

(2024) 02 GAU CK 0024

Gauhati High Court

Case No: Writ Petition (Civil) No. 332 Of 2024

Dipanka Borah

APPELLANT

Vs

State Of Assam And 3
Ors

RESPONDENT

Date of Decision: Feb. 1, 2024

Hon'ble Judges: N. Unni Krishnan Nair, J

Bench: Single Bench

Advocate: A A Dewan

Final Decision: Disposed Of

Judgement

Sl. No.,Category of post,Essential Qualification & experience,Marking/Weightage

1., "Assistant Teacher

for Lower Primary

School", "Higher Secondary/Senior Secondary (or its equivalent

with at least 50% marks

And

2-year Diploma in Elementary Education (by whatever
name known)

And

Assam TET or Central TET for Lower Primary

(Non-essential)

1.NCC Certificate-5 marks for "A" Certificate and 3

marks for "B" Certificate

Or

2. 5 marks for participation/achievement in recognized sports at National Level or beyond representing State or Nation.

Or

3. 5 marks for participation/achievement in recognized Fine Arts and Cultural Activities representing State at National Level or beyond representing State or Nation (organized by recognized institutions)",")5% of marks secured in

Higher Secondary/Senior

Secondary or equivalent

Examinations

5% of marks secured in

Diploma in Elementary

Education or Bachelor of

Elementary Education

examination or Diploma in

Education (Special

Education)

85% of marks secured in

Teachers Eligibility Test

(TET) for Lower Primary

Schools.

5 marks (Maximum)

Even if the candidate

does not possess all the three

qualifications/achievements

„Maximum Total Marks, 100

Senior Secondary (or its equivalent) with at least 50% marks and 4-year Bachelor of Elementary Education (B.El.Ed.),,,

OR,,,

Senior Secondary (or its equivalent) with at least 50% marks and 2-year Diploma in Education (Special Education),,,

OR,,,

Graduation and two year Diploma in Elementary Education (by whatever name known)â€,,,

5. On a comparison of the qualifications as prescribed by the NCTE vide its notification dated 29.07.2011 and the qualifications as spelt out in the said,,,

advertisement dated 26.12.2023, it is seen that in the advertisement, the alternative qualification of â€œGraduation and two year Diploma in",,,

Elementary Education (by whatever name known)â€ was not incorporated. The petitioner, who satisfies the said alternative qualification had instituted",,,

the present proceedings in view of the fact that the same not having been incorporated in the advertisement dated 26.12.2023, he is not in a position to",,,

have his case considered against the posts so advertised.,,,

6. This Court vide order dated 29.01.2024, had required the learned standing counsel Elementary Education Department to receive his instructions in",,,

the matter and had directed for listing of the matter today.,,,

7. Today, the learned AG, Assam has placed on record an instruction issued by the Director, Elementary Education, Assam through which it was",,,

informed that the Government was aware of the said discrepancies and accordingly had already taken steps for modification of the qualification as,,,

spelt out in the advertisement dated 26.12.2023 and accordingly, a corrigendum would be issued incorporating the qualification â€œGraduation and two",,,

year Diploma in Elementary Education (by whatever name known)â€ in the said advertisement. It has also been further stated by the learned AG that,,,

in view of the requirement of issuing a corrigendum in the matter, the last date of submission of online application for the posts of Assistant Teachers",,,

in LP Schools in the State, advertised vide the advertisement dated 26.12.2023, would now be extended from 10:00 PM of 02.02.2024 till 10:00 PM of",,,

12.02.2024.,,,

8. The grievance as raised by the petitioner in the present proceedings, being limited to the non-incorporation of the qualification "Graduation and",,,

two year Diploma in Elementary Education (by whatever name known) in the said advertisement dated 26.12.2023 and the Government having now,,,

approved for the modification of the qualification as spelt out in the said advertisement dated 26.12.2023 and a corrigendum being issued for extension,,,

of the last date of submission of the applications, grievance as raised by the petitioner in the present proceeding stands redressed.",,,

9. The petitioner would now be at liberty to submit his application in pursuance to the advertisement dated 26.12.2023 in pursuance to the issuance of,,,

the corrigendum as indicated herein above within the extended last date for submission of applications.,,,

10. With the above observations, this writ petition stands disposed of.",,,