

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No.132/2016

RAJNEESH KUMAR PANDEY & ORS.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

[TO BE TAKEN UP AT 3.00 P.M.]

[CASES RELATING TO DELHI, GUJARAT, UTTAR PRADESH AND CHATTISGARH TO BE HEARD]

I.A. No.330233/2025-INTERVENTION/IMPLEADMENT

WITH

Diary No(s). 51301/2025 (X)

I.A. No.277287/2025-CLARIFICATION/DIRECTION

Diary No(s). 52515/2025 (X)

Diary No(s). 54064/2025 (X)

I.A. No.239359/2025-CONDONATION OF DELAY IN FILING

Diary No(s). 57696/2025 (X)

I.A. No.254489/2025 - CONDONATION OF DELAY IN FILING

I.A. No.254498/2025 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 591/2022 in W.P.(C) No. 132/2016 (X)

I.A. No.160599/2025 - CLARIFICATION/DIRECTION

I.A. No.160600/2025 - EXEMPTION FROM FILING O.T.

I.A. No.136828/2022 - EXEMPTION FROM FILING O.T.

I.A. No.156275/2024 - EXEMPTION FROM FILING O.T.

I.A. No.5723/2023 - EXEMPTION FROM FILING O.T.

I.A. No.157707/2022 - EXEMPTION FROM FILING O.T.

I.A. No.156274/2024 - INTERVENTION/IMPLEADMENT

I.A. No.31726/2023 - INTERVENTION/IMPLEADMENT

I.A. No.5722/2023 - INTERVENTION/IMPLEADMENT

I.A. No.156466/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

CONMT.PET.(C) No. 856/2023 in W.P.(C) No. 132/2016 (X)

I.A. No.297046/2025 - APPROPRIATE ORDERS/DIRECTIONS

I.A. No.62867/2023 - EXEMPTION FROM FILING O.T.

Diary No(s). 10073/2024 (X)

I.A. No.75509/2024 - CONDONATION OF DELAY IN FILING

I.A. No.55972/2024 - EXEMPTION FROM FILING O.T.

Diary No(s). 27076/2024 (X)

I.A. No.133338/2024 - CONDONATION OF DELAY IN FILING  
I.A. No.133339/2024 - EXEMPTION FROM FILING O.T.

Diary No(s). 40533/2024 (X)

IA No. 210700/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 201178/2024 - CONDONATION OF DELAY IN FILING  
IA No. 243939/2024 - INTERVENTION/IMPLEADMENT  
IA No. 200950/2025 - INTERVENTION/IMPLEADMENT  
IA No. 157415/2025 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 589-591/2025 in W.P.(C) No. 132/2016 (X)

IA No. 281751/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 244205/2025 - INTERVENTION/IMPLEADMENT  
IA No. 189103/2025 - INTERVENTION/IMPLEADMENT  
IA No. 38065/2026 - INTERVENTION/IMPLEADMENT  
IA No. 15253/2026 - INTERVENTION/IMPLEADMENT  
IA No. 309336/2025 - INTERVENTION/IMPLEADMENT  
IA No. 285356/2025 - INTERVENTION/IMPLEADMENT  
IA No. 269600/2025 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 554-556/2025 in W.P.(C) No. 132/2016 (X)

IA No. 269063/2025 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 520-522/2025 in W.P.(C) No. 132/2016 (X)

IA No. 156720/2025 - EXEMPTION FROM FILING O.T.  
IA No. 282001/2025 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 603-605/2025 in W.P.(C) No. 132/2016 (X)

I.A. No. 167407/2025 - EXEMPTION FROM FILING O.T.

I.A. No. 273417/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 44233/2025 (X)

IA No. 190229/2025 - CONDONATION OF DELAY IN FILING  
IA No. 219743/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 46686/2025 (X)

IA No. 202571/2025 - CONDONATION OF DELAY IN FILING  
IA No. 202570/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 46953/2025 (X)

IA No. 211158/2025 - CONDONATION OF DELAY IN FILING  
IA No. 211159/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 47542/2025 (X)

IA No. 208201/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50342/2025 (X)

IA No. 221053/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50639/2025 (X)

IA No. 305372/2025 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 222174/2025 - CONDONATION OF DELAY IN FILING  
IA No. 305373/2025 - EXEMPTION FROM FILING O.T.

