfilled all the criteria and undergone training within the stipulated period as desired by NCTE, so, in the considered opinion of this Court, the respondent-authority cannot take a different stand ignoring the guidelines and decision of the Government of India as well as the NCTE being the sole academic authority to formulate academic guidelines for appointment of teachers across the country. 16. Situated thus, there was no such scope

> **on the part of the respondent authority not to include the names of the petitioners in the final selection list as qualified/selected for appointment to the posts of Graduate and Undergraduate teachers. 17. In the result, both the writ petitions filed by the petitioners are hereby allowed. The respondent authority is hereby asked to include the name of the petitioners in the recommended list dated 03.04.2025 for recruitment to the post of Graduate Teacher and Page 9 of 10 Under Graduate Teachers for which the petitioners have applied, within a period of 6(six) weeks from the date of passing of this judgment/order. With this observation, both the writ petitions stand disposed of. Pending application(s), if any, also stands disposed of."**
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> **09. Since, the case of the present petitioners is squarely covered by the aforesaid judgments, so I have no hesitation to allow this writ petition with the following observations:-**
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> > **The writ petition filed by the petitioners is hereby allowed with a direction to the respondent authority to issue TET certificates in favour of the petitioners in the light of judgments passed by this Court as stated Supra within a period of 6 (six) weeks from today and also to allow the present writ petitioners to appear in their recruitment process against the notification dated 21.02.2026 [Annexure-1] issued by TRBT vide No.F.2(1-18)GEN/TRBT/REC/2024/108 which has been allowed by order dated 24.02.2026 in I.A. No.01 of 2026. However, liberty is given to the respondents to verify the past service of the petitioners to ensure as to whether on 10.08.2017, the petitioners of this case were in employment or not in Government/ Government aided/ unaided private schools also in their respective districts."**

09. From the aforesaid judgment it appears that this Court directed the respondents authority to consider the 18(eighteen) months D.El.Ed course and directed the respondents to recommend the name of the petitioner for selection to the post he applied for and as the said judgment has not been challenged. So the same has been attained finality.

10. So after hearing both the parties this petition is disposed of with a direction to the respondent authority to arrange for document verification of the petitioner within a

period of one month from the date of passing of this judgment with a further direction to issue T-TET Paper-I, 2024 certificate in favour of the petitioner subject to verification of the past service of the petitioner and to recommend the name of the petitioner to the Government for appointment he applied for within a further period of next three months from the date of passing of this judgment.

With this observation, this present writ petition stands disposed of accordingly.

Pending application, if any, stands disposed of.

JUDGE

HIGH COURT OF TRIPURA
सत्यमेव जयते

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