

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO
WRIT PETITION Nos.7163, 3607, 5720, 5726 and 5771 of 2017

COMMON ORDER:

These writ petitions are being disposed of by this common order as the relief sought therein is one and the same.

These writ petitions are filed challenging the action of the Convener, DEE CET-2015, Saifabad, Hyderabad, Telangana State in refusing ratification of the admissions of the petitioners, who were admitted in B-Category quota in respondent-colleges for the academic year 2015-16 *vide* proceedings, dated 16.09.2016.

The petitioners claim that they are the students of respondent-colleges and after declaration of the results of DEE CET-2015, the Convener conducted counselling for A-Category seats in different phases and also allowed spot admissions under A-Category seats. The Colleges are entitled to fill up 20% of the seats under B-Category and accordingly, the seats were filled up before 22.04.2016. Classes were started from 01.03.2016 and the colleges were on summer vacation from 23.04.2016 to 13.06.2016. It is the case of the petitioners that the Hon'ble Supreme Court passed an order on 13.05.2016 in SLP No.8875 of 2016 permitting some of the Minority Colleges to fill up A-Category seats even after the period of counselling and therefore, those Minority Colleges have started admitting the students under A-Category. In view of the said order and in view of the admission of students by the colleges under

A-Category, some of the B-Category candidates opted for A-Category and B-Category seats remained unfilled. Therefore, the students, who have not appeared in DEE CET-2015, were admitted under B-Category seats of the colleges. The last date for uploading the details of admissions under B-Category was 22.04.2016, but the Colleges could not upload the information. However, after completion of admissions under B-Category, the colleges approached the Convener, who in turn, did not allow the submission of hard copies after the last date. As per G.O.Ms.No.63, dated 28.10.2013, the students, who were admitted into D.Ed. Course, shall possess 80% attendance in order to appear in the final examinations and the petitioners claim that they have fulfilled such condition. Since they were not allowed to upload the details of the petitioners through online, the Colleges submitted representations to the Convener requesting him to ratify the admissions under B-Category, but the said request was not acceded to. Therefore, the present writ petitions are filed.

Respondent No.2 filed a counter-affidavit stating that the intake of D.El.Ed. Colleges is 50 students. Out of 50 seats, 80% of admissions will be made through the Convener, S.W-1 DEE CET-2015 and 20% through the Management concerned. G.O.Ms.Nos.63 and 22 dated 28.10.2013 and 29.05.2014 respectively, prescribe the criteria for filling up of B-Category seats. The Convener issued instructions to all the Correspondents of private D.El.Ed. Colleges by proceedings, dated 02.03.2016 to complete the admissions under B-Category seats by 14.03.2016 and submit the list of candidates by

15.03.2016, and the date was extended up to 22.04.2016 as per the request made by the management. The colleges did not submit the names of the petitioners for approval by 22.04.2016. Therefore, it cannot be said that the admission of the petitioners was valid, as such, ratification of such admission does not arise. The petitioners were not parties before the Hon'ble Supreme Court in order to get the benefit of the order passed by it. Even otherwise also, the said order would enable the Colleges to make admissions under A-Category seats.

In view of the above facts and circumstances, the point that arises for consideration in these writ petitions is whether the admissions of the petitioners are properly made and was in accordance with G.O.Ms.Nos.63 and 22, dated 28.10.2013 and 29.05.2014 respectively.

As per the above stated Government Orders, the criteria for filling up of B-Category seats are as follows:

- (I) Age: Candidates should have completed 17 years of age as on 1st September, 2015. There shall be no upper age limit for admission into D.El.Ed Course.
- (II) Qualification: The candidates should have passed Intermediate Examination or its equivalent as decided by the CET Committee with an aggregate of minimum of 50% marks. The minimum percentage of marks in the case of Scheduled Castes, Schedule Tribes, and physically challenged candidates shall however be 45%. The candidates shall have obtained a rank in the DEECET conducted for that year. The candidates who passed Intermediate with Vocational Courses are not eligible."

The schedule for admission of the candidates filled under B-Category was also communicated to all the colleges on 02.04.2016 and it is as follows:

Name of the District	Date of submission
Mahaboobnagar, Ranga Reddy	23.04.2016
Adilabad, Karimnagar, Hyderabad, Medak, Nizamabad	25.04.2016
Warangal, Khammam	26.04.2016
Nalgonda	27.04.2016

Admittedly, none of the petitioners underwent the common admission test and the ranks obtained by them are not disclosed in the affidavits filed by them. Even otherwise also, since the required information was not furnished to the Convener within the prescribed time, it cannot be said that the petitioners fulfilled the required attendance of 80%. Thus, on both grounds, the proceedings issued by the Convener have to be upheld. Therefore, this Court does not find any merit in the writ petitions.

The writ petitions are accordingly dismissed.

Miscellaneous petitions, if any, pending in these writ petitions shall stand closed. There shall be no order as to costs.

Dt:10.04.2017
kdl

A.RAMALINGESWARA RAO,J