**W.P.(C) No. 876/2017 (X)**  
**IA No. 326913/2025 - APPROPRIATE ORDERS/DIRECTIONS**  
**IA No. 29329/2018 - EXEMPTION FROM FILING O.T.**  
**IA No. 29969/2018 - INTERVENTION/IMPLEADMENT**  
**IA No. 327086/2025 - INTERVENTION/IMPLEADMENT**  
**IA No. 7557/2019 - INTERVENTION/IMPLEADMENT**

**W.P.(C) No. 1099/2023 (X)**  
**FOR ADMISSION**

**Diary No(s). 46243/2024 (X)**  
**IA No. 230583/2024 - CONDONATION OF DELAY IN FILING**  
**IA No. 230575/2024 - EXEMPTION FROM FILING O.T.**  
**IA No. 37532/2026 - INTERVENTION/IMPLEADMENT**  
**IA No. 2518/2026 - PERMISSION TO FILE ADDITIONAL**  
**DOCUMENTS/FACTS/ANNEXURES**

**Diary No(s). 51158/2024 (X)**  
**IA No. 252704/2024 - CONDONATION OF DELAY IN FILING**  
**IA No. 272685/2024 - INTERVENTION/IMPLEADMENT**

**Diary No(s). 10426/2025 (X)**  
**IA No. 52265/2025 - CONDONATION OF DELAY IN FILING**  
**IA No. 52273/2025 - EXEMPTION FROM FILING O.T.**  
**IA No. 72760/2025 - INTERVENTION/IMPLEADMENT**

**Diary No(s). 12749/2025 (XVI)**  
**IA No. 164101/2025 - CLARIFICATION/DIRECTION**  
**IA No. 85261/2025 - CONDONATION OF DELAY IN FILING**  
**IA No. 85262/2025 - EXEMPTION FROM FILING O.T.**  
**IA No. 164103/2025 - EXEMPTION FROM FILING O.T.**

**SLP(C) No. 16838/2025 (XIV)**  
**IA No. 326918/2025 - CLARIFICATION/DIRECTION**  
**IA No. 146998/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED**  
**JUDGMENT**  
**IA No. 147198/2025 - INTERVENTION/IMPLEADMENT**  
**IA No. 265960/2025 - INTERVENTION/IMPLEADMENT**  
**IA No. 222659/2025 - INTERVENTION/IMPLEADMENT**  
**IA No. 285364/2025 - PERMISSION TO FILE ADDITIONAL**  
**DOCUMENTS/FACTS/ANNEXURES**  
**IA No. 222661/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION**

**Diary No(s). 73405/2025 (X)**  
**IA No. 332877/2025 - APPLICATION FOR PERMISSION**  
**IA No. 23780/2026 - EXEMPTION FROM FILING O.T.**

**Diary No(s). 6331/2026 (X)**  
**IA No. 33811/2026 - APPLICATION FOR EXEMPTION FROM FILING THE**  
**RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT**  
**IA No. 33812/2026 - CONDONATION OF DELAY IN FILING**  
**IA No. 33810/2026 - EXEMPTION FROM FILING O.T.**

**SLP(C) No. 1607-1608/2026 (XII-A)  
FOR ADMISSION**

**Date : 28-04-2026 These matters were called on for hearing today.**

**CORAM :**

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HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA**

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**UPON hearing the counsel the Court made the following  
O R D E R**

