

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.33576 of 2024

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Siripuram Keshava, learned counsel for the petitioners.

Mr. T.Venkat Raju, learned Government Pleader for School Education Department for the respondents No.2 and 4.

Mr. N.Ananeesh, learned counsel for the respondent No.3.

2. Heard on the question of admission.

3. In this writ petition, the petitioners have assailed the validity of clause (iv)(c) of Paper II of Guideline No.7 of the Guidelines for conducting Teacher Eligibility Test on the ground that the same is arbitrary.

4. Facts giving rise to filing of this petition briefly stated are that the petitioners have obtained the Bachelor Degree in Telugu and Bachelor of Education Degree in Telugu Literature. The recruitment to the post of Teachers of various categories in the State of Telangana is governed by the Telangana Direct Recruitment for the post of Teachers (Scheme of Selection) Rules, 2023. In order to be appointed as a Teacher, a candidate is required to pass the qualifying examination, namely Teacher Eligibility Test (TET).

5. The National Council for Teacher Education (NCTE) has framed the Guidelines for conducting Teacher Eligibility Test. As per the said guidelines, a candidate seeking appointment as a Teacher to teach classes I to V is required to pass Paper I, whereas a candidate seeking appointment as a Teacher to teach classes VI to VIII is required to pass Paper II. The dispute in this writ petition pertains to Paper II. The relevant portion of the Guideline No.7 is extracted below for the facility of reference:

**“Paper II (for classes VI to VIII); No. of MCQs – 150;
Duration of examination: one-and-a-half hours**

Structure and Content

- (i) Child Development & Pedagogy (compulsory) 30 MCQs 30 Marks
- (ii) Language I (compulsory) 30 “ 30 “
- (iii) Language II (compulsory) 30 “ 30 “
- (iv) (a) For Mathematics and Science teacher: Mathematics and Science – 60 MCQs of 1 mark each
- (b) For Social Studies teacher: Social Studies – 60 MCQs of 1 mark each
- (c) for any other teacher – either 4(a) or 4(b)”

6. The aforesaid guideline has been challenged, *inter alia*, on the ground that the petitioners, who are language pandits, have been given option to appear in Mathematics and Science or in Social Studies only. It is further submitted that the aforesaid provision is arbitrary and discriminatory, as unequals are sought to be treated as equals.

7. We have considered the submissions made by the learned counsel for the petitioners and have perused the record.

8. The Guidelines for conducting Teacher Eligibility Test, which is a qualifying examination, have been framed

by the NCTE to ensure that competent persons are recruited as Teachers and they should possess the essential aptitude and ability to meet the challenges of teaching at the primary and upper primary levels. The subjects, namely Child Development and Pedagogy, Language I which is Telugu and Language II which is English as well as Mathematics, Science and Social Studies, are the subjects which are taught to the children at the primary as well as secondary level. A candidate seeking appointment as a Teacher, therefore, must have the basic knowledge in the aforesaid subjects. It is trite law that it is for the authority to prescribe the syllabi for an examination and the Court, in exercise of powers of judicial review, will interfere only when the syllabi fixed suffers from arbitrariness. In our considered opinion, the requirement of having basic knowledge in the subjects which are taught to children from classes I to VIII cannot be termed either as arbitrary or discriminatory.

9. In the result, the writ petition fails and is therefore dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

ALOK ARADHE, CJ

J.SREENIVAS RAO, J

02.12.2024
vs