

Court No. 24
26.07.2021
(Item No. 8)
(AB)

W.P.A. 11608 of 2021
(via video conference)

RENUBALA COLLEGE OF EDUCATION AND ANR
VS
THE WEST BENGAL UNIVERSITY OF TEACHERS'
TRAINING EDUCATION PLANNING AND
ADMINISTRATION AND ORS

Mr. Arabinda Chatterjee
Mr. Arkadipta Sengupta

..... For the petitioners

Mr. Amitava Chaudhuri
Ms. Monoleena Chaudhuri
Mr. N. Roy

..... For the University

The petitioner college applied online for grant of recognition of Teacher Education Programmes before the National Council for Teacher Education on 31st May, 2016.

The said application stood rejected as the No Objection Certificate to be supplied by the affiliating body was not submitted by the petitioners. The rejection of the prayer of the petitioners was not intimated to the college.

The petitioners filed a writ petition before this Court challenging the order of rejection of the application. The Court by an order dated 29th June, 2021 passed in WPA 7451 of 2021 directed the petitioners to give reply to the show cause notice dated 18th March, 2017 within a period of four weeks.

Presently the prayer of the petitioners is for grant of No Objection Certificate by the affiliating body i.e. the West Bengal University of Teachers' Training Education Planning and Administration.

The petitioners made representation before the vice-chancellor as well as the Registrar of the University by a representation dated 26th September, 2019 followed by a notice demanding justice dated 22nd February, 2021. The petitioners allege that none of the representations have been considered by the University till date.

The learned advocate representing the University submits that as the application made by the petitioners for grant of recognition stood cancelled by NCTE the petitioners are required to make a fresh application before the University as well as the State respondents.

The University refers to the order dated 29th June, 2021 passed in WPA 7451 of 2021 and submits that until and unless a fresh application is made by the petitioners, the same cannot be considered either by the University or the State respondents.

I am not convinced with the submission made on behalf of the University. The prayer of the petitioners for grant of recognition which was made on 31st May, 2016 stood cancelled as because the petitioners could not supply the No Objection Certificate as required within the time specified. The Court by order dated 29th June, 2021 directed the petitioners to reply to the show cause notice issued by the NCTE. The same certainly does not have any

bearing with the fact of consideration of the application of the petitioners for grant of No Objection Certificate by the University. Whether the University will grant a No Objection Certificate in favour of the petitioners or not is a different question altogether. The petitioners seek consideration of their prayer for grant of No Objection Certificate by the University alone. NCTE does not have a role to play in the matter for the grant of No Objection Certificate by the affiliating body.

In view of the above, the instant writ petition is disposed of by directing the concerned authority of the West Bengal University of Teachers' Training Education Planning and Administration to consider the prayer of the petitioners for grant of No Objection Certificate as prayed for in the representation dated 26th September, 2019 strictly in accordance with law, at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order.

The University shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

The writ petition is disposed of.

The petitioners are directed to forward the application made online on 31st May, 2016 along with all necessary documents in their support for grant of

recognition of Teacher Education Programmes to the University at the time of communicating the order of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)