

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5236 of 2019

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Neeraj Kumar Son of Nand Kishor Sharma, Advocate Resident of Kishor Bhawan Mohalla- Lakhibag, P.S. Moffasil District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar.
3. The District Education Officer, Gaya.
4. District Programme Officer, Secondary Education (R.M.S.A.) District Gaya.
5. The Head Master, Project Girls High School Khizarsarai District Gaya.
6. University Grant Commission.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hansraj
For the Respondent/s : Mr.Subhash Chandra Mishra (Sc16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 14-10-2019 The present writ application is filed for issuance of degree of M.Sc obtained by the petitioner from Vinayaka University, Salam, Tamil Nadu. For authenticity the court directed to impleadment of U.G.C. as respondent No. 6 vide order dated 25.07.2019. After scrutiny of its record the University Grant Commission has filed affidavit. In paragraph 5 of the affidavit U.G.C. has taken the following stand which quoted herein below for ready reference.

“The programme-wise recognition was accorded to it for three years from academic session 2011-12 to 2013-14 (Annexure R-6/2) for offering specific programmes. The Master of Science in Mathematics



was also mentioned in the recognition letter for the academic session 2011-12 to 2013-14. No further recognition has been granted to it either by DEC or UGC to offer any programme through distance mode. It may be noted that for technical/professional education to be offered through distance mode, approval of concerned apex regulatory body is required and for which responsibility rests with University concerned. However, AICTE vide public notice/advertisement no. UB04(04)/2010 and again in 2011 notified their policy not to recognize the qualification acquired through distance education mode at Diploma, Bachelor & Masters level in the field of Engineering & Technology. A copy of the AICTE Public Notice No. UB04(04)/2010 is annexed as Annexure R-6/3.

In view of the categorical stand of the U.G.C. quoted hereinabove, the present writ application is disposed of. The respondents are directed to act in accordance with the stand of U.G.C. as quoted above and take final decision with regard to this petitioner within a maximum period of 60 days from the date of the receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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