1. RCI<sup>1</sup> has filed an affidavit, in compliance with an earlier direction.

Paragraphs 10 & 12 of such affidavit read as follows:-

“10. That the core issue before this Hon'ble Court is that of Teacher Eligibility Test (TET) and its requirement for special educators registered with the RCI. In this regard, the following facts are placed on record:

a) Qualification to be registered as a Professional: RCI Model Recruitment Rules: As per the RCI Model Recruitment Rules (2021), TET is not listed or prescribed as a mandatory educational or professional qualification for the appointment of Special Education Teachers (PRT, TGT or PGT). The essential qualifications are limited to the relevant degree/diploma in special education and valid registration with the RCI.

b) TET as a Recruitment Process Component: While TET is not an RCI statutory qualification, the RCI submitted "Draft Norms for General/ Mainstream schools & Special Teachers for realizing Equity & Inclusive Education" to the Ministry of Education on 02.03.2022. In these draft norms, under the column for "Recruitment Process", the RCI noted "Through CTET/TET/NTA Score + Demonstration of Classroom Teaching + Interview" OR "as per the recruitment process adapted from time to time".

12. Therefore, it is humbly submitted that under the statutory framework and Model Recruitment Rules framed by the RCI, the Teacher Eligibility Test (TET) is not a mandatory professional

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1      Rehabilitation Council of India

qualification for special educators. The sole essential professional requirement is a recognized degree/diploma in special education and enrollment in the Central Rehabilitation Register of RCI. However, if employing authorities/States is adopting TET as part of their specific screening and recruitment process, the TET may be conducted in Special Education as the recruitment is for Special Educator.”

2. In such view of the matter, we permit those States which have prescribed TET as an additional qualification to proceed with the recruitment process. However, it shall be ensured that RCI certificate being the statutory mandatory qualification, no candidate without such qualification is appointed.

### **DELHI**

3. In pursuance of the order dated 21<sup>st</sup> April, 2026, Ms. Swati Ghidiyal, learned counsel appearing for the NCT of Delhi has placed before us a merit list of 361 nominated candidates against 364 vacancies, which were advertised in 2022 and a merit list of 1076 candidates in pursuance of a further advertisement issued in 2023.

4. Ms. Ghildiyl submits that certain clarifications have been sought with regard to reservation policy to be followed pursuant to a decision of this Court dated 23<sup>rd</sup> March, 2026 in C.A. Nos.3647-3669/2026 @ SLP(C) Nos.14517-014539/ 2025; hence, no appointment from the list of 1076 candidates is likely till such time the clarification is received.

5. However, we permit the NCT of Delhi to appoint the 361 selected candidates, out of the 364 advertised vacancies of 2022, subject to verification

of antecedents and credentials. It is made clear that the appointment of such 361 candidates, strictly in order of merit, shall be subject to and abide by the result of the petitions. Each of the appointment letters shall mention this condition.

6. Insofar as the 1076 candidates are concerned, the NCT of Delhi shall obtain the leave of this Court before making any appointment.

7. We grant liberty to the (contractual) Special Teachers, represented by Mr. Vikas Singh, learned senior counsel, as well as other counsel, to file appropriate applications challenging the process of recruitment, if so advised.

8. Issue notice on I.A. No.116709 of 2026.

9. Ms. Swati Ghildiyal, learned counsel accepts notice.

10. Two weeks' time is granted to her to obtain instructions with regard to the prospect, if any, of the applicant (who is as physically disabled) being appointed in a vacancy earmarked for Persons with Disabilities.

11. NCT of Delhi shall file a comprehensive affidavit, within a week, dealing with all categories of special teachers who have been appointed on contractual basis in the schools under the Government as well as bring on record the decision(s) of the Screening Committee taken in terms of the order dated 07<sup>th</sup> March, 2025. Status of consideration of the (contractual) Special Teachers shall also be included in such affidavit.

12. We propose to take up the cases related to the States of Gujarat, Uttar Pradesh and Chhattisgarh on 05<sup>th</sup> May, 2026 at 3:00 p.m. If time permits, cases of the other States could also be taken up.

**(RASHMI DHYANI PANT)**  
**ASST. REGISTRAR-CUM-PS**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**