

11<sup>th</sup> September,  
2019

**Calcutta High Court  
In the Circuit Bench At Jalpaiguri**

W.P.A. 559 of 2019

(10)  
(AK)

Falakata B.Ed. College  
-vs-  
The State of West Bengal & Ors.

Mr. Joyjit Choudhury  
Mr. Rohit Awaral

..... For the Petitioner.

Mr. Amales Ray  
Mr. Deborshi Dhar

....For the respondent nos.3.

The petitioner is a college for training students in Bachelor of Education and Elementary Education for conferring diplomas under the diploma in Elementary Education programme. The petitioner is affiliated to the West Bengal University Teachers Training, Education, Planning and Administration (WBUTTEPA). The petitioner seeks a direction on the said University for renewing the petitioner's affiliation for 100 students for the 2019-2020 sessions.

Learned counsel for the petitioner relies on several documents to show that the petitioner college had been granted recognition for the B.Ed course for 100 students by an order dated 12<sup>th</sup> February, 2007 by the Regional Director of the National Council for Teacher Education (NCTE) which was published in the gazette by order dated 30<sup>th</sup> November, 2017. Counsel further places a

renewal of affiliation for the petitioner's B.Ed programme by the WBUTTEPA/respondent no.3 on 22<sup>nd</sup> November, 2018 which specifically mentions at Clause 4 that *"intake capacity will be as per NCTE norms"*. Counsel also relies on the online application portal of the University dated 27<sup>th</sup> April, 2019 which gives a status that the application for affiliation is approved by WBUTTEPA. Counsel relies on two representations made by the petitioner to the Registrar, of the University on 7<sup>th</sup> June, 2019 and on 9<sup>th</sup> July, 2019 seeking renewal of affiliation for the B.Ed course for 100 students. None of the representations were responded to. Counsel submits that unless the affiliation is renewed by University for 100 students, the ongoing admission process will be destructed.

Learned counsel appearing for the respondent no.3/ WBUTTEPA submits that an inspection taken by the University on 9<sup>th</sup> July, 2019 is in favour of the petitioner but that the renewal has been made only for 50 students. Counsel submits that the difficulty arises by reason of some construction which is being done in the petitioner's campus and that the University will consider affiliation for an additional 50 students as may be required.

Having heard learned counsel for the parties, the documents in the case make it clear that the NCTE had granted recognition to the petitioner for the B.Ed course

for 100 students and that the said recognition was due to continue till further orders of the court. The University itself had also renewed the affiliation for the B.Ed programme of the petitioner for 100 students on 22<sup>nd</sup> November, 2018. The online portal of the University reflects the same status. Since counsel for the petitioner has stated that the affiliation which expired for the 2018-2019 sessions on 1<sup>st</sup> July, 2019, there is an immediate need for the affiliation to be renewed by the University for 100 students since admission for 100 students has already been held in September, 2019. In view of the aforesaid, the University suddenly taking a stand which is contrary to its own letter of 22<sup>nd</sup> November, 2018 cannot hence be supported. There is no reason shown by the University for curtailing the number of students for the B.Ed course and making the renewal of affiliation conditional upon that.

In view of the above, the respondent no.3 is directed to renew the affiliation for the B.Ed course for 100 students and update the online portal for the session 2019-2020 with regard to the petitioner college. Since the admission process is under way, the University/respondent no.3 is directed to take appropriate steps for registration of 100 students within a period of seven days from today. It is made clear that

the admission process will not be stalled or disrupted by any action or delay on the part of the University.

W.P.A. 559 of 2019 is disposed of in terms of the above.

( Moushumi Bhattacharya, J.)