

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28026-2017

Date of Decision: December 11, 2017

Pankaj Kaushik and others

.....Petitioners

Versus

Kurukshetra University, Kurukshetra and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHIR MITTAL

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.S.K.Malik, Advocate for the petitioners.

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SURYA KANT, J.

The petitioners are working as Drawing Teachers in the Education Department, Haryana. They have been appointed as such on the basis of two years' Diploma Course in Art and Craft, which they completed through correspondence without attending regular classes.

[2] The National Council for Teachers Education (NCTE) has formulated "Norms and Standards for Bachelor of Education Programme through Open and Distance Learning system", i.e. the standards for admission to B.Ed Degree Course. As per these norms a candidate having Diploma in Art and Craft alongwith B.A./M.A. qualification is eligible for admission to B.Ed course through Open and Distance Learning System provided that the 2- year Diploma Course was done face to face, i.e. by

attending the regular classes. A similar condition has been imposed by

Kurukshetra University in its Prospectus in deference to the norms and standards prescribed by NCTE. As the petitioners have not done their Diplomas in Art and Craft through face to face mode, i.e. by attending the regular classes, their applications for admission to B.Ed Courses have been turned down, giving rise to this writ petition.

[3] We have heard learned counsel for the petitioners at a considerable length who has laid challenge to the validity of Regulations prescribed by NCTE as also eligibility conditions laid down by Kurukshetra University. The foremost contention is that the norms and standards prescribed by NCTE in the year 2014 cannot render them ineligible retrospectively as the condition of passing Art and Craft Diploma through face to face mode, i.e. by attending regular classes for the purpose of admission to B.Ed course, was non-existent at the time when petitioners did their Diplomas in the year 2004-06.

[4] We are, however, not impressed by the contention. The petitioners have sought admission in the B.Ed course in the year 2017. Hence, they are obligated to fulfil the eligibility condition as prescribed by the University for the said academic year. It is not a case where the NCTE Regulations or the eligibility conditions prescribed by the University have been applied retrospectively as no candidate who obtained B.Ed Degree prior to 2014 is being deprived of the benefit of such Degree through 2014 Regulations. The contention, thus, is wholly misconceived.

[5] The question as to whether or not the condition of completing Teachers Education Programme through face to face mode should be prescribed or not, is a question which falls within the domain of

Educationists/subject experts. If the NCTE who is the National Level Expert Body has resolved that to maintain the standard of B.Ed programme for in-service teachers, they should have done their Diploma Course through face to face mode, it is not expedient for this Court to interfere with such condition more so when it does not offend any statutory provision, Regulation or a policy decision.

[6] No case to interfere with the impugned action is, thus, made out.

[7] Dismissed.

**(SURYA KANT)
JUDGE**

December 11, 2017
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**(SUDHIR MITTAL)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No