



CGHC010338942023



2026:CGHC:34321

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 8245 of 2023**

Monika Hirwani D/o Shri Yogeshwar Prasad Sahu Aged About 37 Years  
R/o House No. 223-A, Risali Sector, Bhilai Nagar, Bhilai, District : Durg,  
Chhattisgarh

--- **Petitioner****versus**

**1** - State Of Chhattisgarh Through Secretary, Department Of  
Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur,  
District : Raipur, Chhattisgarh

**2** - Director Directorate Of Chhattisgarh Public Instruction Indravati  
Bhawan, District : Raipur, Chhattisgarh

**3** - Joint Director Education Department, Surguja, Division- Surguja,  
District : Surguja (Ambikapur), Chhattisgarh

--- **Respondents****WPS No. 8256 of 2023**

Yogeshwari Nage W/o Shri Pravin Kumar Nage Aged About 34 Years  
R/o Prabhat Chowk, Sargipal Para, Kondagaon, Tehsil And Thana-  
Kondagaon, District Kondagaon (C.G.)

---**Petitioner**

**Versus**

**1** - State Of Chhattisgarh Through Its Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Nagar, Naya Raipur, District Raipur (C.G.)

**2** - Chhattisgarh Vyavasayik Pariksha Mandal Through Its Controller Of Examination, Sector- 19, North Block, Vyapam Bhawan, Atal Nagar, Nawa Raipur (C.G.)- 492002

**3** - Director Directorate Of Public Instruction, Department Of School Education, Indrawati Bhawan, Block-C, Is Floor, Atal Nagar, Nawa Raipur, Raipur (C.G.)

**4** - Joint Director Directorate Of Public Instruction, Department School Education Indrawati Bhawan, Block-C, 1st Floor, Atal Nagar, Nawa Raipur, Raipur (C.G.)

**5** - District Education Officer Kondagaon, District Kondagaon, Chhattisgarh

**--- Respondents**

**WPS No. 8285 of 2023**

Sona Das S/o Shri Aghori Das Aged About 37 Years R/o House No. 1461/40, Near Chahat Kirana Store, Shanti Vihar Colony, Daganiya, Raipur, District : Raipur, Chhattisgarh

**---Petitioner**

**Versus**

**1** - State Of Chhattisgarh Through Secretary, Department Of Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh

**2** - Director Directorate Of Chhattisgarh Public Instruction Indrawati Bhawan, District : Raipur, Chhattisgarh

**3** - Joint Director Education Department, Surguja, Division Surguja, District : Surguja (Ambikapur), Chhattisgarh

**--- Respondents**

|                       |   |                                                                        |
|-----------------------|---|------------------------------------------------------------------------|
| For Petitioners       | : | Mr. Rajat Agrawal and Ms. Ankita Gourha, Advocates.                    |
| For State/respondents | : | Mr. DR Minj, Dy. Advocate General.                                     |
| For Respondent-VYAPAM | : | Ms. Akanksha Singh, Advocate on behalf of Mr. Avinash Singh, Advocate. |

**Hon'ble Shri Justice Naresh Kumar Chandravanshi, J**

**Order on Board**

**(05<sup>th</sup> August, 2026)**

Since the issue involved in all these petition is one and the same, they are being disposed of by this common order.

02. The present petitions have been preferred challenging the orders dated 12.9.2023, 4.5.2022 and 26.9.2023 (Annexure P/1 in WPS Nos.8245/23, 8256/23 & 8285/23 respectively) whereby respondent-Joint Director, Education Division, Surguja/Raipur, has rejected the candidature of the petitioners for appointment on the post of Assistant Teacher on the ground that they passed Teacher Eligibility Test examination in the year 2011 before securing certificate of Bachelor in Elementary Education (B.Ed.) which is against the guidelines for TET,

2011.

03. Facts, in brief, of the case are that pursuant to the advertisement dated 4/6.5.2023 issued by the respondent-Director, Directorate of CG Public Instructions, Raipur for filling up various posts including 793 posts of Assistant Teacher (E Cadre), the petitioners applied online for the post of Assistant Teacher (E Cadre) as they were in possession of all the requisite qualification as required under the CG School Education Services (Education and Administrative Cadre) Appointment and Promotion Rules, 2019 as well as the amended rule dated 4.5.2023. The petitioners successfully passed the written examination and they were called for documents verification by the respondent authorities. However, during documents verification, the petitioners' candidature was rejected on the ground that they passed Teachers Eligibility Test examination in the year 2011 before securing certificate of Bachelor in Elementary Education (B.Ed.) which is against the guidelines for TET, 2011. Hence these petitions.

