

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.42135 OF 2015

ORDER

The grievance of the three petitioner colleges which applied to the National Council for Teacher Education for recognition to start various teacher education related courses is that their applications were rejected on the short ground that they were unable to submit a 'No Objection Certificate' (NOC) from the Adikavi Nannaya University, Andhra Pradesh, the affiliating University, within the stipulated date, 01.07.2015.

Perusal of Regulation 5(3) of the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014, reflects that an application to be submitted has to be accompanied with the 'No Objection Certificate' issued by the concerned affiliating body. Regulation 5(6) further stipulates that all applications received online from 1st March to 31st May of the year shall be processed for the next academic session and the final decision, either recognition granted or refused, shall be communicated to the applicant on or before the 3rd day of March of the succeeding year.

Sri Ramakanth Reddy, learned Standing Counsel for the National Council for Teacher Education, the second respondent, fairly stated that in so far as the academic year 2016-2017 is concerned, the cut-off date stipulated under Regulation 5(6) was relaxed in exercise of the power of relaxation granted by Regulation 12 of the aforesaid Regulations and the last date for submission of the NOC was extended up to 15.07.2015.

Admittedly, all the petitioner colleges produced 'No Objection Certificates' issued by the affiliating body only after the aforesaid cut-off date.

Sri Satyam Reddy, learned Senior Counsel appearing for the petitioner colleges, would however submit that the National Council for Teacher Education is yet to consider the applications received for the

academic year 2016-2017 and therefore, it would be hyper-technical on its part to object as to the cut-off date and shut out the petitioner colleges from consideration though they have now procured the requisite NOCs.

Significantly, the educational society sponsoring the first and second petitioner colleges made a representation on 10.12.2015 to the Regional Director of the Southern Regional Committee of the National Council for Teacher Education at Bangalore seeking reconsideration of the two applications in the light of the subsequently issued NOCs. This representation is stated to be pending consideration.

In that view of the matter, as a representation has been made on behalf of two of the petitioner colleges and the third petitioner college is also stated to have made a similar representation, the writ petition is disposed of permitting the petitioner colleges to supplement their written representations with fresh representations, if so advised, and the second respondent shall consider the said representations in the light of the peculiar facts obtaining and take a decision as to whether reconsideration of the petitioners' applications is warranted and if so, take recourse to the power of relaxation vested in it under Regulation 12 of the aforestated Regulations and take appropriate action in the matter. This exercise shall be completed expeditiously.

Pending miscellaneous petitions shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

04th JANUARY, 2016

Note: Issue C.C. in two days.
(B/O)/PGS