

17.09.2021
SL No. 21
Court No. 24
(P.M.)

WPA 14624 of 2021

**Pravat Jyotirmoyee Educational Research Institute
Vs
The State of West Bengal & Ors.
(Via Video Conference)**

Mr. Indranil Ray,
Mr. Sumit Kr. Roy,
Mr. Suman Banerjee
... for the petitioner

Mr. Souvik Nandy
... for NCTE

Mr. Amitava Chaudhuri,
Ms. Monoleena Chaudhuri,
Mr. N. Roy
... for the University.

The petitioner is a self-financed Institute which imparts education in B.A, B.Ed – B.Sc, B.Ed four year integrated course. The Institute is recognized by the National Council for Teacher Education. The Institute was initially affiliated to the Burdwan University.

The Government of West Bengal, Higher Education Department (University Branch) published a notification on 17th July, 2021 wherein it has been mentioned that in exercise of the powers conferred by sub-Section (1) of Section 6 of the West Bengal University of Teachers' Training, Education Planning and Administration Act, 2014 and subject to the provisions of Section 64 of the said Act, the Governor is, hereby, pleased to appoint the first day of August, 2021 as the 'appointed day', from which the Bachelor of Education (B.Ed), Bachelor of Physical

Education (B.P.Ed) Courses including 4 year integrated B.A B.Ed and B.Sc. B.Ed courses conducted by the Government colleges, Government aided colleges and self-financing private colleges (including colleges run by minorities), which are situated in the District of Purba Burdwan, Paschim Burdwan, Birbhum, Bankura and Hooghly and presently affiliated under the Burdwan University, shall be deemed to have come under the affiliation of the West Bengal University of Teachers' Training, Education Planning and Administration and simultaneously, shall be deemed to have ceased to be affiliated under the Burdwan University.

A mail was forwarded by the University to all the colleges affiliated to the Burdwan University wherein it was mentioned that as per the order issued by the Higher Education Department, Government of West Bengal the college is required to be affiliated under the West Bengal University of Teachers' Training, Education Planning and Administration to conduct 4 year integrated B.A B.Ed, B.Sc B.Ed courses from the academic session 2021–2023. The self assessment report is required to be filled by the college and sent to the University invariably within 11th August, 2021. The inspection fee for affiliation of Rs. 25,000/- only has to be deposited in the link provided in the said communication.

In accordance with the aforesaid communication, the college deposited the sum of Rs. 25,000/- only in the link provided.

The grievance of the College is that even though the admission for the new session has begun but the University has not taken step either for inspecting or for granting affiliation to the College.

The petitioner has referred to the Notification dated 31st August, 2021 published by the Registrar of the University for affiliation of B.Ed colleges in respect of only the Government/Government aided/Government sponsored B.Ed colleges, those transferred from the Burdwan University for the session 2021–2022.

The schedule for admission to the new courses has been mentioned therein. It mentions that the application for online affiliation starts from 1st September, 2021 and the last date for submission of data for online affiliation is 8th September, 2021. The online form fill up for fresh admission starts from 16th September, 2021 and ends on 28th September, 2021 at 4 p.m.

The petitioner made a representation before the University praying for providing the admission norms so that the College can take steps for admission of candidates in the current academic year. The said representation has not been considered by the respondent University till date.

The learned advocate representing the University submits that there are several colleges which have been de-affiliated from the Burdwan University and given affiliation in the West Bengal University of Teachers' Training, Education Planning and Administration.

It has been submitted that it will take some time for the University to give necessary affiliation to the colleges provided the application for affiliation has been made in proper form.

It appears from the submissions made on behalf of the parties that the petitioner deposited the inspection fee for affiliation long ago. Fresh admission has already been started. It has been submitted that the Government colleges are being permitted to admit students, whereas the petitioner being a self-financed college has not been given permission to take admission.

Accordingly the instant writ petition is disposed of by directing the respondent No. 4, the Registrar of the West Bengal University of Teachers' Training, Education Planning and Administration to take prompt necessary steps in terms of the notification dated 17th July, 2021 at the earliest, but positively within a period of ten days hereof.

In the event the University is of the opinion that the petitioner is required to comply any formality for obtaining affiliation, then the same shall be intimated to the College immediately so that the College can take necessary steps to complete all the requisite formalities in accordance with the notification dated 17th July, 2021.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)