

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24280 of 2014 (O&M)

Date of Decision: November 13, 2017

Shruti

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sanjay Jain, Advocate, for the petitioner.
Mr. V.K. Kaushal, Advocate, for respondent no.1.
Mr. K.K. Gupta, Advocate, for respondent no.2.
Mr. A.K. Goyal, Advocate, for respondent no.3.
Mr. A.S. Virk, Advocate, for respondent no.4.
Mr. R.K. Ravesh, Advocate, for respondent no.5.
Mr. Amrit Paul, Advocate, for respondent no.6.
Mr. Anurag Goyal, Advocate, for respondent no.7.

Amol Rattan Singh, J. (Oral)

The petitioner seeks a writ of mandamus directing respondents no.4 to 7, i.e. different Universities in the State of Haryana and their affiliated Colleges, to adopt and follow the regulations framed by the University Grants Commission, an excerpt of which is annexed as Annexure P-1 with the petition.

As per the order by which notice was issued in this petition on 27.11.2014, learned counsel for the petitioner had submitted that, however, it was the eligibility qualifications framed by the All India Council for Technology Education (AICTE), notified by the Government of India vide a notification dated 05.03.2010 (Annexure P-2), which are being adopted by the Universities for recruitment to the posts of Assistant Professors in Engineering Technology Colleges, the qualifications laid down being

Bachelor of Technology and a Masters' Degree in Engineering Technology (B.Tech and M.Tech).

The petitioner on the other hand is stated to be possessing the qualifications of B.Sc., M.Sc. and M.Tech.

A reply has been filed by the All India Council for Technology Education (AICTE), respondent no.2 herein, and Mr. Gupta, learned counsel appearing for the said respondent, has produced in Court today the missing pages of the excerpt of the UGC Regulations, 2010, Clause 1.1.1 of which reads as follows, which has also been reproduced in the reply of the said respondent:-

“1.1.1. For teachers in the Faculties of Agriculture and Veterinary Science, the norms/Regulations of Indian Council of Agricultural Research; for Faculty of Medicine, Dentistry, Nursing and AYUSH, the norms/Regulations of Ministry of Health and Family Welfare, Government of India; for Faculty of Education, the norms/Regulations formulated in consultations with National Council of Teacher Education; for Engineering and Technology, Pharmacy and Management/Business Administration, the norms/Regulations formulated in consultations with All India Council for Technical Education; and the qualifications in the field of rehabilitation and special education at Degree, PG Diploma and Masters level, the norms/Regulations formulated in consultations with Rehabilitation Council of India, shall apply.”

Very obviously, by the UGC Regulations themselves, the qualifications to be prescribed for University and College Teachers, for teaching engineering and technology courses, are to be framed in consultation with the AICTE.

Therefore, this petition is wholly misconceived.

Consequently, the petition is dismissed, but with liberty to the

petitioner to represent to the AICTE, as to why her qualification should also not be included as a part of the norms for recruitment as an Assistant Professor in Engineering Technology.

The petitioner is stated to have qualified the M.Tech Examination in the year 2009, i.e. prior to the UGC Regulations of 2010. She would obviously be free to represent to the AICTE with regard to all issues that she wishes to address it on.

November 13, 2017	(Amol Rattan Singh)
vcgarg	Judge
Whether speaking/reasoned:	Yes
Whether reportable:	No