04. Learned counsel appearing for the petitioners would submit that as per the advertisement dated 4/6.5.2023, the petitioners were having certificate of graduation with more than 50% marks and they also possessed B.Ed. and Teacher Eligibility Test (in short "TET") certificates. The petitioners passed TET examination in the year 2011 but they passed B.Ed. examination in the year 2020/2022 and have been declared disqualified only on the ground that they passed B.Ed.

examination in the year 2020/2022 i.e. subsequent to passing of TET examination in the year 2011 whereas nothing has been mentioned in the advertisement that B.Ed. examination ought to have been passed prior to TET examination. Hence they pray that the petitions may be allowed and the relief sought for by the petitioners may be granted to them.

05. The respondents/State have filed their reply. Learned State counsel, referring to its reply/additional reply, would submit that the petitioners had submitted their applications for recruitment on the post of Assistant Teacher for teaching students of Class 1 to 5. Referring to Clause 3(1)(i) of Chhattisgarh Teacher Eligibility Test Guidelines, 2011 (Ananexure R-2), the learned State counsel would submit that as per aforesaid guidelines, the necessary eligibility criteria for appearing in TET to become a teacher for Class 1 to 5 is senior secondary examination (or its equivalent) with at least minimum marks mentioned in the said clause and a 2 year Diploma in Elementary Education (by whatever name known)/4 year Bachelor of Elementary Education (B.El.Ed.). The petitioners passed TET examination in the year 2011 but at that time they were not having Diploma in Elementary Education or eligible as per other criteria contemplated in Clause 3 of the Guidelines, 2011, rather they obtained B.Ed. certificate subsequent to passing of TET examination in the year 2020/2022, therefore, they were held ineligible for appointment on the said post by the impugned

order (Annexure P/1). In view of above, the instant petitions deserve to be dismissed.

06. Learned counsel appearing for respondent-VYAPAM also extended support to the contention raised by learned counsel for the State.

07. Heard learned counsel for the parties and perused the material available on record.

08. Perusal of the record shows that petitioner Monika did graduation with 54.44% in the year 2008, petitioner Yogeshwari Nage did graduation with 51.44% in the year 2010 and petitioner Sona Das did graduation with 55.58% in the year 2015. They successfully passed TET examination in the year 2011. The subject recruitment examination was held in the year 2023 in which the petitioners participated for their appointment on the post of Assistant Teacher for Class 1 to 5.

09. Annexure R/2 is the Guidelines which is said to be issued by the State Council of Educational Research and Training (SCERT). Clause 3(1)(i) of the aforesaid Guidelines is reproduced as under:

**“3. Eligibility for appearing in Teacher Eligibility Test:**

(1) Candidates have to appear in two different exams for becoming eligible for teaching in primary and upper primary level. Minimum qualification for these exams are as follows:

(i) For teaching in classes one to five

(a) Senior Secondary (or its equivalent) with at least 50% marks and a 2 year Diploma in Elementary Education (by whatever name known)

Or

Senior Secondary (or its equivalent) with at least 45% marks and a 2 year Diploma in Elementary Education (by whatever name known), in accordance with the NCTE (Recognition norms and procedure), Regulation 2002

Or

Senior Secondary (or its equivalent) with at least 50% marks and a 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)

Or

And

(b) Pass in Teacher Eligibility Test (TET), to be conducted by the appropriate Government in accordance with Guidelines framed by the NCTE for the purpose.”

10. Perusal of the aforesaid Guidelines shows that the candidates appearing in TET examination should have certificate of Senior Secondary education with minimum marks as has been prescribed in the aforesaid Guidelines and also have Diploma in Elementary Education (by whatever name known). During the course of submission, learned counsel appearing for the petitioners specifically

conceded that in the year 2011, they were not having certificate of Diploma in Elementary Education (by whatever name known) and also not having Bachelor of Elementary Education (B.El.Ed.), whereas according to the aforesaid Guidelines, the candidates participating in TET examination should have certificate of Senior Secondary Education or its equivalent certificate with minimum marks as has been contemplated in Clause 3(1)(i) of the Guidelines and also have certificate of Diploma in Elementary Education (by whatever name known) or 4 years Bachelor of Elementary Education (B.El.Ed.). Since in the year 2011 when the petitioners passed TET examination, they were not having necessary eligibility required to participate in TET examination and they passed B.Ed. examination after more than 8-10 years from passing TET examination, therefore, in the considered opinion of this Court, the respondent authorities have not committed any illegality in holding them ineligible for appointment on the post of Assistant Teacher for Class 1 to 5.

11. For the reasons stated above, this Court finds no substance in the instant writ petitions. The petitions being devoid of any substance are liable to be and are, accordingly, dismissed. No order as to cost(s).

12. Pending interlocutory application(s), if any, shall also stand disposed of.

**Sd/**  
**(Naresh Kumar Chandravanshi)**  
**Judge**